



**BOARD MEETING
MINUTES OF THE MEETING HELD ON
WEDNESDAY 13 JANUARY 2021, AT 10.00
VIA ZOOM VIDEO CONFERENCING**

- Present:
- Ms Pauline Aylesbury
 - Ms Linda Bendle
 - Mr Adam Burley **(from item 8)**
 - Ms Linda de Caestecker **(from item 6)**
 - Mr Steve Kirkwood
 - Sheriff Kathrine Mackie (Advisor to the Board)
 - Mr Lindsay Montgomery, CBE, Chair
 - Mr Graham McNeil Bell
 - Mr Alec Spencer
 - Ms Glenys Watt
- In attendance CJS:
- Ms Helen Boath, Head of Finance
 - Mr Bill Fitzpatrick, Director of Operations
 - Mr Rory Macrae, National co-coordinator Caledonian **(Item 9&10 only)**
 - Ms Karyn McCluskey, Chief Executive
 - Ms Rose McConnachie, Policy Lead **(Item 11 only)**
 - Mr Dave Scott, Head of Learning, Development and Innovation **(Item 9 only)**
 - Mrs Dorothy Smith, Business Manager (minutes)
 - Ms Dawn Wheildon, Improvement Lead **(Item 8 only)**

Agenda

1. Welcome and Apologies

1.1 Lindsay Montgomery welcomed the Board Members and staff to the meeting, there were no apologies.

2. Declarations of interest, gifts or hospitality

2.1 There were no declarations.

3. Minute of Board meeting 4 November 2020

3.1 The Board minute was agreed. 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. Dorothy Smith provided an update on actions 17 and 18.

4.2 The Chair reported that he, Karyn McCluskey, Dorothy Smith and Helen Both will be meeting to finalise the governance review documentation, with a view to submitting to a special meeting of the ARC, and thereafter to the Board meeting to be held on 10 March 2021.

4.3 Karyn McCluskey reported on the meeting held with COSLA in December; it was helpful to have community justice on the agenda and it is hoped that further discussions will be held with local authorities to further progress community justice.

5. Chair update

5.1 The Chair informed the Board that he had requested a meeting with SG to discuss strategic commissioning following on from his response to the letter from Neil Rennick on this subject in December. He undertook to keep the Board updated on developments.

5.2 The Chair reported that SG colleagues had offered further comments on the Corporate Plan. There are no substantial changes required, Bill Fitzpatrick undertook to revise the plan for the Chair to sign off.

5.3 The Chair requested that the Board be given advance notice of items etc. coming to board meetings for 2021/22 with reference to the Corporate and Business Plans as well as other matters Dorothy Smith informed the Board that a Board Planner has been circulated within the SMT and will be issued to the Chair w/c 18 January for consideration

5.4 The Chair reported that he is continuing his virtual tour with CJP Chairs. Feedback about CJS has been generally positive and they have indicated a wish to have more frequent engagement with CJS. As well engaging with CJS this would also allow the Chairs to engage with each other. The Board noted that there is a meeting planned with the CJ Chairs for February and the plan is to hold up to 3 meetings a year.

5.5 The Chair reported on forthcoming Board business:

- The Board Strategy Day to be held on 28 January; planning is well underway, there will be a 2 hour session in the morning, a break and resume for further discussion in the afternoon.
- Board Training Day to be held on 17 February; planning team will include Alec Spencer.

- Board meeting dates for 2021/22 have been circulated to members, if any members has any clashes with the dates to inform Dorothy Smith.
- The new Community Justice Advisory Committee will come into being fairly soon. Its membership to be decided shortly and the Board will be updated in due course.
- Model Code of Conduct for Board Members consultation draft response will be circulated to the Board for comment response in time for the submission deadline 8 February.
- The forthcoming Scottish Parliament elections are scheduled to take place on 6 May 2021. The pre-election period is expected to commence around 25 March 2021

Actions:

- **The Chair and Chief Executive to meet with SG re strategic commissioning.**
- **Bill Fitzpatrick to update Corporate Plan for sign off by the Chair.**
- **Dorothy Smith to issue draft Board Planner to Chair by 22 January.**
- **Model code of conduct consultation draft response to be circulated to the Board ahead of the deadline 8 February.**

6. Chief Executive update

6.1 Karyn McCluskey presented her update to the Board. She highlighted that with the recent Covid restrictions including closing of schools and nurseries this will impact on resources as we have a number in the team with caring responsibilities.

6.2 The Board noted that there are a number of new starts to CJS and Steve Kirkwood offered to meet with the new Restorative Justice post holder.

7. Recover Renew Transform (RRT) update

7.1 Karyn McCluskey presented on the RRT. The Board noted there was a lot of exciting and challenging work being undertaken and that it was a priority for the justice system. However, it concerned whether CJS had the capacity to take on more extra work; we are a small organisation and some other partners may have more capacity. The Chair suggested that consideration be given to adding RRT capacity and the potential impact on CJS's other responsibilities and duties to the risk register.

7.2 Karyn McCluskey reported that CJS is managing the RRT programme support. Bill Fitzpatrick said that resources across CJS are being managed and with two new starts for improvement team we have capacity at present but would keep under review.

Action: Bill Fitzpatrick to add RRT impact on capacity to risk register.

8. 2019/20 Outcome Activity Annual Report – update (CJS/2021/01)

8.1 Dawn Wheildon presented the draft 2019/20 Outcome Activity Annual Report. She reported that this year, 29 out of 30 completed templates were received.

8.2 The Board noted that there were some LA areas that did not have or publish their annual plans. The Board felt that the executive summary should mention gaps deficits and what the explanation was for things not being done. The Chair noted the very tight timetable for completing the report. Consideration should be given to the timetable for next year's report to allow more time for Board consider and finalising the report.

8.3 The Board thanked Dawn Wheildon for all her work in producing the report and were invited to send any comments changes to Dawn. It was agreed that the executive summary to include overall picture.

Action: Board to send any comments to Dawn Wheildon and the foreword/executive summary to be amended to show the overall picture. The Chair and Chief Executive would work with Dawn to finalise the report for external consultation. Next year's timetable to allow for the Board's consideration well in advance of finalising the report.

9. Draft LDI Strategy (CJS/2021/02)

9.1 Dave Scott and Rory Macrae presented the draft LDI Strategy. The Board noted that Section 32 of the Community Justice (Scotland) Act 2016 sets out the requirement for a strategy for learning, development and innovation. This document must be reviewed within five years of publication. The previous strategy was published in 2018. The current global pandemic has accelerated the need for a new strategy more aligned to a blended learning delivery model.

9.2 Dave Scott outlined the challenges with online training and the impact it had on resources and that he had scoped for additional resources and would produce a business case in due course. Rory Macrae informed the Board that for the Caledonian System the funding was via 'Equally safe' budget and a business case had already been submitted for additional funding for additional resources.

9.3 The Board noted the strategy was for 5 years and under the current pandemic and the restrictions imposed that it would be wise to review after one year.

9.4 The Board noted the section in the strategy on the neuroscientific approach to blended learning and felt the neuro science would be better referenced as a footnote. Alec Spencer invited Dave Scott to meet and discuss the referencing.

Action: Dave Scott and Alec Spencer to meet to discuss the neuroscientific approach to blended learning and referencing in the strategy. It was agreed that the Strategy to be reviewed after one year.

10. Caledonian System – presentation

10.1 Rory Macrae presented on the Caledonian System. The Board thanked Rory for his time and very interesting presentation, he undertook to send further reading on the subject to members.

Action: Rory Macrae to circulate theory manuals for Caledonian system to the Board for info.

11. Victims Task Force – views sought on a possible Victims Commissioner (CJS/2021/03)

11.1 Rose McConnachie reported that the Cabinet Secretary for Justice's Victims Task Force, was seeking views on options relating to a Victims Commissioner for Scotland. Rose went on say that the Board may wish to opt for option D - Victims Taskforce consider further information/reaction is required in order to inform a decision. The Board felt there was lack of clarity on the role of the Commissioner, it's benefits and relationship with other Commissioners or organisations It agreed with option D, requesting more info on the role and purpose of the commissioner as well as looking at other possible options for best meeting needs in this area.

12. Risk Register (CJS/2021/04)

12.1 Bill Fitzpatrick presented the updated Risk Register. He reported that since it was reviewed by the CJS Board at its last meeting, the Corporate Risk Register has been reviewed by the Audit and Risk Committee at its meeting on 6 January 2021 and by the senior management team (SMT).

12.2 The Board requested an update on risk 5 and the OPIF review, Bill reported that a new improvement Lead would be joining CJS on 18 January and she would be assigned to the review with a completion date of 30 June 2021. It was recognised that there needed to be read in the context of the reference in the Corporate Plan to the development of a Monitoring and Reporting Strategy

12.3 Pauline Aylesbury noted that risk 8 had been reduced, however, the Board had not seen the comms strategy and plan of work for 2021/22. Bill Fitzpatrick said this will come to the March Board for review.

Action: Comms strategy to be submitted to the March Board meeting for consideration.

13. Management Accounts for Period 8 (CJS/2021/05)

13.1 Helen Boath presented the period 8 accounts. She reported that the position at November 2020 (Periods 1-8) was that we have expenditure of £1,495,532 against a budget of £1,810,342, showing an underspend of £314,810.

13.2 As for many public bodies the impact of Covid-19 had impacted on the operation of CJS and the organisation would not spend its full budget this year.

Discussions with SG sponsor team and SG Finance have indicated that this position is not unique to CJS and no adverse inference will be drawn from the underspend position in future budget rounds and that as far as is possible they will defend the CJS funding position.

13.3 Alec Spencer asked if internal audit costs had been budgeted for and Helen confirmed that they are included in the shared service costs and the estimate for 2020/21 is £12,000.

14. HRRC draft minute of meeting 11 November 2020 (CJS/2021/06)

14.1 Glenys Watt provided a report of the HRRC meeting held on 11 November 2020. She reported that staff are managing well during pandemic and staff wellbeing is a priority.

14.2 Kathrine Mackie referred to action 7 in the minute on the offer of counselling for the team and to include a disclaimer. Kathrine felt that inclusion of a disclaimer should be avoided as there is legal implications, she recommended using a different form of words. The Board acknowledged that employers should take reasonable care to protect employees. This would be discussed further at the HRRC meeting to be held on 3 February.

14.3 The Board noted that the HRRC annual assessment review will presented at the meeting on 3 February and Bill Fitzpatrick has been invited to present the Health and Safety policy.

Action: HRRC to discuss wording re disclaimer at its meeting on 3 February.

15. ARC draft minute of meeting 6 January 2021 (CJS/2021/07)

15.1 Alec Spencer provided the Board with a report of the ARC meeting held on 6 January 2021. Key points from the meeting included:

- New Board members would be invited to observe future ARC meetings
- The risks on the risk register have been aligned to corporate objectives
- Suggested that the Digital strategy to be discussed at strategy day
- Internal Audit report on finance and governance had assessed CJS systems as providing reasonable assurance

Forthcoming meetings:

Strategy Day	28 January 2021
HRRC meeting	3 February 2021
Board Training Day	17 February 2021
ARC meeting	24 February 2021
Board meeting	10 March 2021

14 January 2021