

# GOOD GOVERNANCE

Checkup



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## Introduction

The Scottish Governance Code for the Third Sector is a statement of best practice, developed by Scotland's Third Sector Governance Forum. The Code is not a legal or regulatory requirement, but instead is designed to be aspirational, for trustees to reflect on and improve governance in their own organisations. The Code is not about rules; it is a set of five fundamental principles to help guide trustees to do the right thing, in the right way.

SCVO has designed this checkup to be used in conjunction with the Code to help trustees regularly review their governance. Your board can use the checkup to identify areas for improvement and monitor and record your journey to good governance.

See [www.scvo.org.uk/goodgovernance](http://www.scvo.org.uk/goodgovernance) for further resources.

## How to use this checkup

Like the Scottish Governance Code, this checkup is suitable for all organisations, whatever their shape and size. It has five sections which mirror the five core principles in the Code. Separate sections list the key ways to demonstrate and implement the five principles and suggest how you can evidence good governance in your organisation. The suggested ways of evidencing each of the principles are not exhaustive, different organisations will have different evidence. At the end of the checkup, there is space for you to identify the areas you need to look at in order to demonstrate each of the five principles and improve your governance. It may be useful to rank these areas in order of priority and assign a deadline for your board to achieve.

You can use the checkup as the subject of a whole meeting, in sections throughout the year, or as part of a board away day to note your progress, actions and points for continuing improvement.



# Organisational Purpose



**A well-run board is clear about the purpose and values of the organisation and how it will achieve its aims.**

As the board we have ultimate responsibility for directing the activity of our organisation and delivering its stated purpose.

We do this by...	We show this by...
<p><b>Understanding our organisational purpose and values and committing to them to make sure that our organisation delivers what it was set up to do</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring that all trustees have read and understand our governing document, can commit to our organisation's purpose, and can articulate this clearly.</li> <li><input type="checkbox"/> Identifying and mapping our activities against our organisational purpose and the needs of our beneficiaries to ensure they are consistent.</li> <li><input type="checkbox"/> Developing and agreeing a written statement outlining our organisation's mission (what it aims to do), values, and objectives.</li> </ul>
<p><b>Making sure our governing document is fit for purpose, and sets out the details of how our organisation is to be governed</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring that all trustees have a copy of our governing document, understand it and refer to it as necessary.</li> <li><input type="checkbox"/> Ensuring our governing document is available for reference at board meetings and contain details of the minimum number of trustees required and a realistic quorum figure.</li> <li><input type="checkbox"/> Regularly reviewing our governing document to make sure it is fit for purpose.</li> </ul>

# Organisational Purpose

We do this by...	We show this by...
<b>Making and recording informed decisions in line with our governing document</b>	<input type="checkbox"/> Ensuring that consistent minutes of meetings are kept that record attendance, order of business, decisions and actions, and are approved in line with the rules set out in our governing document.
<b>Overseeing the use of assets and resources to make sure they are used to achieve our organisation's purpose and aims</b>	<input type="checkbox"/> Compiling an asset and resource register which is regularly reviewed. <input type="checkbox"/> Ensuring our board receives regular information regarding our organisation's activities, assets and resources, and progress against targets.
<b>Communicating the work of the organisation and the difference it makes to the people we work with and the public</b>	<input type="checkbox"/> Producing an annual report with details of our organisational purpose, accounts and activities every year which is widely available and easy to access on our website. <input type="checkbox"/> Having a communications strategy which details how best to communicate with all of our stakeholders about how we are governed, and our values, work and achievements in delivering our organisational purpose.



Most organisations will find some areas for improvement and development on their journey to good governance. Use the **action plan** at the end of this document to capture yours.

# Leadership



**A well-run board is clear about its role and responsibilities and provides strategic direction in line with the organisation's purpose, vision and values.**

As the board we are here to lead our organisation, and we are individually and collectively responsible for our decisions. We need to make sure our organisation has a clear strategy to achieve our purpose.

We do this by...	We show this by...
<p><b>Identifying and embedding the vision and values of our organisation, and making sure these underpin all our decisions and activities</b></p>	<p><input type="checkbox"/> Developing and agreeing a written statement outlining our mission (what we aim to do), values and objectives ensuring that these underpin all of our work, activities and culture, and all board decisions.</p>
<p><b>Having a clear understanding of the individual and collective roles and responsibilities of our board</b></p>	<p><input type="checkbox"/> Ensuring our trustees have written role descriptions and a clear understanding of their legal responsibilities and powers.</p> <p><input type="checkbox"/> If a charity, ensuring our trustees understand their duties and responsibilities under the Charities and Trustee Investment Act (Scotland) 2005.</p> <p><input type="checkbox"/> If a company, ensuring our directors understand their duties and responsibilities under the Companies Act 2006.</p>

# Leadership

We do this by...	We show this by...
<p><b>Having a clear understanding of the individual and collective roles and responsibilities of our board (cont)</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring all our trustees value collective decision making and understand they are all part of the leadership team and are all equally accountable for decisions made and their outcomes. This is reinforced through induction, regular training and performance review.</li> <li><input type="checkbox"/> Ensuring our trustees all understand and are familiar with The Scottish Governance Code for the Third Sector.</li> </ul>
<p><b>Setting the tone through our leadership, behaviour, culture and overall performance</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Demonstrating that our trustees are committed to leading and creating impact through engagement with stakeholders and being open and transparent in our governance.</li> <li><input type="checkbox"/> Designing a code of conduct that our trustees sign up and adhere to. This should outline expected standards of behaviour eg attendance at meetings, the importance of maintaining the confidentiality of board meetings, and what happens if they are not met. It should be reviewed regularly to ensure it meets developing ethical standards expected by stakeholders and society.</li> <li><input type="checkbox"/> Ensuring our trustees declare all interests in other organisations and businesses that could conflict with their role, and are aware of conflicts of interest caused by personal relationships. This register of interests should include a note of hospitality and gifts, and be updated annually to meet developing ethical standards expected by stakeholders and society.</li> </ul>
<p><b>Promoting equality and diversity throughout the organisation</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Having an Equal Opportunities policy and action plan to promote equality and diversity on the board and throughout our organisation.</li> <li><input type="checkbox"/> Ensuring our board, staff and volunteers take part in diversity training and understand their responsibilities in this area.</li> <li><input type="checkbox"/> Ensuring our services and information are accessible to all.</li> </ul>

# Leadership

We do this by...	We show this by...
<p><b>Communicating with our staff, volunteers and members about our vision for the organisation and the decisions we make, and listening to feedback</b></p>	<p><input type="checkbox"/> Having a communications strategy which details how best to communicate with all of our stakeholders about how we are governed, and our values, work and achievements in delivering our organisational purpose. This should include an accessible list of trustees and clear information about members' role in the governance of our organisation eg AGMs, if applicable.</p>
<p><b>Leading and overseeing progress and performance by scrutinising information on activities and achievements, and their longer-term impact</b></p>	<p><input type="checkbox"/> Ensuring our board receives regular information regarding the organisation's activities, assets and resources, and progress against targets.</p> <p><input type="checkbox"/> Evaluating the impact of our organisation.</p>
<p><b>Understanding and respecting the difference between governance and operations, delegating operational tasks where appropriate, recognising that responsibility and accountability is always retained by the board</b></p>	<p><input type="checkbox"/> Ensuring our board focusses on strategy, performance and assurance, rather than operational matters.</p> <p><input type="checkbox"/> Developing a scheme of delegation consistent with our governing document, to help provide clarity around who has authority to make different decisions. This should be regularly reviewed and available to all trustees, staff and volunteers, so everyone is clear about their roles and responsibilities, and legal liabilities.</p> <p><input type="checkbox"/> Providing clear role descriptions for trustees and volunteers, terms of reference for any sub-committees, and job descriptions for staff.</p>



Most organisations will find some areas for improvement and development on their journey to good governance. Use the **action plan** at the end of this document to capture yours.



# Board Behaviour



**A well-run board, both collectively and individually, embraces and demonstrates mutual respect, integrity, openness and accountability.**

As the board we understand that our behaviour can have a far-reaching impact and is fundamental to our organisation's reputation and success. We need to ensure our behaviour is consistent with our organisation's vision and values.

We do this by...	We show this by...
<b>Being transparent, open and accountable about how we govern, who we are, and the decisions we make</b>	<ul style="list-style-type: none"><li><input type="checkbox"/> Providing public access to our governing document and annual report with an accessible list of trustees.</li><li><input type="checkbox"/> If a charity, ensuring that external documents and communications display our name as entered on the Scottish Charity Register and Scottish Charity Number.</li><li><input type="checkbox"/> If a membership organisation, providing clear information about membership eligibility and participation, and the role of members in the governance of our organisation taking members' views into account on key issues.</li><li><input type="checkbox"/> Having clear policies on expenses, hospitality and gifts, and payment of trustees, in line with our governing document.</li></ul>



Most organisations will find some areas for improvement and development on their journey to good governance. Use the **action plan** at the end of this document to capture yours.

# Board Behaviour

We do this by...	We show this by...
<p><b>Making sure our organisation promotes equality and diversity and embeds ethical standards in the policies, practices and culture of our organisation</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Recognising our organisation's responsibility towards communities, stakeholders, wider society and the environment, and acting on them in a manner consistent with our purposes.</li> <li><input type="checkbox"/> Having an Equal Opportunities policy and action plan to promote equality and diversity on our board and throughout our organisation.</li> <li><input type="checkbox"/> Ensuring our board, staff and volunteers take part in diversity training and understand their responsibilities in this area.</li> <li><input type="checkbox"/> Ensuring our services and information are accessible to all.</li> <li><input type="checkbox"/> Fundraising ethically and in line with our organisation's purpose and values. The board should have a fundraising strategy consistent with regulations and guidance on fundraising, that complies with the Code of Fundraising Practice.</li> <li><input type="checkbox"/> Recruiting and employing our staff fairly and in accordance with equal opportunities legislation, paying staff at least the Living Wage.</li> <li><input type="checkbox"/> Having an easily accessible whistleblowing policy.</li> </ul>
<p><b>Listening to each other, our beneficiaries, members, employees, volunteers and stakeholders, and respecting the role they each play</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Being clear about who our beneficiaries and key stakeholders are, for example through an accurate and up to date register of members, records of service users, details of funders.</li> <li><input type="checkbox"/> Communicating effectively with all our stakeholders, providing them with opportunities to contribute their views on key issues.</li> <li><input type="checkbox"/> If a membership organisation, providing clear information about membership eligibility and participation, and the role of members in the governance of our organisation taking members' views into account on key issues.</li> <li><input type="checkbox"/> Providing clear role descriptions for our trustees and volunteers, and terms of reference for any sub-committees, and job descriptions for staff.</li> </ul>

# Board Behaviour

We do this by...	We show this by...
<p><b>Handling concerns and complaints transparently, constructively and impartially</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Having an easily accessible and transparent complaints process which is communicated widely.</li> <li><input type="checkbox"/> Ensuring our board receives a regular report on the number and type of complaints received.</li> <li><input type="checkbox"/> If engaged in fundraising, ensuring our complaints handling process is in line with guidance from the Code of Fundraising Practice.</li> </ul>
<p><b>Recognising and acknowledging where conflicts of interest may arise</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Making time and space for our trustees to discuss issues of 'conflict of interest' and 'conflict of loyalty' so we can develop a policy that we all understand and adhere to. This should help trustees who also act in other roles in the organisation understand the distinction between their roles and responsibilities.</li> <li><input type="checkbox"/> Ensuring our trustees declare all interests in other organisations and businesses that could conflict with their role and are aware of conflicts of interest caused by personal relationships.</li> <li><input type="checkbox"/> Having conflicts of interest as a standing item on the agenda, with any declared conflicts of interest included in the minutes.</li> </ul>
<p><b>Creating a constructive board environment where diverse, and at times conflicting views are respected and welcomed, and decisions are reached collectively</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring all trustee voices are heard equally in meetings, where there is an open culture of trust and support, and a safe space to challenge. This is evidenced in our minutes.</li> <li><input type="checkbox"/> Designing a code of conduct that our trustees sign up and adhere to. This should outline expected standards of behaviour eg attendance at meetings, the importance of maintaining the confidentiality of board meetings, and what happens if they are not met. It should be reviewed regularly to ensure it meets developing ethical standards expected by stakeholders and society.</li> </ul>

# Control



**A well-run board will develop and implement appropriate controls to direct and oversee progress and performance of the organisation.**

As the board we should put in place appropriate structures, controls and processes to make sure the organisation is run in line with its purposes and values, governing document, and relevant legal and regulatory requirements.

We do this by...	We show this by...										
<p><b>Maintaining and regularly reviewing policies and procedures and reporting arrangements, for example our internal governance, safeguarding, fundraising and financial controls</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring our organisation meets its legal, regulatory and contractual obligations and any constitutional requirements, eg by registering with the appropriate regulating bodies, completing OSCR or Companies House annual returns and accounts on time, understanding our tax obligations, and complying with HMRC requirements.</li> <li><input type="checkbox"/> Creating and regularly reviewing our policies and procedures which may include:           <table border="0" style="margin-left: 20px;"> <tr> <td><input type="checkbox"/> Data protection</td> <td><input type="checkbox"/> Insurance</td> </tr> <tr> <td><input type="checkbox"/> Finance</td> <td><input type="checkbox"/> Lobbying</td> </tr> <tr> <td><input type="checkbox"/> Fundraising</td> <td><input type="checkbox"/> Record Keeping</td> </tr> <tr> <td><input type="checkbox"/> Health and Safety</td> <td><input type="checkbox"/> Safeguarding</td> </tr> <tr> <td><input type="checkbox"/> HR and Employment</td> <td><input type="checkbox"/> Volunteering</td> </tr> </table> </li> </ul>	<input type="checkbox"/> Data protection	<input type="checkbox"/> Insurance	<input type="checkbox"/> Finance	<input type="checkbox"/> Lobbying	<input type="checkbox"/> Fundraising	<input type="checkbox"/> Record Keeping	<input type="checkbox"/> Health and Safety	<input type="checkbox"/> Safeguarding	<input type="checkbox"/> HR and Employment	<input type="checkbox"/> Volunteering
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# Control

We do this by...	We show this by...
<p><b>Making sure our scrutiny and collective decision-making processes are rigorous, informed, transparent, timely and well communicated</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring all our trustees have a copy of our governing document and refer to it as necessary when making decisions, with a clear understanding of our powers.</li> <li><input type="checkbox"/> Providing our trustees with board reports that are timely, concise and factual, and clear about the decisions that are needed.</li> <li><input type="checkbox"/> Ensuring our accounts are externally audited or independently examined and made publicly available.</li> </ul>
<p><b>Understanding and analysing the internal and external operating environments of the organisation to create effective strategies and systems for risk management</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Monitoring the external environment to ensure our organisation's purposes remain relevant and planning for sustainability.</li> <li><input type="checkbox"/> Analysing the risks our organisation faces, and forming a clear approach to managing those risks with a risk management policy and risk register which is regularly reviewed.</li> </ul>
<p><b>Monitoring and evaluating performance against operational plans and budgets</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring our organisation has an income strategy with a clear understanding of the income needed and a business plan to show how we will generate it.</li> <li><input type="checkbox"/> Regularly reviewing the sustainability of our income sources and business model in the short, medium and long term, and identifying diversified income streams.</li> <li><input type="checkbox"/> Providing our board with staff and/or volunteer reports and regular financial reports, and tools and the knowledge to evaluate our impact by measuring and assessing outputs and outcomes.</li> <li><input type="checkbox"/> Preparing an operational plan with clear targets of what we seek to achieve in the current year.</li> <li><input type="checkbox"/> Reporting to funders.</li> </ul>

# Control

We do this by...	We show this by...
<p><b>Ensuring that any contracts are agreed and carried out in line with the interests of our organisation and in line with our values</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring that all agreements and contracts are regularly reviewed and kept securely, and contractors are properly supervised and managed, to protect our organisation's interests.</li> <li><input type="checkbox"/> Fundraising ethically and in line with our organisation's purpose and values, with a fundraising strategy consistent with regulations and guidance on fundraising, that complies with the Code of Fundraising Practice.</li> </ul>
<p><b>Considering whether our organisation's legal and governance structure provides appropriate protection for the organisation, our trustees, and our members</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Regularly reviewing our legal structure, and understanding any risks involved in our organisation's work.</li> <li><input type="checkbox"/> Keeping up to date on changes in legislation and regulation, and accessing specialist advice and support if needed.</li> </ul>
<p><b>Ensuring there are robust internal financial controls in place and clear information provided to the board to allow it to monitor the organisation's financial position</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Recognising the importance of financial management to good governance and ensuring all our trustees understand their collective financial responsibilities.</li> <li><input type="checkbox"/> Ensuring our organisation's activities and spending are in line with our governing document and any investments are properly and prudently managed.</li> </ul>
<p><b>Being clear about where we delegate to staff, volunteers or committees and how we exercise oversight</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Developing a scheme of delegation consistent with our governing document, to help provide clarity around who has authority to make different decisions. This should be regularly reviewed and available to all our trustees, staff and volunteers, so everyone is clear about their roles and responsibilities, and legal liabilities.</li> <li><input type="checkbox"/> Providing clear role descriptions for our trustees and volunteers, terms of reference for any sub-committees, and job descriptions for staff.</li> </ul>

# Effectiveness



**A well-run board understands its role, powers and duties, and works collectively and proactively to achieve its organisational purpose.**

As the board we should be self-aware and work together as a team, with a diverse and appropriate balance of skills and experience to continually improve the governance of our organisation.

We do this by...	We show this by...
<p><b>Understanding the legal structure and governing document of our organisation and making sure we act in line with it</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring that all our trustees have read and understand our governing document and understand any risks.</li> <li><input type="checkbox"/> Ensuring our governing document is available for reference at board meetings and regularly reviewed to make sure it is fit for purpose.</li> </ul>
<p><b>Setting, embedding and scrutinising the strategic direction of the organisation</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Preparing, developing and implementing an effective strategy for our organisation.</li> </ul>
<p><b>Regularly reviewing our performance and the composition and skills of the board</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring we have a yearly board review which includes an audit of the skills, knowledge and experience of our board as a whole, the chair, individual board members, committees, training and recruitment plans.</li> </ul>
<p><b>Developing and improving our capacity and capability with ongoing support and training</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Continually working to develop our board through access to training opportunities and regular board away days which offer us an opportunity to work together as a team, identify board objectives and consider our strategic plan.</li> </ul>

# Effectiveness

We do this by...	We show this by...
<p><b>Having a pro-active succession plan linked to the strategic direction of the organisation, following any rules for how trustees are elected and how long they serve</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring our governing document details a transparent system for both the recruitment and removal of trustees, with fixed terms of office and an effective and manageable board size.</li> <li><input type="checkbox"/> Where trustees are elected by members ensuring they are supported to make an informed choice.</li> <li><input type="checkbox"/> Ensuring our trustees are appointed, resign or retire according to our governing document and we keep appropriate records of trustees with details of when their term is up and if they are eligible to stand again.</li> <li><input type="checkbox"/> If a charity, ensuring we keep a list of all trustees' names and addresses, when they came into office and when they resign. Any trustee changes are included in our Trustees Annual Report.</li> <li><input type="checkbox"/> If a company, ensuring we keep an accurate and up to date register of members and directors and inform Companies House of any changes to our directors.</li> </ul>
<p><b>Having a transparent and timely trustee recruitment and induction process</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensuring our recruitment process is formal, rigorous and transparent, and based on merit and objective criteria to ensure a diverse pool of candidates.</li> <li><input type="checkbox"/> Making potential trustees aware of the time commitment of the role from the outset.</li> <li><input type="checkbox"/> Ensuring new trustees receive a full induction which includes a copy of our governing document and the Scottish Governance Code. They should understand their roles and responsibilities, and if possible be linked with an existing trustee to act as a mentor.</li> <li><input type="checkbox"/> Having prospective trustees sign a form before their election to confirm they are not disqualified. There are a number of things that can disqualify a person from being a charity trustee or company director and it is the responsibility of both the individual disqualified and the board to collectively ensure that no trustees are disqualified. OSCR require charity trustees setting up a new charity to fill in a Charity Trustee Declaration Form. This can be adapted for any prospective new trustees.</li> </ul>



# Effectiveness

We do this by...	We show this by...
<p><b>Making sure our meetings enable us to explore key issues and reach well-considered collective and recorded decisions that are acted on</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Creating a governance calendar which details dates of meetings, away days, training events, AGM, etc.</li> <li><input type="checkbox"/> Starting and finishing meetings on time, allowing enough time for discussion, and ensuring maximum participation by all our trustees.</li> <li><input type="checkbox"/> Ensuring all meetings are quorate and our governing document sets out rules for making decisions in an emergency or when meetings are not quorate.</li> <li><input type="checkbox"/> Ensuring our chair has support, training and access to advice.</li> </ul>
<p><b>Communicating with those who have a legitimate interest in the work of our organisation</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Identifying our key stakeholders and ensuring there is a strategy in place for communicating with them about how our organisation delivers its purpose and how it is governed.</li> <li><input type="checkbox"/> Holding an annual meeting of our members (where applicable) in line with our governing document to report on our activities.</li> <li><input type="checkbox"/> Including our legal and charitable status on all publicity information.</li> <li><input type="checkbox"/> Producing an annual report with details of our accounts and activities every year, which is widely available and easy to access.</li> <li><input type="checkbox"/> Completing OSCR or Companies House (if applicable) annual returns and accounts on time.</li> <li><input type="checkbox"/> Selecting a named person authorised to speak on the organisation’s behalf.</li> </ul>



Most organisations will find some areas for improvement and development on their journey to good governance. Use the **action plan** at the end of this document to capture yours.

# Organisational Purpose Action Plan

Where we need to improve	By when

# Leadership Action Plan

Where we need to improve	By when

# Board Behaviour Action Plan

Where we need to improve	By when

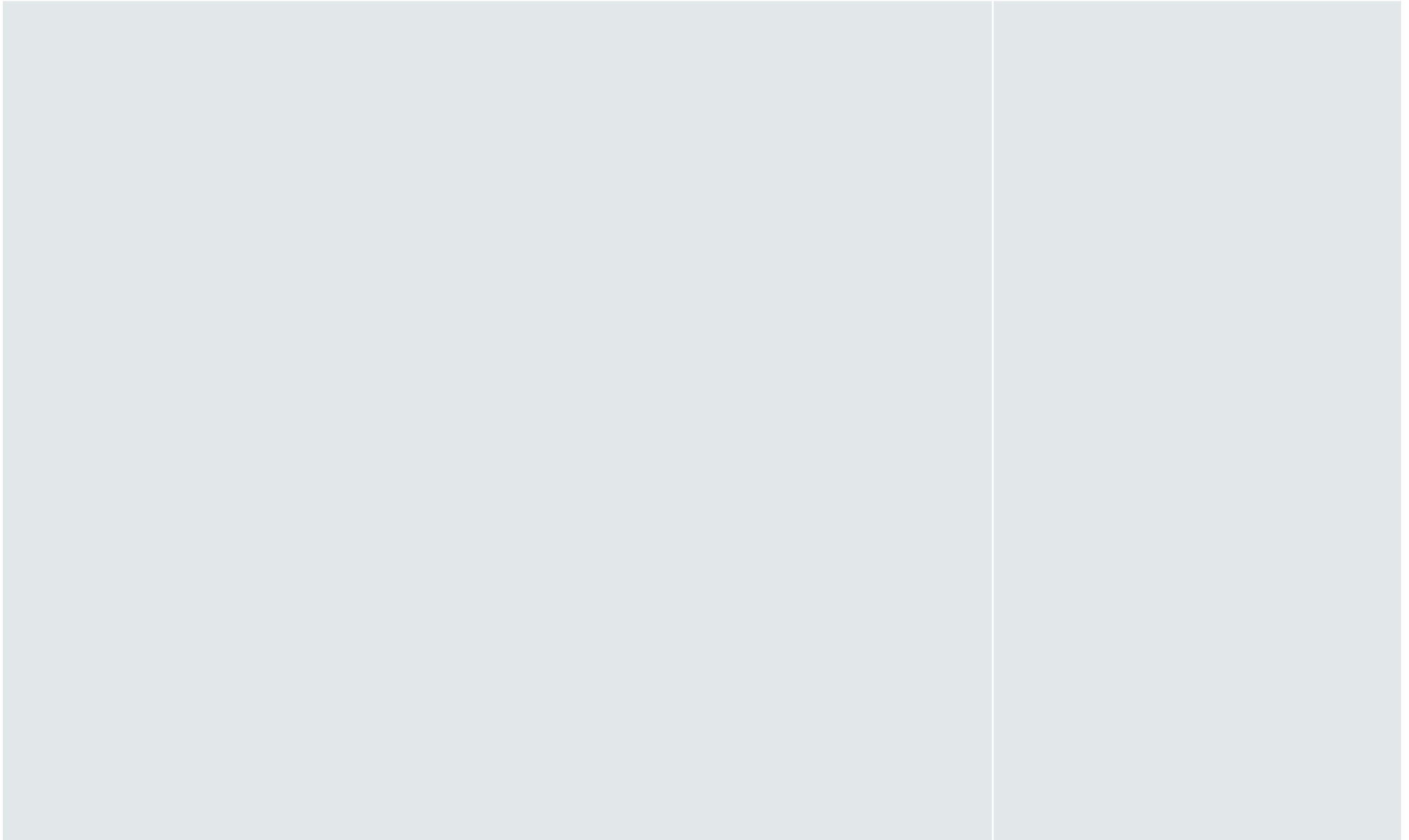
# Control Action Plan

Where we need to improve	By when

# Effectiveness Action Plan

Where we need to improve	By when

# Notes





This Good Governance Checkup will help you assess where your organisation is on your journey to good governance. It will help you identify your strengths and where you can improve in the five areas the Scottish Governance Code has identified as fundamental to good governance.

You can get further governance support from the **SCVO Information Service** by emailing **enquiries@scvo.org.uk**. In addition, your local **Third Sector Interface (TSI)** can offer help and support and you can access more resources at **www.governancecode.scot**

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