



**BOARD MEETING
MINUTES OF THE MEETING HELD ON
WEDNESDAY 17 APRIL 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 Gerry McClay
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 7&8 only**)
Ms Karyn McCluskey, Chief Executive
Ms Sarah McCullough, Commissioning Framework Lead
(Item 12 only)
Ms Deborah Mia, Finance Manager (**Item 11 only**)
Mrs Dorothy Smith, Business Manager (minutes)

1. Welcome and Apologies

1.1 Ms Watt welcomed the Board Members and staff to the meeting. There were no apologies.

2. Declarations of interest, gifts or hospitality

2.1 Ms Watt reported that she had attended a dinner with the two visiting judges from USA, this was funded by CJS at a cost of £50 per head.

3. Minute of Board Meeting of 6 March 2019

3.1 The Board approved the minute of the Board meeting held on 6 March 2019, subject to an amendment to para 5.4. 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. The Board requested that actions 6 and 11 have their target dates revised. Mr Fitzpatrick reported that a meeting had been arranged with the SG resilience team to discuss the CJS Business Continuity Plan.

4.2 Under matters arising, Mr Spencer reported that he had attended the Board induction day at Victoria Quay, Edinburgh, and the focus was on delivering outcomes, the use of resources roles and responsibilities. There was input from the sponsor team, ministerial office and Audit Scotland,

4.3 Mr Fitzpatrick reported that the final underspend for 2018/19 had not yet been determined as the year end records were still ongoing. He would report back to the Board the final spend for 2018/19.

4.4 Ms Watt agreed that the revised CJS values would be considered by the HRRC at its meeting on 31 July 2019.

Action: Mr Fitzpatrick to report back to the Board on the final spend for 2018/19.

5. Chair Update

5.1 Ms Watt reported that she had written in reply to Mr Johnston's letter and suggested in it that we wait until the new finance manager has had the opportunity to work on the financial processes before we arrange to meet the sponsorship team to discuss any further funding issues.

5.2 Ms Watt reported that she had attended the Edinburgh and Livingston events that the USA Judges had presented at, both events were very interesting. The events were well attended and which included attendees from the Judiciary. Mr Bann and Ms Bendle had also attended the Livingston event and feedback was positive.

5.3 Ms Watt attended a COPFS marking exercise in the marking center in Hamilton, she found this to be very informative. Sheriff Mackie expressed a wish to attend a future marking exercise. Ms Watt stated that it would be useful if any Board members who have not as yet had the opportunity to see the marking process could be offered the chance to do so, if the marking centers are able to accommodate this.

5.4 Ms Watt informed the Board that she had undertaken the Chief Executive's annual appraisal for 2018/19.

5.5 Ms Watt attended the CJS national event on 25 March, there were some interesting speakers and interactive workshops.

Action: Sheriff Mackie and other interested Board members to attend a future COPFS marking exercise.

6. Chief Executive update

6.1 Ms McCluskey reported that she is awaiting a response from COPFS on the diversion from prosecution guidance drafted by CJS. She had met with Police Scotland and they are taking proposals to the SPA Board and moving to cascading training. The Board requested that she seek a meeting with the Crown Agent to progress the matter.

6.2 Ms McCluskey provided feedback on the Tribal Home employability project. This was a two week course run by the army to help people who would normally have been sifted out due to previous convictions to get through the process. Miss Rogers, Head of People, was leading on this project she did so with a number of mentors providing intensive support for the candidates. Evaluation has been undertaken and the army have expressed an interest to run similar projects 4 times a year. Ms McCluskey undertook to pass the evaluation to the Board.

6.3 Ms McCluskey reported that PASS research evidence commissioned by CJS would be submitted to the Justice Committee at stage 3 of the Bill.

Action. Ms McCluskey to arrange meeting with the Crown Agent to discuss diversion from prosecution guidance. Tribal Home evaluation report to be circulated to the Board.

7. Management of Offenders Bill (CJS/2019/15)

7.1 Ms Hoskins updated the Board on the progress on the Management of Offenders Bill. The Board noted that a significant number of amendments in relation to changing the language in the Bill; removing the term 'offender' and replacing with 'relevant person' had been made.

7.2 The Board noted that use of Electronic Monitoring (EM) was taken out at stage 2 of the Bill and it is hoped it would be raised again at stage 3 of the Bill.

7.3 The Board requested that a list of suggested improvements to consultation documents that CJS makes that are subsequently adopted should be recorded so that we have a record of impact. Mr Fitzpatrick assured the Board that this would be included in the quarterly reporting on the Business Plan to the Board.

8. Victims Task Force update (CJS/2019/16)

8.1 Ms Hoskins updated the Board on the CJS activity as a member of the ministerial Victims Taskforce.

8.2 The Board noted that CJS is leading on the workstream entitled Training/Trauma Informed workforce. This work has been included in CJS's business planning activity for 2019/20.

8.3 The Board expressed concern about the language used around "victims" and hoped that CJS are able to influence a change in this area going forward.

9. Business Planning (CJS/2019/17)

9.1 Mr Fitzpatrick reported that the draft business plan had been shared with the sponsor team and they had provided some feedback.

9.2 Ms Watt commented that there was a need to show the link between the intended outcomes and how activity will be evidenced to demonstrate impact. Mr Fitzpatrick said the evaluation of effectiveness will be measured by adopting the RE-AIM framework as this evaluation model best fits the size of CJS as an organisation.

9.3 The Board requested that the seven planned outcomes for 2019/20 require a narrative on how they will be achieved.

9.3 Ms Watt thanked Mr Fitzpatrick and the team for the hard work that has gone into the Plan. The Board suggested some changes and Mr Fitzpatrick undertook to email an updated version to the Board for sign off by 26 April 2019.

Action: Mr Fitzpatrick to update the 2019/20 business plan and circulate to the Board for sign off by 26 April 2019.

10. Risk Register– (CJS/2019/18)

10.1 Mr Fitzpatrick provided the Board with an update on the Risk Register. The Board noted that the status of cyber and fraud as corporate risks were discussed by Audit and Risk Committee and will be reported upon at the August ARC meeting. With regard to Brexit as a risk this will be revisited when the vote has been taken and passed by the UK parliament.

10.2 Mr Fitzpatrick undertook to highlight any revision to the target dates on the register, also to have risk 1 align to the business plan and reduce the impact score on risk 9 as mitigating action in place.

11. Budget Planning 2019/20 - (CJS/2019/19)

11.1 Ms Mia, Finance Manager, provided background to the Budget Planning for 2019/20. She reported that she had received part of her SEAS training after 5 weeks in post and that she felt that the SEAS accounting system was not suitable for CJS requirements. She recommended a move from SEAS to SAGE and is preparing a business case to be submitted to SG. The Board noted that there was a need for CJS to have tighter control of its financial processes and accounting. The Board requested that enquires be made with SG ITECS to establish that SAGE is supported on the SCOTS IT system.

11.2 The Board requested that the ARC consider the business plan and proposal from SEAS to SAGE.

Action: Ms Mia to arrange a meeting of the ARC to consider the proposal from moving from SEAS to SAGE.

12. Strategic Commissioning Framework Update- (CJS/2019/20)

12.1 Ms McCullough updated the Board on the progress of the Strategic Commissioning Framework (SCF) and proposed communications strategy that will be initiated in April 2019.

12.2 Ms McCullough undertook to share an info graphic on how the Strategic Commissioning Framework will link in with the different work areas.

Action: Ms McCullough to share info graphic with the Board on SCF.

13. Performance and Impact Committee (PIC) Terms of Reference (CJS/2019/21)

13.1 Mr Spencer presented the PIC terms of reference. He went on to say that the ToR requires to be scoped out and workplan produced. The members of the PIC are; Sheriff Mackie, Ms Watt, Mr Spencer (Chair) and Mr Kirkwood and they will meet at a date to be determined to discuss workplan. The PIC will have an oversight on impact and mainly outward-looking role.

13.2 The Board acknowledged that governance was in a good place and the time was right to consider reducing the number of Board meetings, Ms Watt undertook to raise this with the new Chair when the appointment was announced.

Action: Date to be identified for PIC to meet to produce workplan.

14. Minute of Human Resources and Remuneration Committee (CJS/2019/22)

14.1 Ms Watt presented the minute of the HRRC meeting of 27 March. Actions from the HRRC included:

- Approval of the pay increase for 2019/20, it was noted that that the pay award is pending agreement, this is being negotiated with the unions.
- It was agreed that the revised Board fees should be rounded to nearest pound.
- Audit and risk training for members not on the audit committee, to be arranged for a Board meeting day.
- Ms Watt and Mr Spencer to meet with Miss Rogers to discuss the apprenticeship Programme.

14.2 Actions from the HRRC to be added to the Board action tracker.

14.3 Ms Watt reported that the Sponsor team have been approached re succession planning with regard to Mr McClay and Mr Bann who have indicated that they will not be seeking reappointment at the end of their appointment term 31 March 2020.

Action: Meeting to be arranged with Ms Watt, Mr Spencer and Miss Rogers to discuss the apprenticeship Programme. Board training to be arranged. HRRC actions to be added to the Board action tracker.

15. Minute Audit and Risk Committee meeting 28 March 2019 (CJS/2019/23)

15.1 Mr McClay presented the minute of the ARC meeting on 28 March. He reported that four meetings had been held in 2018/19. The actions from the ARC meeting included:

- Revised ARC Terms of Reference were agreed by the ARC and approved by the Board.
- Ms Mia, Finance Manager, to attend ARC meetings.
- Fraud and cyber security to be discussed at next ARC meeting.
- Meeting arranged with SG resilience team to discuss the CJS Business Continuity Plan.

16. Policies and Procedures (CJS/2019/24)

16.1 The Board noted the timetable for the CJS policies to be reviewed.

Publication Scheme

16.2 The Board approved the revised Publication Scheme, subject to some minor amendments.

Data Protection Policy

16.3 The Board approved the revised Data Protection policy, amended to meet the GDPR legislation. Mr McClay undertook to provide slight rewording of paras 4 and 6.

Action: Mr McClay to provide rewording for paras 4 and 6 of the Data protection policy.

17. AOB

Website

17.1 Mr Spencer reported an issue locating the Board minutes on the website he was informed that the drop down menu should scroll to the end to view the latest version of the minutes.

Next meeting Wednesday 29 May 2019

22 April 2019