



**BOARD MEETING
MINUTES OF THE MEETING HELD ON
WEDNESDAY 23 JANUARY 2019, AT 10.30
R1 SPUR, SAUGHTON HOUSE,
EDINBURGH**

Present: Mr Gerry Bann
Ms Linda Bendle
Mr Adam Burley
Mr Steve Kirkwood
Sheriff Kathrine Mackie (Advisor to the Board)
Mr Graham McNeil Bell
Mr Alec Spencer
Ms Glenys Watt, Acting Chair

In attendance: Mr Bill Fitzpatrick, Director of Operations
Ms Laura Hoskins, Head of Policy (**Items 12, 13 and 14**)
Ms Karyn McCluskey, Chief Executive
Ms Rose McConnachie, Policy Development Lead,
(Items 12, 13 and 14)
Ms Sarah McCullough, Commissioning Framework Lead
(Item 15)
Mrs Dorothy Smith, Business Manager (minutes)

Apologies: Mr Gerry McClay

1. Welcome and Apologies

1.1 Ms Watt welcomed the Board Members and staff to the meeting. There were apologies from Mr Gerry McClay.

2. Declarations of interest, gifts or hospitality

2.1 There were no declarations.

3. Minute of Board Meeting of 12 December 2018

3.1 The Board approved the minute of the Board meeting held on 12 December 2018, subject to some minor amendments. The minute was adopted as the version for the Publication Scheme.

4. Matters Arising – Action Tracker

4.1 The Board noted the status of the actions from the action tracker. Mr Fitzpatrick provided the Board with an update on action 7; on the plastics project. The Board requested that the target dates for the Audit and Risk Committee action points be revised following ARC meeting held on 16 January 2018.

Action: Mrs Smith to update the action tracker with revised target dates for ARC actions.

5. Chair Update

5.1 Ms Watt reported that she and Mr Alec Spencer had met with Paul Johnston, Director General Education, Justice and Communities, on 17 January, discussion included; the budget for 2019/20 and request for additional resources.

5.2 Ms Watt informed the meeting that she would attend, as an observer, the public audit committee meeting, to be held in the Scottish Parliament, on 24 January 2019.

5.3 Ms Watt reported that the Chair position has been advertised and it is hoped to have someone in place by May 2019. She went on to seek approval of the nomination of Mr Alec Spencer as deputy chair, this was agreed by the Board.

5.4 Ms Watt and Mr Spencer undertook to draft an agenda for the meeting to be held on 20 February to discuss; our values, strategic choices, and key strategic priorities to ensure we achieve impact.

5.5 Ms Watt raised the matter of the number of Board meetings and whether to consider a move to bi-monthly and thereafter quarterly meetings. The Board felt it was not the right time to change the frequency of meetings with the section 22 report imposed, it was agreed to wait until the new Chair is in post and review the frequency again then. It was also agreed to increase the ARC meetings to 4 meetings per year. It was agreed to look at the content of Board meeting agendas to see if some business could be for info only and dealt with by email. Ms McCluskey reported that currently 60 days are taken up on providing Board secretariat. Ms McCluskey felt that Board Members' time could be used on CJS business outwith Board meetings and supporting the team with the wider work of CJS.

Action: Mrs Smith to circulate agenda for meeting to be held on 20 February.

6. Chief Executive update

6.1 Ms McCluskey reported that she had met with Mr Yousaf, Cabinet Secretary for Justice to update him on the Community Justice agenda.

6.2 Ms McCluskey reported that CJS had provided a 24 page briefing for SG background for the section 22 public audit meeting, The Board noted that some of the CJS key achievements included:

- The 'second chancers' campaign has had over 6 million views and further analysis of the campaign would be published at the end of this year.
- The improvement team have met with over 800 people/services throughout Scotland.
- The training team has trained over 1200 delegates.
- The Chief Executive has spoken to 20,000 people, 7000 in local communities.

6.3 Ms McCluskey undertook to circulate the briefing paper to the Board for information.

6.4 Ms McCluskey informed the meeting that she was due to meet with the Attorney General on 24 January. A recent meeting with stakeholders to discuss diversion from prosecution went well with those round the table enthusiastic and keen to get those on the ground working the same way. Sheriff Mackie expressed an interest in visiting the Marking Hub. Ms McCluskey said the Board may be interested in reading the recently published HMI Prosecution report.

6.5 Ms McCluskey said the financial pressure and lack of resources may require to be followed up by the Board. It was agreed to write to Mr Johnston and Mr Rennick, Director for Justice, to discuss the budget provision for 2019/20.

Action: Mrs Smith to circulate to the Board the briefing paper to SG. Mrs Smith to add HMI Prosecution report on Diligent. Ms Watt to write to Mr Johnston and Mr Rennick to follow up the previous meeting and ask for a further meeting to take the issue of resourcing forward.

7. Audit and Risk Committee meeting 16 January 2019- Verbal report

7.1 Mr Bann reported to the Board on the ARC meeting held on 16 January 2019. He reported that he had requested from both internal and external audit candid and timeous advice throughout the year. He also reported that internal audit had advised that costs will be less than the estimated for 2018/19.

7.2 Mr Bann reported that the ARC terms of reference were reviewed and it was agreed that the Committee would meet 4 times per year. At the end of the year a self-assessment would be undertaken. The Committee also undertook to review material provided by external audit on training for committee members which may include other Board members as well so that we have several people who could become members of the ARC as and when required.

8. Risk Register– (CJS/2019/01)

8.1 Mr Fitzpatrick provided the Board with an update on the Risk Register. He reported that Brexit was not a corporate risk but this may change in the future. Fraud was discussed at the ARC meeting and it was agreed that this should be added to the operational risk register. Mr Fitzpatrick informed the Board that the risks were reviewed at the fortnightly Senior Management Team meetings.

8.2 The Board discussed risk 1 on the register and agreed the OPI framework review requires to be undertaken this year. He reported that an external research agency is currently looking at the OPI framework as the first part of a larger piece of work.

9. Quarterly Monitoring Report on the Business Plan Performance– (CJS/2019/02)

9.1 The Board noted the exceptions report on the business plan and that the website audit had not yet been undertaken as resource levels were not sufficient to enable this to be done at present.

9.2 Mr Fitzpatrick spoke to the paper produced by Ms McCullough on a draft logic model, which included organisational level business plan template that will align to the OPI. He went on to say that this will build on processes and learning from business planning in 2018/19, we will continue to map and plan organisational activity across teams, together with anticipated resource requirements for each. The Board agreed to discuss further at the meeting planned for 20 February.

10. Quarterly Financial Report- (CJS/2019/03)

10.1 The Board noted the quarterly financial report. Mr Fitzpatrick reported that there was an underspend for 2018/19 and that funds would be used to recruit temp staff; support for finance and commissioning framework, contracts would be up to 31 March 2019. He felt the current internal audit on financial procedures will throw up some issues and it is likely that the format of future reporting to the Board will be revised.

11. Budget Planning 2019/20 - (CJS/2019/04)

11.1 Mr Fitzpatrick advised the Board of the indicative position for the CJS 2019/20 budget. The CJS allocation is a flat-cash settlement of £2.22m. The Board noted that this will be tight for 2019/20 but will not be sustainable going forward beyond that.

11.2 Mr Fitzpatrick reported that a draft budget will be presented to the Board for consideration. A major focus of this process will be to work through in detail the effect of salary increases and the pay settlement for 2019/20. Following the affordability exercise on public pay policy, the findings will come to the HRRC for consideration.

Action: Mrs Smith to add Public Pay Policy to agenda for HRRC meeting in March 2019.

12. Proposed Response to the SG Hate Crime consultation (CJS/2019/05)

12.1 Ms Hoskins provided a draft response to the recent consultation document from the SG - One Scotland: Hate has no home here.

12.2 The Board suggested some amendments to the response and wished to express the view that the underlying issue of hate crime is being dealt with rather than an increase in any sentence.

Action: Ms Hoskins to make amendments to draft consultation response and issue on behalf of the Board.

13. SG Consultation on Prisoner Voting - (CJS/2019/06)

13.1 Ms Hoskins advised the Board of the publication of a consultation on prisoner voting by the SG and to consider if CJS would wish to submit a response.

13.2 The Board noted the prisoner voting consultation, discussed its contents and verbally agreed a response which Ms Hoskins was asked to submit on the Chair's behalf. More generally the Board agreed that future consultations may not routinely require Board approval.

Action: Ms Hoskins to submit on behalf of the Board a response to the prisoner voting consultation.

14. Victims and Witnesses Taskforce- (CJS/2019/07)

14.1 Ms McConnachie advised the Board of CJS' inclusion in the membership of the new ministerial Victims and Witnesses Taskforce, jointly convened by Cabinet Secretary for Justice Mr Yousaf and the Lord Advocate James Wolffe.

14.2 The Board agreed that that inclusion in the Victims Taskforce is an important development for CJS, and reflects positively on our impact on the policy landscape to date. It presents an opportunity for CJS to directly influence this key policy area, to better develop links with victims' interests, promote community justice measures and to contribute in improving the experience of victims in the justice system.

15. Strategic Commissioning Framework Update- (CJS/2019/08)

15.1 Ms McCullough updated the Board on the progress of discussions with SG about Strategic Commissioning in Community Justice.

15.2 The Board noted the update and the key milestones it was noted that at the consultation stage a group of those from the partnerships would be formed to gather their thoughts and contributions.

15.3 Ms McCullough updated the Board on discussions and pending developments to CJS Commissioning of national Throughcare and Mentoring provision. The SG in December 2018 advised an indicative extension to existing contractual arrangements to enable sufficient time for commissioning activity to progress and resourcing to be put in place. New contract arrangements are now anticipated to be in place by April 2021.

16. AOB

Meeting 20 February 2019

16.1 Ms Watt informed the meeting that both she and Mr Spencer would facilitate the meeting on 20 February and the agenda will be sent out beforehand. Mr Spencer had helpfully produced a precis of the Community Justice Scotland Act.

Website

16.2 Mr Kirkwood asked if the website could be updated with the new Board Members photos and biog. Also some of the data is out of date and the Annual Report and Accounts 2017/18 could not be found.

Action: Mrs Smith to issue agenda for meeting on 20 February. Mrs Smith to arrange for Board Members photos and biogs to be added to the website and also arrange for data to be updated.

Next meeting Wednesday 6 March 2019

11 February 2019