



**BOARD MEETING
MINUTES OF THE MEETING HELD ON
WEDNESDAY 25 OCTOBER AT 10:30 AM
P1 SPUR, SAUGHTON HOUSE,
EDINBURGH**

Present: Mr Gerry Bann, Acting Chair
Ms Linda Bendle
Mr Gerry McClay
Ms Glenys Watt

In attendance: Ms Karyn McCluskey, Chief Executive
Mr Bill Fitzpatrick, Director of Operations
Mrs Dorothy Smith, Business Manager (minutes)
Ms Laura Hoskins, Transition Manager
Ms Linda Pollock, Deputy Director, Community Justice,
Scottish Government

Apologies: Mrs Jean Couper, Chair

1. Welcome and Apologies

1.1 Mr Bann welcomed the Board Members and staff to the meeting. There were apologies from Mrs Jean Couper, Chair. In the absence of the Chair, the Board agreed that Mr Gerry Bann would chair the meeting.

2. Declarations of interest, gifts or hospitality

2.1 Ms Watt declared that she had been invited to undertake some research in the women's' community prison.

2.2 There were no more declarations.

3. Minutes of Board Meetings of 27 September 2017

3.1 The Board approved the minute of the Board meeting held on 27 September 2017. The minutes were adopted as the version for the Publication Scheme.

4. Matters Arising – Action Tracker

4.1 The Board requested an update on the pending actions from the Action Tracker:

Action 5 – Presentation on Commissioning – The Chief Executive reported that a framework document is being drawn up and will come to the Board. It will refer to the legislation, focussing on best practice and what requires to happen nationally. It was agreed that the CJS Commissioning lead, Mr Charles Burke would give presentation at the November Board covering:

- Definition of commissioning;
- How commissioning will operate as a function in CJS;
- Provide a broad assessment and where we are;
- Examples of what works elsewhere; third sector group alliance working together.

Action 6 – Training Needs Analysis – Business case currently being prepared for SG. The Board asked if CJS is not successful in securing additional funding, what will it be able to deliver with 5 TDOs.

Action 7- HR Policies - Mrs Smith to seek update from Nina Rogers.

Action 8 – Invite John Dunn, COPFS, to November Board meeting to give presentation on diversion from prosecution.

Action 9 – Policies and procedures - Draft of Fairness at Work policy – Mrs Smith to seek update from Nina Rogers.

Action: It was agreed that the future format of the Action Tracker document would be amended to differentiate between target dates and completion dates.

5. Chair and Chief Executive updates

5.1 In the absence of the Chair, the acting Chair Mr Bann advised that he was not aware of any new material by way of update. Ms Bendle referred to the stakeholder feedback report provided by the Chair in September. She asked if it was possible to have a note of who the Chair met with and who the comments were attributed to.

5.2 The Chief Executive reported that it was business as usual, there were no specific areas to update the Board on.

Action: Mrs Smith to ask the Chair to provide further info on stakeholder meetings feedback.

6. Update Consultation Corporate Plan CJS/2017/36

6.1 Ms Hoskins presented the corporate plan consultation update. The Board noted the comments received so far (detailed in **Appendix A**). The Board agreed the

further proposed recommendations with some slight amendment. The Board requested that there should be a reference to Smart Justice included in the plan.

6.2 The Board noted the illustration of the proposed design of the corporate plan at **Appendix B**. Ms Hoskins said the mock-up will accompany the *Word* version to submitted to SG on 30 November 2017.

6.3 The Board noted the track changes in the draft Corporate Plan at **Appendix C**, which incorporated the Board's comments from the September Board meeting. The Board suggested some further amendments and would consider and forward any further changes to Ms Hoskins.

Action: Ms Hoskins to update the corporate plan and to include any subsequent changes from the Board.

7. Principles and Purpose of Sentencing – Consultation draft response CJS/2017/37

7.1 The Board considered the draft CJS response to the Scottish Sentencing Council's consultation. The Board expressed concern at the short turnaround for the Board to comment on and approve the draft response; the deadline for the current response being noon on 27 October 2017. The Board noted that it was understood there would be further rounds of consultation by the Sentencing Council in the future and there would, therefore, be opportunity to comment further at a later stage in the consultation process. The Board's view was that various amendments required to be made to the current draft response before it could be submitted. The Board's view was that the key message to be conveyed by CJS is the desire to have an increased use of non-custodial sentences.

7.2 It was agreed that the current draft would be revised to incorporate the amendments requested by the Board and the revised draft would then be circulated to the Board for comment and sign-off.

7.3 The Board was of the view that a process required to be established for the discussion and handling of future consultation responses. At the request of the Board, Mr Fitzpatrick undertook to provide via the CE report at Board meetings details of published consultations to provide advance notice to the Board in order to consider if it wishes CJS to submit a response.

Action: Ms Hoskins to arrange for amendments to be made to the CJS draft response to the Sentencing Council consultation and Mrs Smith to circulate to the Board for comment and sign-off. Mr Fitzpatrick to provide a consultation timetable and a CJS process for handling future consultation responses.

8. CJS Risk Register format CJS/2017/38

8.1 The Board noted the revised risk register as provided at **Appendix A**. It noted that there was very little change to a previous version considered by the Audit and Risk Committee. The Chief Executive reported that she had used this version in a previous organisation and found it of great benefit. The Board agreed to use this

version and requested that a scoring matrix be provided and to also add a contingency column to the spreadsheet. It was agreed and noted that the Risk Register would be the subject of review at future meetings of the Audit and Risk Committee.

Action: Mr Fitzpatrick to amend the risk register to include a contingency column and to include a scoring matrix.

9. Financial Report – spend to September 2017 CJS/2017/39

9.1 Noted

10. CJS Accommodation proposal CJS/2017/40

10.1 Mr Fitzpatrick provided the Board with the background to the proposed move to larger accommodation within Saughton House. The Board expressed the view that CJS may have been better located in a non-SG building to underline its independence from SG. The Board also commented on the restricted access to SG buildings and the barriers to members of the public obtaining free access to CJS because of the security requirements in respect of SG buildings. However, in noting the imminent requirement for space due to an increase in staff numbers, the Board agreed that a business case should now be drawn up and submitted to SG to progress the proposal for a change of accommodation. The Board also requested that a costing should be provided for a move to a non-SG building for future consideration by the Board

Action: Mr Fitzpatrick to proceed with preparation of business case to SG for proposed accommodation move within Saughton House. Also, to provide costing for alternative accommodation outwith the SG estate.

11. Any Other Business

11.1 The Board noted that Ms Watt has requested to observe the Academic Working Group being set up by CJS.

11.2 Ms Bendle asked if the number of Board meetings could be reviewed, which are currently held monthly. After discussion the Board considered that as CJS is in the set-up phase and a new public body, the meetings should remain as monthly. It agreed to look again in the new year to possibly moving to a meeting every 6 weeks. The Chief Executive also suggested that some of the board work could be done via email to ease the burden on CJS staff.

11.3 The Board requested to be provided with list of events that CJS are attending etc. to allow Board Members to consider if they may wish to attend.

11.4 Mr McClay asked if there had been any press interest in the work of CJS. The Chief Executive said she has a meeting at the House of Lords on 1 November where up to 40 journalists will be present. The Board expressed the view that it

would assist and inform Board Members to be provided with copies or notes of any statements or contact with the media on the part of CJS staff.

11.5 Mr McClay requested if Board Members could be issued with SG passes as it was inconvenient to be signed into the building. The Chief Executive said that this had been requested but unfortunately was not possible. She suggested that a possible solution would be to hold the Board meetings in the community. The Board agreed this was a good idea.

11.6 Mr Fitzpatrick reported that 25 applications had been received for the 5 TDO positions. An initial sift has shown these are of high calibre. Interviews will take place within the next 2 weeks with appointments made by the end of the year.

11.7 The Board agreed that in light of the Corporate Plan requiring to be submitted to SG by 30 November, the November Board meeting should be brought forward, suggested dates 22 or 23 November. Mrs Smith to confirm date.

Action: Mrs Smith to:

- **Send list of upcoming events to the Board**
- **Provide copies/detail of what has been said to media**
- **Rearrange dates for November Board meeting**

26 October 2017