



Meeting	Board Meeting
Date	Friday, 28 May 2021
Title of report	Review of Governance Documents
Purpose	For approval/decision
Public/private report	Private - not for publication
If private, exemption reason (see appendix 1)	Section 22 - information intended for future publication
Author	Corporate Manager (Secretariat Services)
Appendix	Appendix 1 – Standing Orders Appendix 2 – Scheme of Reservations and Delegations Appendix 3 – Code of Conduct

KEY POINTS

- The Standing Orders and Scheme of Reservations and Delegations were first adopted by the Board in 2002 and last reviewed in October 2017.
- The Code of Conduct for Board Members was last reviewed in October 2017 and has been updated to reflect the Cabinet Office Code for Board Members of Public Bodies, which was updated in 2019.

1. AIM AND PURPOSE

- 1.1 To present amendments to the core Governance documents. The documents include the Board's Standing Orders and the Scheme of Reservations and Delegations which are reviewed and updated every three years.

2. BACKGROUND

- 2.1 The Standing Orders and Scheme of Reservations and Delegations were first adopted by the Board in 2002 and last reviewed in October 2017.
- 2.2 The Code of Conduct for Board Members and the Framework Document between Ministry of Justice (MOJ) and Cafcass, are also under review. The revisions to the Framework Document are being led by the MOJ and will be shared and finalised later this year.

3. KEY STRATEGIC AREAS TO CONSIDER

Standing Orders

- 3.1 The Standing Orders set out the procedure for Board meetings. Only minor amendments are proposed as follows
- 3.1.1 SO7: updated to reflect current membership requirements set out in the Regulation.
 - 3.1.2 SO12.26: updated to reflect that electronic signatures will be applied to minutes of the meetings to evidence approval of the minute.
 - 3.1.3 SO27 (and index): updated to reflect that should a document be required to be Sealed, the use of the Seal will need to be authorised the Chief Executive or Director of Resources. The Seal is located in a secure cupboard in the National Office.
 - 3.1.4 Appendix A: reference to the 'National Business Plan' changed to 'Strategic Delivery Plan'.

Scheme of Reservations and Delegations

- 3.2 The Scheme of Reservations and Delegations specifies those decisions which the Board reserves to itself, and those which it formally delegates to officers.
- 3.3 The proposed amendments are as follows:
- 3.3.1 Annex 1: updated with the current Audit and Risk Assurance Terms of Reference
 - 3.3.2 Amendments to the Scheme of Delegation Pursuant to Standing Orders, at Annex 2
 - SO 22.1: maintaining the Register of interests of Board members – to be delegated to Corporate Manager (Secretariat Services) (previously delegated to Head of Legal Services);
 - SO 23: receiving written notice of Board members' pecuniary interests in contracts – to be delegated to Corporate Manager (Secretariat Services) (previously delegated to Head of Legal Services);
 - 3.3.3 Amendments to the Scheme of Delegation Pursuant To The Framework Document and Finance Policies and Guidance at Annex 3
 - Reference to Head of IT replaced by Chief Information Officer (CIO);
 - Adequate arrangements to archive all appropriate documents – delegated to the Director of Strategy (previously delegated to Head of Corporate Services (Policy)).
 - 3.3.4 Amendments to the General Scheme of Delegation at Annex 4:
 - Reference to Operational Manager replaced by Assistant Director
 - Reference to National Service Director replaced by Operational Service Directors
 - Reference to Head of Safeguarding replaced by Operational Service Directors
 - Reference to Head of Corporate Services (Communications) replaced by Head of Communications
 - Review of Fire Precautions delegated to the Director of Resources (previously delegated to the Director of Strategy)
 - 3.3.5 Schedule of Committees of the board and membership updated.

Code of Conduct for Board members

3.3.6 Amended to reflect the Cabinet Office Code for Board Members of Public Bodies, which was updated in 2019.

4. IMPACT ON CHILDREN AND YOUNG PEOPLE

The proposed amendments to the governance documents are of no direct benefit to children but will enable Cafcass to continue to make effective decisions on corporate matters which will provide indirect benefits. Clear decision making is essential to ensure the effective provision of services to children.

5. RISK ANALYSIS

5.1 Failure to keep Cafcass' governance documents updated raises a risk of the organisation's corporate decisions being challenged.

6. DIVERSITY ANALYSIS

6.1 Effective corporate governance arrangements provide transparency of decision making which is of benefit to all children and families which Cafcass works with.

7. ACTION REQUIRED

7.1 The Board is asked to **APPROVE** the amendments prior to publishing on the Cafcass website.