



SNAP: Scotland's National Action Plan for Human Rights

**SNAP Leadership Panel
Terms of reference
2022 to 2025**

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1. Introduction

This document sets out the SNAP Leadership Panel's terms of reference for 2022 to 2025.

It contains information about the panel's purpose, members, governance principles and key activities. It also sets out the membership rules, information about expenses, length of appointment, frequency of meetings, ways of working, accessibility and inclusive communication, and the support available from the SNAP Secretariat.

2. Background

Scotland's first National Action Plan for Human Rights (SNAP) was delivered over four years from 2013 to 2017. From late 2017, work took place to develop the second SNAP. An important part of SNAP is creating a new, independent leadership panel.

3. Vision

SNAP's vision is a Scotland where everyone can live with human dignity.

4. Purpose

The SNAP Leadership Panel's overall purpose is to govern and direct the way in which SNAP is put into practice. The panel will make sure that SNAP is developed and put into practice using the principles of a human rights-based approach, [as defined by the PANEL Principles](#) (participation, accountability, non-discrimination and equality, empowerment and legality).

5. Membership

Panel members must be passionate about human rights, and the role of SNAP in strengthening and protecting people's rights in Scotland.

The panel has around 25 members, as follows.

Co-chairs (two members)

The panel is co-chaired for the first year by senior members representing the Scottish Government and the Scottish Human Rights Commission. The panel will review and decide arrangements for chairing the panel in the future.

Rights holders (at least 50%, approximately 13 members)

Rights holders are people taking part in a personal capacity and who have direct, personal experience of a range of human rights issues in Scotland.

Rights holders from as wide a range of different backgrounds and experiences as possible will be invited and supported to take part in the panel. There will be a particular focus on helping disabled people, young people, LGBTQI people, women, Black and minority ethnic people, older people, unpaid carers, people affected by poverty and people from Scotland's island communities to take part.

National human rights institutions (two members)

The Scottish Human Rights Commission and the Equality and Human Rights Commission (Scotland) will both be represented on the panel at a senior level. A senior representative of the Scottish Human Rights Commission will be a co-chair for the first year.

Duty bearers (around 25%, approximately five to six members)

Organisations with human rights responsibilities will make up around 25% of members (around five to six people). The Scottish Government will be one of these members, and will be represented at a senior level by the Director of Equality, Inclusion and Human Rights. A senior representative of the Scottish Government will be a co-chair for the first year.

Civil society (around 25%, approximately five to six members)

Third sector organisations (for example, charities, social enterprises and voluntary groups), community groups and trade unions will be invited as members, to make sure the panel includes members with a wide range of views on a wide range of human rights issues.

6. Governance principles

These terms of reference reflect the following governance principles, which were identified and agreed through the SNAP development phase.

1. SNAP should be a collaboration between government, other duty bearers, civil society, and people with lived experience of human rights issues.
2. The Scottish Government should play a leadership role in SNAP as the key organisation with human rights obligations in Scotland, and this leadership should be enabling and empowering, rather than top-down and directive.
3. People with lived experience must be given real decision-making and governance power on an equal footing with other people – power imbalances between people with lived experience and paid professionals should be actively acknowledged and addressed.
4. People with lived experience should have their time and expertise recognised, acknowledged and valued, including through appropriate financial compensation.
5. Civil society organisations should have their time and expertise recognised, acknowledged and valued through appropriate financial compensation.
6. Rights holders should be meaningfully involved throughout the design, delivery, monitoring and evaluation of SNAP actions, and in SNAP governance structures.
7. Governance and delivery structures should be as simple and streamlined as possible, and they should have clearly articulated roles and responsibilities for everyone to see.
8. SNAP should be accessible, visible and accountable to people across Scotland through proactive and inclusive

- communications and appropriate reporting. This could include a formal accountability relationship with the Scottish Parliament.
9. Dedicated, independent secretariat support is needed to ensure the effective governance and delivery of SNAP, including support for rights holders' participation and administration of events and meetings.

7. Key activities

The panel will build on the SNAP development work already carried out, including the following.

- An [independent evaluation of the first SNAP](#).
- A [national participation process](#) during 2017 to 2018.
- The work of the [SNAP 2 Development Working Group](#) during 2019 to 2020.
- National consultation on a [draft action plan during 2019 to 2020](#) and [analysis of the feedback](#).
- [Further development](#) of the SNAP priority action list and outcomes by the Scottish Human Rights Commission during 2020.

Members of the panel will work together as equals to do the following.

- Review, revise and finalise the SNAP actions and the medium-term outcomes and indicators of success.
- Organise the commitment and resources needed to put SNAP actions into practice, including money, people, contacts, networks, venues and other facilities.
- Make sure that SNAP demonstrates a human rights-based approach in all of its actions and in the way it is governed.
- Prepare for and take part in panel meetings.
- Prepare for and take part in subgroups of the SNAP Leadership Panel as needed and when possible.
- Work towards launching SNAP in December 2022 (date might be reviewed).
- Monitor and review the work on SNAP actions and outcomes, after SNAP is launched.

- Encourage and help people and organisations within their own networks to connect with the panel and contribute to SNAP actions.
- Review and contribute to SNAP reports or other types of communication, including by email, phone or video calls between meetings.

The top priority tasks for the panel are as follows.

- Review, revise and finalise the SNAP actions, medium-term outcomes and indicators.
- Work towards launching SNAP in December 2022 (date might be reviewed).
- Review and approve the overall SNAP document for launch.
- Help launch SNAP (for example, at a Scottish Parliament event).
- Agree other parts of the SNAP Monitoring and Evaluation Framework, including making sure it is in line with a proposed national human rights monitoring tool and carry out a full SNAP evaluation.
- Help secure longer-term resourcing and host ('home') for the independent SNAP Secretariat, and resources for SNAP actions.
- Discuss and agree SNAP accountability arrangements, including a formal relationship with a Scottish Parliament Committee.
- Discuss the role of SNAP in the proposals to incorporate international human rights into Scots law (for example, whether it should be included in a Scottish Human Rights Bill).

After the next SNAP is launched, the panel will continue to be responsible for governing and overseeing SNAP. The work plan will include the following.

- Helping more people and organisations get involved with SNAP.
- Monitoring and reviewing progress on the SNAP actions and towards the SNAP outcomes.
- Identifying new actions to replace those that have been successfully completed.

- Reviewing and contributing to draft SNAP reports and other types of communication, including by email, phone or video calls between meetings.

8. Membership rules

All members

All members will be expected to declare any relevant interests. For example, if they are a member of an organisation or are involved in any other work that could affect their work as a panel member. The SNAP Secretariat will keep a register of members' interests.

All members will be asked to sign a working together agreement that indicates they commit to these terms of reference.

The co-chairs may develop further membership rules following a discussion with the original panel members.

Members taking part as individuals

Members of the panel who take part as individuals do not represent any organisation, even if they also hold positions with other organisations or groups. Individual members cannot nominate someone to represent them at meetings.

Membership of the panel in no way affects an individual member's independence. This includes their right to support and take part in active campaigning.

Members representing organisations

Members of the panel from organisations serve as representatives of those organisations in a particular role. Members can nominate someone to represent them at any meetings they cannot attend, but should only do this occasionally.

If a panel member leaves their employment with the organisation they represent, their membership will end and they will be replaced by the person who takes over their role in the organisation. If a panel member changes to a different role in the same organisation, the co-chairs will decide whether it is appropriate for them to remain as a member, or whether the person who now does their original role should replace them.

Membership of the panel in no way affects an organisation's independence. This includes their right to support and take part in active campaigning.

9. Member roles and responsibilities

Co-chairs

The co-chairs are responsible for the following.

1. Developing a work plan and working method for the SNAP Leadership Panel as a whole.
2. Developing and agreeing agendas for panel meetings, in consultation with panel members where appropriate.
3. Chairing meetings of the panel, including any subgroups that may be needed. (The co-chairs will agree between them how to share this responsibility.)
4. Working with the SNAP Secretariat to make sure all necessary papers and reports are prepared and given to members for panel meetings.
5. Making editorial decisions about the content and format of external SNAP reports or other types of communication, in consultation with panel members.
6. Representing and speaking on behalf of SNAP at external meetings and events, with the agreement of panel members.
7. Reporting on SNAP actions and outcomes to key external stakeholders, including the Scottish Parliament and Scottish Government Ministers.

Panel members

Panel members will be expected to **spend approximately one day a month on work relating to SNAP**. Members are responsible for working together to do the following.

1. Agree and refine priorities for SNAP actions and the medium-term outcomes and indicators of success.
2. Organise the commitment and resources needed to put SNAP actions into practice, including money, people, contacts, networks, venues and other facilities.
3. Make sure that SNAP demonstrates a human rights-based approach in all of its actions and in the way it is governed.
4. Prepare for and take part in around four panel meetings each year.
5. Prepare for and take part in subgroups of the panel as needed and when possible.
6. Work towards launching SNAP in December 2022 (date might be reviewed).
7. Monitor and review the progress on SNAP actions and outcomes, after SNAP is launched.
8. Encourage and help people and organisations within their own networks to connect with the panel and contribute to SNAP actions.
9. Review and contribute to SNAP reports or other types of communication, including by email, phone or video calls between meetings.

10. Length of appointment

The first term of the SNAP Leadership Panel is expected to last for three years, if funding is available.

Panel members are invited to join for a term of three years from the date of the first formal meeting in 2022. They can end their membership at any time by telling the co-chairs and the SNAP Secretariat.

The co-chairs can ask a member to leave the panel if they breach the terms of the working together agreement.

11. Frequency of meetings

Finalise and launch SNAP

In order to finalise and launch Scotland's next SNAP, during 2022 the panel will meet once every month. Panel members will be asked to keep in touch between meetings (using email, text or phone), and might also be asked to participate in separate sub-group meetings of the Leadership Panel, as needed and where possible.

After SNAP launch

After the next SNAP is launched, the panel will meet four times per year. Panel members are expected to keep in touch between meetings and are likely to be invited to take part in other events, but there is no formal expectation for them to represent the panel or attend any events that are not included in the schedule of formal meetings.

12. Expenses

Members representing organisations

Members representing public authorities will not be eligible to claim back expenses.

Members representing civil society organisations will be eligible to claim back their expenses. Payments will be made direct to the organisation, rather than to the individual member.

The SNAP Secretariat will provide full details and guidance.

Members taking part as individuals

Members taking part as individuals will be eligible to claim back their expenses. Payments will be made direct to the individual member.

The SNAP Secretariat will provide full details and guidance.

13. Ways of working

The co-chairs will finalise a working method for the panel, with support from the SNAP Secretariat, and in consultation with panel members as appropriate. The working method will include the following.

1. Making sure meetings are held in a way that allows people to take part remotely, such as by phone, video call or online.
2. Making sure panel meetings and work are organised in a way that is accessible and makes sure that members can actively take part and make a meaningful contribution.
3. Using a consensus-based method of decision-making where possible and having arrangements in place for making decisions when it is not possible to reach an agreement (a consensus).
4. Having an appropriate quorum (the number of members who must be at a meeting for it to go ahead) and voting arrangements for decision-making, if appropriate.
5. Having arrangements in place for preparing, agreeing and publishing minutes of panel meetings.
6. Having arrangements in place for preparing, agreeing and publishing an annual report for SNAP.

14. Accessibility and inclusive communication

A basic principle of the SNAP Leadership Panel is that all members should be able to play an equal part in, and make a meaningful contribution to, panel meetings.

Wherever possible, we will take action to make sure that panel meetings and work are accessible for all members. For example, this includes taking a flexible (rather than a 'one size fits all') approach, providing information in alternative formats (for example, easy read) at the same time as the original format, if needed, and meeting all reasonable access

and communication needs (for example, using accessible venues, providing BSL to English interpreters and digital note-takers).

The panel aims to follow the [Six Principles of Inclusive Communication](#), as follows.

1. Communication accessibility and physical accessibility are equally important

- All members of the panel have the right to be able to take part equally.
- To make SNAP fully accessible means considering communication accessibility (whether people have the support and resources they need to be able to understand and communicate with each other), as well as physical accessibility in the traditional sense.

2. Every community or group will include people with different communication support needs

- We will presume that the panel includes members with different communication support needs.
- We will consider inclusive communication at all times, whether providing information or planning a meeting or activity. This will help panel members to be able to take part equally.

3. Communication is a two-way process of understanding others and expressing yourself

- The panel's work will be of a high quality when all members can express themselves effectively and understand each other.
- Everyone communicates differently. When somebody has communication support needs, it may take more effort and time to make sure that all members of the panel understand each other.
- Panel members must aim to:
 - match the way they communicate to the needs of other panel members; and
 - recognise and respond to the variety of ways that people may express themselves.

4. Flexibility in the panel's ways of working

- We cannot take a 'one size fits all' approach to the panel's ways of working, as this may not meet the needs of all members. We will take a flexible approach instead.

5. Panel members will include people with different communication support needs

- It is important that people with communication support needs have the opportunity to take part in the panel in the same way that others can. The panel will include members with different support needs from the beginning. This will help SNAP to be more fit for purpose.

6. Keep trying

- Small, simple changes to the way we communicate will make a big difference to the work of the panel. Some changes may take longer, but will deliver positive outcomes.

15. SNAP Secretariat

The panel and co-chairs are supported by an independent SNAP Secretariat. For a short-term period of time, the SNAP Secretariat is being hosted ('accommodated') by the Scottish Human Rights Commission and mainly funded by the Scottish Government. A separate Memorandum of Understanding between the Scottish Government and the Scottish Human Rights Commission sets out the functions and responsibilities of the SNAP Secretariat during the interim period.

SNAP Secretariat staff will keep to all relevant legislation, including legislation relating to freedom of information, data protection, equality and health and safety.

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