



Patient Safety Commissioner for Scotland Advisory Group

Terms of Reference

1. Establishment and Statutory Basis

1.1 The Advisory Group ("the Group") is established by the Patient Safety Commissioner for Scotland ("the Commissioner") in accordance with section 16 of the Patient Safety Commissioner for Scotland Act 2023.

1.2 The Commissioner is required to establish and maintain an advisory group to provide advice and information about matters relating to the Commissioner's functions.

1.3 These Terms of Reference are determined by the Commissioner and may be revised from time to time in accordance with the Act.

2. Purpose

2.1 The purpose of the Group is to provide independent advice, insight and information to support the Commissioner in carrying out their statutory functions.

2.2 The Commissioner's core function under the Act is to advocate for systematic improvement in patient safety in Scotland and to promote the importance of the views of patients and other members of the public in relation to the safety of healthcare.

2.3 The Group provides advice only. Decision-making authority rests solely with the Commissioner.

3. Scope of Advice

3.1 The Group may advise the Commissioner on:

- a) Strategic priorities and work planning.
- b) Emerging patient safety risks and systemic safety concerns.
- c) Patient and public experiences of healthcare safety in Scotland.

- d) Engagement approaches to ensure diverse and seldom-heard voices are included.
- e) The development of reports, recommendations, and public statements.
- f) The Commissioner's principles, values and methods of working.
- g) Any other matter relating to the Commissioner's statutory remit.

Nothing in these Terms of Reference restricts the Commissioner from seeking advice from any other individual or body.

4. Membership

4.1 Appointments

Members are appointed by the Commissioner in accordance with section 16 of the Act. The maximum number of members is determined by the Scottish Parliamentary Corporate Body as required by the Act.

4.2 Composition

In line with the Act:

- At least 50% of members must be persons who appear to the Commissioner to represent the interests of patients.
- Members may include individuals with:
 - Lived experience of healthcare harm or safety concerns
 - Experience as carers or family members
 - Clinical or professional expertise in healthcare safety
 - Academic, regulatory, improvement or system leadership experience
 - Experience in equality, human rights and public engagement

4.3 Diversity and Inclusion

Membership should reflect the diversity of Scotland's population, including protected characteristics and geographic representation.

4.4 Term of Appointment

Members will normally serve for a fixed term determined by the Commissioner and may be eligible for re-appointment.

4.5 Removal

The Commissioner may remove a member in accordance with the Act or where continued membership is not consistent with the effective operation of the Group.

5. Roles and Responsibilities

5.1 The Commissioner

- Determines the Group's membership and chairing arrangements.
- Sets the agenda, informed by members' suggestions.
- Considers and responds to advice provided.

5.2 Chair (if appointed)

- Facilitates meetings and ensures balanced participation.
- Promotes constructive challenge and respectful discussion.

5.3 Members

Members are expected to:

- Contribute expertise, lived experience and insight.
- Act in the public interest and in support of patient safety improvement.
- Engage constructively and respectfully.
- Declare any conflicts of interest.
- Maintain confidentiality where required.

Members act in an advisory capacity and do not represent the Commissioner publicly unless expressly authorised.

6. Meetings and Governance

6.1 The Group will normally meet at least three to four times per year, or as determined by the Commissioner.

6.2 Meetings may be held in person, virtually, or in hybrid format.

6.3 A secretariat function will be provided by the Commissioner's Office.

6.4 Agendas and papers will be circulated in advance where possible.

6.5 A summary record of meetings will be maintained.

The Commissioner may publish summaries in the interests of transparency, subject to confidentiality and data protection considerations.

7. Quorum

As the Group is advisory and not decision-making, a formal quorum is not required. However, meetings should normally include a balanced representation of patient members and other members.

8. Remuneration and Expenses

Members may receive remuneration and reimbursement of reasonable expenses in accordance with arrangements approved by the Scottish Parliamentary Corporate Body under the Act.

9. Confidentiality and Information Handling

9.1 Members may receive sensitive or anonymised information relating to patient safety matters.

9.2 Members must comply with data protection legislation and confidentiality requirements as advised by the Commissioner's Office.

9.3 Where personal experiences are shared, members must respect the privacy and dignity of those individuals.

10. Conflicts of Interest

10.1 Members must declare any actual, potential or perceived conflicts of interest.

10.2 A register of interests will be maintained and may be published in the interests of transparency.

11. Review of Terms of Reference

These Terms of Reference will be reviewed at least every two years, or sooner if required due to legislative or operational changes.

Approved by Advisory Group and the Commissioner on 13 March 2026.

Terms of Reference **renewal due no later than 12 March 2028.**