

SCTS ESTATES, HEALTH & SAFETY, FIRE AND SECURITY COMMITTEE REMIT

1. The Estates, Health and Safety, Fire and Security Committee acts on behalf of the Scottish Courts and Tribunals Board (SCTS) to ensure that the SCTS has the buildings, facilities and practices it needs, now and in the future, to fulfil the organisation's core functions as set out in the Judiciary and Courts (Scotland) Act 2008 and to meet its statutory and other obligations with reference to health, safety, fire and security.
2. The Committee undertakes a strategic decision taking and scrutiny function on behalf of the Board with reference to estates, health and safety, fire and security matters. The Committee will:
 - agree and review strategic planning for the SCTS estate, aligning investment priorities with longer-term business objectives;
 - consider the implications for the SCTS estate of strategic decisions taken by the SCTS Board or its Committees;
 - identify key risks to the effective, efficient and economical operation of the court estate and ensure that these are managed and mitigated effectively;
 - scrutinise information on the efficient management and progress of estates projects and wider estates strategy;
 - scrutinise information on SCTS performance towards delivery of its carbon reduction programme; and
 - scrutinise, on behalf of the Board, evidence on SCTS's compliance with its statutory and other obligations for health, safety, fire and security, taking account of reports and recommendations from the Executive's Health, Safety & Security Works Committee.
3. Responsibility for the day to day management of estates, health and safety, fire and security matters and budget decisions up to agreed limits are delegated to the SCTS Chief Executive and relevant officials as set out within an agreed Scheme of Delegation.

Membership

4. External non-Executive members shall each have at least one UK, nationally recognised, property related professional qualification.
5. Current membership of the Committee comprises:
 - Sheriff Iona McDonald, Non-Executive member, SCTS Board (Chair)
 - Sheriff Grant McCulloch, Non-Executive member, SCTS Board (Deputy Chair)
 - Professor Hugh MacDougall, Non-Executive member, SCTS Board
 - Tom Gorman, FRICS - Fellow of Royal Institution of Chartered Surveyors, Non-Executive member (external)
 - Mrs Aileen Gomes, BSc (Hons), MRICS – Member of the Royal Institution of Chartered Surveyors, Non-Executive member (external)
 - Donald Wooley MRICS – Member of the Royal Institution of Chartered Surveyors, Non-Executive member (external)

6. Attendees from the SCTS Executive are:

- Director Property and Services, SCTS (Executive lead)
- Chief Finance Officer, SCTS and
- Director Operations – Delivery, SCTS

7. The Committee will appoint external non-Executive members to sit on the Committee. External members will be appointed for an initial period of three years, renewable once by mutual consent.

8. A daily remuneration and travel costs are paid by the Scottish Courts and Tribunals Service to non-Executive members of the Committee where these are not already met from public funds.

Meetings

9. The Committee will meet approximately quarterly. A minimum of three Committee members, one of whom must be a member of the SCTS Board, must be present for the meeting to be deemed quorate. A secretariat function will be provided by the SCTS Secretariat.

Key Areas of Delegation

10. The table at Annex A is an extract from the SCTS Standing Orders Scheme of Delegation and describes the responsibilities passed to this Committee for oversight.

SCTS Estates, Health & Safety, Fire and Security Committee
April 2015

SCHEME OF DELEGATION – SCTS ESTATES, HEALTH & SAFETY, FIRE AND SECURITY COMMITTEE

Board Responsibility	Delegated Responsibility	Delegated To
<p>1. Governance, Scrutiny & Risk</p> <p>1.1 Ensure effective governance and scrutiny of all aspects of the business of the SCTS.</p> <p>1.2 Set the overall framework for risk, control and governance.</p>	<p>1.1.5 On behalf of the SCTS Board, scrutinise the quality, efficiency, effectiveness and economy of the operation of the court estate and delivery of the SCTS's Carbon Reduction commitment programme.</p> <p>1.2.3 Identify key risks to the effective, efficient and economical operation of the court estate and ensure that these are managed and mitigated effectively.</p>	<p>Estates, Health & Safety, Fire and Security Committee</p> <p>Estates, Health & Safety, Fire and Security Committee</p>
<p>2. Strategy, Planning & Performance</p> <p>2.2 Monitor performance against agreed framework and progress on Business plan delivery. Approve remedial action where required.</p>	<p>2.2.3 Advise on the formulation and monitor delivery of the SCTS estates strategy. Scrutinise proposals, consultations, policies, reports and performance information relevant to SCTS estates issues. Ensure alignment of these with other SCTS strategies and priorities – approving remedial action and reporting to the Board where these would have a substantial impact.</p>	<p>Estates, Health & Safety, Fire and Security Committee</p>
<p>3. Resourcing & Expenditure</p> <p>3.1 Consider and approve the Capital and Revenue budgets for the SCTS over spending review periods, including formal approval of forecasts of receipts due from fees, fine income retention or other sources outside government.</p> <p>3.2 Consider and approve Adjustments to budgets beyond the limits delegated to the Chief Executive and Executive Directors.</p> <p>3.3 Authorise payments in respect of legal claims or <i>ex gratia</i> payments above £50k.</p>	<p>3.1.3 Approve and review strategic planning for the SCTS estate, ensuring alignment between investment priorities and the aims and objectives set by the SCTS Board.</p> <p>3.2.2 Within the budget totals agreed by the SCTS Board for estates, health, safety and security, agree investment priorities and any required adjustments to budgets for relevant areas of expenditure beyond the limits delegated to the Chief Executive and Executive Directors in order to ensure that investment is carried out in the optimal manner.</p> <p>3.3.3 Monitor the risk to SCTS of individual compensation payments exceeding £50k, relevant to the estate, health, safety and security.</p>	<p>Estates, Health & Safety, Fire and Security Committee</p> <p>Estates, Health & Safety, Fire and Security Committee</p> <p>Estates, Health & Safety, Fire and Security Committee</p>

Board Responsibility	Delegated Responsibility	Delegated To
<p>4. Project Approval & Management</p> <p>4.1 Approve level 1 and 2 projects.</p> <p><i>Note – project levels are defined below</i></p>	<p>4.2.1 Consider and approve business cases for all level 1 and 2 estates, health, safety and security projects. Monitor routinely level 1 project reports and, monitor reports if level 1 and 2 projects are not on track.</p>	<p>Estates, Health & Safety, Fire and Security Committee</p>
<p>5. Statutory Compliance</p> <p>5.1 Ensure SCTS meets all statutory obligations, including those relating to health and safety, employment, building regulations, data protection, freedom of information and equality.</p>	<p>5.1.2 Scrutinise information on compliance by the SCTS with its statutory and other obligations relating to health, safety & security and buildings. Report to the SCTS Board any significant risks of non-compliance which have the potential for reputational damage or financial impact.</p>	<p>Estates, Health & Safety, Fire and Security Committee</p>

Project Levels

The SCTS Project Control Framework characterises 3 levels of project:

- **Level 1** (high risk) – corporate projects which are subject to the Scottish Government’s Gateway Review criteria i.e. projects with a value of £5m or over or which are otherwise high risk or “mission critical”;
- **Level 2** (medium risk) – corporate projects which are not subject to the Gateway Review criteria or estate or other capital projects with a value between £1m and £5m.
- **Level 3** (low risk) – projects within individual directorates or estate or other capital projects with a value below £1m