



**BOARD MEETING
DRAFT MINUTES OF THE MEETING HELD ON
WEDNESDAY 28 JUNE 2023, AT 10.30
R1 SPUR SAUGHTON HOUSE/MSTEAMS(HYBRID)**

Present: Ms Pauline Aylesbury
Mr Graham Bell
Ms Linda Bendle
Mr Adam Burley
Ms Linda de Caestecker
Ms Catherine Dyer, Chair
Mr Christopher Gardner, Audit Scotland(**observer to item 8 only**)
Mr Steve Kirkwood
Sheriff Kathrine Mackie (Advisor to the Board)
Mr Alec Spencer

In attendance CJS: Mr Bill Fitzpatrick, Director of Operations (**MS Teams**)
Ms Hannah Dickson, Acting Head of Commissioning, (**Item 8 only**)
Ms Karyn McCluskey, Chief Executive
Mrs Dorothy Smith, Business Manager (minutes)
Ms Vicky Woolf, Finance Officer (**Item 10 only**)

Apologies: Ms Glenys Watt

Agenda

1. Welcome and Apologies

1.1 Catherine Dyer, Chair, welcomed the Board Members and staff to the meeting, and extended a warm welcome to Christopher Gardner from Audit Scotland who have been appointed as CJS external auditors from April 2023. Apologies were received from Glenys Watt.

1.2 Christopher Gardner thanked the Board for the opportunity to attend the meeting. He reported that the Audit Plan for 2022/23 had been presented to a recent meeting of the ARC, some preliminary audit work had been undertaken and he looks forward to working with CJS over the 5-year appointment.

2. Declarations of interest, gifts, or hospitality

2.1 Linda Bendle and Kathrine Mackie declared interests in the CJS Commissioning Strategy, as a consequence of their involvement in third sector organisations that would have an interest in the voluntary throughcare and mentoring contract. This was noted by the Board but did not require further action at this stage.

3. Minute of Board meeting 10 May 2023

3.1 The Board minute was agreed and 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.

4.2 With regard to action 5 – it was agreed to circulate the ARC Annual Report to the Board for information. Action 8 on the tracker; Keith Gardner to detail for the Board the risk issue arising from potential outcomes of the ICO consideration of Police Scotland referrals of individuals in police custody being to other services. Action 13 - on diversity survey, the Chair will follow up with the Board Chair forum on diversity background data collection for small boards.

Action: Dorothy Smith to circulate the ARC Annual Report to the Board. Keith Gardner to detail for the Board the issue around the ICO risk.

5. Papers circulated for information, comment and approval.

5.1 The Board approved the Corporate Plan 2023-26, circulated in advance of the Board meeting, subject to some minor amendments. Bill Fitzpatrick confirmed that following final consideration by the Sponsor Team publication can proceed.

6. Chair update

6.1 The Chair advised that the June HRRC and ARC meetings had been held on the same day and this had proved useful as the agendas were interconnected. Given that will often be the case it was agreed that Chairs of these committees will aim to have future meetings on the same day.

6.2 The Chair reported attendance at the On-Board Chairs Information Session held by Scottish Government in May. Following a presentation by Tom Arthur Minister for Community Wealth and Public Finance on the challenges and opportunities arising from the constraints on public finances, discussion focused on

the need for prioritisation, clarity of outcomes required and innovative collaboration to deliver improvements.

There was recognition that leveraging the impact of successful preventative interventions would be essential if there was to be a reduction in current levels of failure demand and opportunity to redirect spending to services which could evidence improved outcomes when compared with current traditional approaches.

6.3 The success of the CJS Justice Podcast series, which had been nominated for a Marketing Society Scotland star award, in the category of Champions of Diversity, Equality and Inclusion and had achieved 2nd place, was noted by the Board to be a significant achievement by the Communications Team demonstrating ability to deliver powerful results despite exceptionally modest budget compared with many other organisations.

6.4 The Chair reported that there had as yet been no response to the CJS submissions of February 2023 to the request by the Director General for Education and Justice for proposals of actions which would achieve further efficiencies across the Justice sector over the coming years.

7. Chief Executive update

7.1 Karyn McCluskey provided an update on recent matters of note including:

- Further increases in prison population and concerns around reasons for this including exceptionally long periods on remand awaiting trial
- The SG roundtable discussion on remand held recently which noted the increases in unplanned releases at court and associated lack of services and support which increased likelihood of returns to custody within 12 months
- The Electronic Monitoring paper which was discussed at Justice Board - Karyn McCluskey will provide further comments to Justice Board and a copy to the CJS Board
- JAS have produced stats on reconviction rates, which remain high
- An Interest Group has been formed within Cabinet to enable cross ministerial consideration of community justice issues.

8. Strategic Commissioning update - CJS/2023/24

8.1 The Board noted that Hannah Dickson has been appointed acting head of Commissioning until September, to cover a period of sick leave. She provided the Board with an update on the progress of the Strategic Commissioning.

8.2 Following a positive meeting with Scottish Government, at which the emerging complexities across the services involved had been discussed, an extension to the time allowed for the CJS programme around transfer of responsibility of Commissioning was agreed with the Justice Division as appropriate. Justice Division will now seek Ministerial approval and recommend an option to the Cabinet Secretary. CJS Confirmation as to length of extension should be confirmed over the summer.

8.3 Hannah reported that she will proceed with developing options appraisals with the intention to submit to the Minister w/c 7th August. The Board noted the various matters that had emerged, thanked Hannah for her dedicated work on this and requested that the Board be updated on progress at each meeting until further notice.

9. Link Improvement lead update CJS/2023/25

9.1 The Chair informed the Board that this presentation has been deferred to the August Board meeting due to staff absence.

10. 2022/23 Management Accounts CJS/2023/26

10.1 Vicky Woolf provided the Board with a report on the draft set of Management Accounts for the financial year 2022/23.

10.2 She confirmed the 2022/23 underspend as £117,000. Quarterly reporting of management accounts will provide the Board with additional timeous information over the coming year. Depending on different factors that there may be a requirement to move funds across budgets to meet pressures arising at certain times of the year.

11. Corporate Risk Register - CJS/2023/27

11.1 Bill Fitzpatrick reported that the CRR had been reviewed by the ARC at its meeting on 19 June and by the Senior Management Team.

11.2 The Board noted that the digital strategy and recruitment of a digital officer are currently being reviewed. Bill Fitzpatrick will scope out digital strategy.

11.3 Following the earlier discussion on Commissioning, the Board agreed that Commissioning be put back as an area for monitoring via the risk register.

12. Draft minute ARC meeting held on 19 June CJS/2023/28

12.1 Alec Spencer reported on the ARC meeting held on 19 June 2023. He informed the Board that Internal Audit had assessed CJS as achieving reasonable assurance. The ARC had discussed the finance function and future provision, and it was noted that the relationship with the ARC and internal and external audit had become much more supportive.

13. Draft minute HRRC meeting held on 19 June CJS/2023/29

13.1 Catherine Dyer reported on the HRRC meeting held on 19 June 2023. She reported that causes and impacts if sick absence is being closely monitored. Nina Rogers has produced a draft action plan addressing results of the staff survey. She is investigating the possibility of introducing 360-degree feedback. A number of revisions to policies were approved at HRRC and will come to the Board for sign off over the coming weeks.

13.2 The 'Navigating CJS' document was approved with no major changes, links to documents have been updated. Ms Bendle suggested it would be good to have a similar type of document for the Board.

13.3 The HRRC are keen that Trauma Informed Practice is kept on the agenda and a reminder of the commitment to follow such practices reiterated at every meeting.

Action: Nina Rogers to produce Navigating document for the Board. Dorothy Smith to add trauma informed practice to Board agenda as standing item. Those providing support to other meetings in CJS to add to their agendas as a standing item.

14. AOB

National Strategy for Community Justice - Delivery Plan

14.1 Bill Fitzpatrick reported on the draft Delivery Plan for the National Strategy for Community Justice and its implications for CJS.

14.2 CJS is leading on 6 actions and is a collaborative partner on 12 others including bail and remand. Bill reported that CJS does not have resources to take on further actions from the plan. There is no agreed timeline between partners as yet, Karyn McCluskey is on the programme board.

CJS Restructure

14.3 Karyn McCluskey reported that SMT had further considered potential restructuring and will propose further options, given the imperative to make savings while delivering improved outcomes long term. Sharing resources with other NDPB will be considered. The Board to be kept informed of developments at each meeting.

Forthcoming meetings: ARC meeting 23 August, Board meeting 30 August

3 July 2023