

This document is classified as **White** in accordance with the Panel Information Policy. Information can be shared with the public, and any members may publish the information, subject to copyright.

<b>Paper Reference:</b>	<b>CSC_27_2505_04</b>
<b>Action:</b>	<b>For Discussion</b>

## CSC Terms of Reference update

### 1. Purpose

We presented our conclusions to the SEC Section D ‘Modifications Process’ Review at the April 2021 Panel meeting. The Panel endorsed our recommendations to delegate modification oversight to the Change Sub-Committee (CSC), and has agreed the provisions within SEC Section D that should be delegated. This paper sets out the provisions to be delegated and the updated CSC Terms of Reference (ToR) to reflect this for the CSC’s comment. The Panel will then approve these changes at its June 2021 meeting.

### 2. Delegating the Panel’s oversight of modifications to the CSC

We recommended in the SEC Section D Review that the Panel should fully delegate its duties for overseeing modifications’ progression and timetables to the CSC. This will allow for the most efficient progression of modifications. It will also help to reduce the number of items that the Panel needs to consider each month. Consequently, we consider that this would enhance the efficient administration of the SEC arrangements, supporting the General SEC Objectives. The Panel would still maintain oversight of the CSC’s discussions and decisions via the monthly Sub-Committee Report.

Based on the Panel’s discussions in the past, we anticipate this may add up to around an hour to CSC meetings. We expect the two hours we currently block out to remain the maximum expected duration for a CSC meeting.

The table below sets out the duties in SEC Section D that the Panel considers should be delegated to the CSC:

SEC Section	Duty to be delegated	Dispute route (if necessary)
D2.2	The responsibility to determine whether a Modification Proposal is Self-Governance.	N/A
D3.2-D3.3	The responsibility to review and, if appropriate, overturn the Code Administrator’s decision to refuse a Draft Proposal.	The Proposer may appeal the CSC’s decision to the Panel for determination
D3.7-D3.8	The requirement to receive a recommendation from the CSC on whether and how a Draft Proposal should progress as a Modification Proposal.	N/A

SEC Section	Duty to be delegated	Dispute route (if necessary)
D3.9-D3.15	The responsibility to consider each Draft Proposal, determine whether it is ready to progress as a Modification Proposal and how it should subsequently progress through the Modification Process.	The Proposer may appeal the CSC's decision to the Panel for determination
D3.16-D3.19	The responsibility to set and amend the timetable for a Modification Proposal.	N/A
D4.5-D4.7	The responsibility to consider requests for a Draft Proposal or Modification Proposal to be classed as Urgent and to make a recommendation on this and any subsequent timetable to the Authority.	N/A
D4.8	The responsibility to consider if a Draft Proposal or Modification Proposal falls within scope of a Significant Code Review.	N/A
D6.2	The responsibility to establish the Working Group for any Modification Proposal that undergoes the Refinement Process, and to approve changes to its terms of reference.	N/A
D7.3-D7.7	The responsibility to receive and consider the Modification Report, to determine whether it should proceed to Modification Report Consultation, and to determine the subsequent timetable and relevant Party Categories.	The Proposer may appeal the CSC's decision to the Panel for determination
D9.3	The responsibility to receive a send-back direction from the Authority and to determine the next steps for resolving the Authority's comments.	N/A
D9.4	The responsibility to determine whether to reverse the decision of the Change Board on a Self-Governance Modification following a referral by a Party.	N/A
D9.5	The responsibility to revise the determination on a Modification Proposal's progression following an objection on any decision to approve a Fast-Track Modification.	N/A
D9A.6	The responsibility to refer an Authority-Led Modification Report to the Change Board for vote.	N/A
D9A.12	The responsibility to receive a send-back direction from the Authority and to determine the next steps for resolving the Authority's comments.	N/A
D10.2-D10.4	The responsibility to determine the actions and timetable for implementing an approved Modification Proposal and ensure these actions are taken.	N/A
D10.5-D10.6	The responsibility to consider any views received to change the implementation date for an approved Modification Proposal and, if required, submit such a request to the Authority for approval.	A Party may appeal a CSC decision to not submit a request to the Authority to the Panel for determination

SEC Section	Duty to be delegated	Dispute route (if necessary)
D10.7	The responsibility to ensure a SEC Release is undertaken in accordance with the SEC Release Management Policy.	N/A
D10.12- D10.17	The responsibility to prepare and approve the SEC Release Implementation Document for a SEC Release	N/A

### 3. Terms of Reference updates

We have updated the CSC's ToR to reflect the above duties being delegated to the CSC, and these can be found in Appendix A. We have also made some housekeeping changes to this ToR, which include a requirement for the Chairman to appoint an Alternate Chairman and making it clearer that Voting Members can appoint Alternates to attend and vote in their place.

Currently, all members' terms will end at the same time in March 2023, presenting the risk the entire membership could change between that meeting and the next. Staggering members' terms such that half of the seats are up for election each year will better enable continuity in discussions following changes in membership, as no more than half the membership would change following any election.

To implement this stagger, we are asking for some members to volunteer to reduce their current term to one year, ending in March 2022. We would seek for one Large Supplier seat, one Small Supplier seat, one Network Party seat and one Other SEC Party seat to be up for election each year.

### 4. Next steps

We are seeking the CSC's views and comments on the proposed duties being delegated and the updated ToR.

We will then update the ToR to account for any comments received and present these to the Panel for approval at its June 2021 meeting. At the same time, we will present the updated SEC Delegations Register for the Panel to approve the additions. These changes would then take effect from the June 2021 CSC meeting.

The timeline of events is summarised below:

Event/Activity	Date
Panel agrees provisions to delegate	14 May 21
CSC reviews updated ToR	25 May 21
Panel approves updated CSC ToR and additions to the SEC Delegations Register	18 Jun 21
First CSC meeting with updated responsibilities	29 Jun 21

## 5. Recommendations

The CSC is asked to:

- **ENDORSE** the recommendation that the duties set out in this paper be delegated to the CSC going forward;
- **ENDORSE** the updated Change Sub-Committee Terms of Reference for submission to the Panel for approval;
- **NOTE** that the Panel will be asked to delegate these duties to be effective at the next scheduled Change Sub-Committee meeting on 29 June 2021; and
- **AGREE** for half of the current members' terms to be reduced to one year.

David Kemp

SECAS Team

18 May 2021

### Attachments:

- **Appendix A:** Change Sub-Committee Terms of Reference v1.1