



Gníomhaireacht Bainistíochta an Chisteáin Náisiúnta
National Treasury Management Agency

SCA Strategy Committee Terms of Reference

As Approved by the Agency at its 22 September 2020 meeting

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1. BACKGROUND AND PURPOSE

This document sets out the terms of reference for the State Claims Agency Strategy Committee established under section 5B of the National Treasury Management Agency Act, 1990 (inserted by section 10 of the National Treasury Management Agency (Amendment) Act, 2014).

The purpose of the Committee shall be to assist the Agency in the performance of its State Claims Agency functions by providing advice and guidance on strategic, policy and operational issues with regard to the State Claims Agency as set out at Section 7 of these Terms of Reference.

2. INTERPRETATION

Agency or **NTMA** means the National Treasury Management Agency.

Committee means the State Claims Agency Strategy Committee of the Agency established pursuant to section 5B of the National Treasury Management Agency Act, 1990 (inserted by section 10 of the National Treasury Management Agency (Amendment) Act, 2014).

State Claims Agency means the Agency in the performance of its functions under Part 2 of the National Treasury Management Agency (Amendment) Act 2000 and under Part 5 of the National Treasury Management Agency (Amendment) Act 2014.

3. MEMBERSHIP

The Committee shall comprise nine members appointed by the Agency. Two members will be members of the Agency. Six members will be persons who are not members of the Agency but who have substantial relevant expertise and experience. The Director, State Claims Agency will be a member of the Committee. One of the Agency members shall be the Committee Chairperson.

A Committee member who is also a member of the Agency shall be appointed for a term of three years or for such other term as may be agreed by the Agency but not exceeding three years, and in neither case beyond the term of the member's appointment to the Agency, or until he or she resigns or until the Agency decides otherwise. Membership shall be extendable for two further periods of up to three years each, not exceeding the term of the member's appointment to the Agency.

A Committee member who is not a member of the Agency shall be appointed for a term of three years or for such other term as may be agreed by the Agency but not exceeding three years or until he or she resigns or until the Agency decides otherwise. Membership shall be extendable for two additional periods of up to three years each.

4. SECRETARY

There will be a Secretary to the Committee who will be a member of the staff of the Agency nominated for that purpose by the Chief Executive, with the agreement of the Agency. The Secretary will ensure that the Committee receives information and papers in a timely manner to enable full and proper consideration to be given to issues. In the absence of the Committee Secretary, the Secretary's nominee shall act as Secretary to the Committee.

5. MEETINGS

The Committee shall meet at least five times a year and at such other times as the Chairperson considers necessary or appropriate. In addition to meeting with all participants physically present, the Committee may hold or continue to hold a meeting by the use of any means of communication by which all the participants can hear and be heard at the same time.

Meetings of the Committee shall be convened by the Secretary of the Committee at the request of the Chairperson.

The quorum necessary for the transaction of business shall be five members, of whom at least one shall be a member of the Agency, or, if there is a vacancy in the membership of the Committee, four members, of whom at least one shall be a member of the Agency, while the vacancy exists.

In the absence of the Committee Chairperson at any meeting or part of a meeting, the other Committee member who is a member of the Agency shall chair the meeting.

Only members of the Committee have the right to attend its meetings. The Secretary will normally attend meetings, at the Committee's discretion. Other non-members may be invited to attend all or part of any meeting as and when appropriate and necessary.

The Secretary shall minute proceedings and decisions of all meetings of the Committee, including recording the names of those present and in attendance.

6. DECISION MAKING

Each member of the Committee present at a meeting has a vote and any question on which a vote is required in order to establish the Committee's view on the matter shall be determined by a majority of the votes of the members present and voting on the question. In the case of an equal division of votes, the Chairperson or member presiding over the meeting has an additional casting vote.

7. DUTIES

With regard to the NTMA's State Claims Agency functions, the Committee shall:

- (i) review overall claims management strategy, particularly in relation to large, sensitive, and mass action claims;
- (ii) consider and advise the Agency on the impact, if any, of any changes or proposed changes to the Tort statutory framework or Rules of Court, or the effect of judgments in particular cases, on overall claims management strategy;
- (iii) review risk management work programmes, so that they are aligned with strategic priorities and objectives;
- (iv) advise on reputational and stakeholder management matters;
- (v) review and recommend to the Agency any specific SCA business strategy and SCA business goals, in the context of the NTMA corporate strategy, and monitor SCA performance against strategic targets and business goals;
- (vi) consider and advise the Agency on the implications of any proposed material changes to the SCA's remit, mandate or structure;
- (vii) review and recommend to the Agency the SCA section to be included in the NTMA Annual Report;

- (viii) review and recommend to the Agency the SCA component of the NTMA operating budget and monitor SCA performance against budget; and
- (ix) review and recommend to the Agency the key terms of contracts for professional and/or operating services and capital expenditure to be entered into by the NTMA specifically and solely in relation to the SCA, with an estimated value of €5m or greater, to be charged to the NTMA expenditure budget, other than framework contracts.

The Committee shall regularly report to and advise the Agency on the above matters and make recommendations to the Agency, where appropriate.

8. REPORTING

The Committee Chairperson shall report regularly to the Agency on the Committee's proceedings and on all matters within its duties and responsibilities.

The Committee shall make whatever recommendations to the Agency it deems appropriate on any area within its remit.

9. OTHER MATTERS

The Committee shall:

- have access to sufficient resources in order to carry out its duties, including access to the Agency secretariat for assistance as required;
- be provided with appropriate and timely training;
- work and liaise as necessary with all other Agency committees; and
- conduct periodic reviews of its own performance and, at least annually, review its terms of reference to ensure it is operating at maximum effectiveness and recommend any changes it considers necessary to the Agency.

10. AUTHORITY

The Committee is authorised to obtain, at the Agency's expense, independent legal or other professional advice on any matters within its terms of reference.