



**BOARD MEETING
MINUTES OF THE MEETING HELD ON
WEDNESDAY 6 DECEMBER 2023, AT 10.30
R1 SPUR SAUGHTON HOUSE/MS TEAMS(HYBRID)**

Present:

Mr Steve Kirkwood **(MS Teams)**
Ms Linda de Caestecker **(MS Teams)**
Ms Catherine Dyer, Chair
Mr Graham Bell
Ms Glenys Watt
Sheriff Kathrine Mackie (Advisor to the Board)

In attendance CJS:

Ms Karyn McCluskey, Chief Executive
Mr Bill Fitzpatrick, Director of Operations
Ms Hannah Dickson, **(Item 8 only)**
Ms Freya Brock, **(Item 9 only)**
Ms Laura Hoskins, Head of Policy, and Improvement
(Item 9 only)
Mr Chris Read, Business Support Officer (minutes)

Apologies:

Ms Pauline Aylesbury
Ms Linda Bendle
Mr Adam Burley
Mr Alec Spencer

Agenda

1. Welcome and Apologies

1.1 Catherine Dyer, Chair, welcomed the Board Members and staff to the meeting. There were apologies from Pauline Aylesbury, Linda Bendle, Adam Burley and Alec Spencer.

2. Declarations of interest, gifts, or hospitality

2.1 Kathrine Mackie declared interests in the CJS Commissioning Strategy, as a consequence of her involvement in third sector organisations that would have an

interest in the voluntary throughcare and mentoring contract. This was noted by the Board but was considered not to require further action at this stage.

3. Minute of Board meeting 18 October 2023

3.1 The Board minute was agreed.

4. Matters arising – action tracker

4.1 The Board noted the status of the actions from the action tracker.

4.2 No actions were updated.

4.3 The Board noted and praised the new Community Justice Scotland website and welcomed recent stakeholder feedback on communications and marketing. The Board also noted that Annie Torance is currently helping to scope the services available in each Community Justice Partnership area and that Denise Huntridge (People Team) should return to work on the 20th of December 2023.

4.4 The Board noted that there are several pending actions which must be carried over and remain pending at this time.

5. Papers circulated for information, comment, and approval.

5.1 The Board noted and approved the following circulated document:

- Human Trafficking Statement

6. Chair update

6.1 The Chair discussed the upcoming Scottish Government budget and potential choices open to the Government, reminded the meeting that finances will be constrained and that predictions on spend are difficult at this time.

6.2 The Chair noted that the CJS team continue to deliver at a high level despite staff illness and a high volume of work, particularly the Commissioning and Policy & Improvement teams. Finally, she noted that the organisation is exceptionally values-driven, with a very committed workforce, but this must not be taken for granted.

7. Chief Executive update

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

- The National Care Service continues to evolve, raising important issues such as a future NCS reporting framework. The meeting discussed how effective public and stakeholder consultation has been on the development of the NCS.
- The Bail and Release from Custody (Scotland) Bill.
- Electronic Monitoring and the recent support that she and Keith Gardner have provided to Sheriffs in its use.
- The Community Justice Scotland Pre-budget Scrutiny Report.

- The quarterly meetings with the Cabinet Secretary which have, in some cases, been cancelled at short notice due to urgent matters arising for the Cabinet Secretary. The next meeting is scheduled for the 14th of December 2023.
- The high Scottish prison population, which could raise opportunities for action and change. The meeting discussed how to encourage better use of Electronic Monitoring, as well as whether to develop a comprehensive guide to community justice for all stakeholders involved in making decisions on individual prosecutions.

8. Strategic Commissioning update CJS/2023/46

8.1 Hannah Dickson provided the Board with an update on the progress of Strategic Commissioning and recent activity undertaken by the Commissioning Team.

8.2 She reported that the Commissioning staff team has grown and that a Project Management Consultant has been appointed. She added that learning from the recent Options Appraisal has been noted and embedded, but there may be delays in moving forward as the Scottish Government reviews that and provides advice to the Cabinet Secretary for Justice. She added that posters have been developed with the Communications teams for use in prisons and throughcare services thanking all users and staff who provided input to the project. She added that her team have had positive and helpful conversations with experienced grant funders to further develop resources and procedures.

8.3 Hannah Dickson went on to discuss governance and stakeholder relationships, and the upcoming key dates, which third sector services eagerly anticipate. She described the useful monthly catchups with Public Social Partnerships and recent discussions regarding CJS distribution of the grant funds. Because grants are not liable for VAT, it might be possible for CJS to hold and distribute the grant funds, although this might entail a contractual change in our relationship with the Scottish Government.

8.4 She discussed the Commissioning Risk Register and noted that the biggest risks remain project delays and failure to reach timeline milestones. The Board were invited to ask questions and discussed the A3 posters, designed by the Communications Team.

8.5 The Board noted how useful pre-application phase has been and discussed how grant monies are best held, prior to distribution. The Board explored whether CJS holding the funds would be more efficient, responsive and could remove bureaucratic layers. The Board noted that successful holding of the grant funds could establish CJS as a reliable potential distributor of future funding but that full details of what would be possible was needed.

8.6 Glenys Watt led a discussion on the role of The Corra Foundation and its help with guidance, advice, documents and processes. The Board went on to discuss assurance from Hannah Dickson that CJS attendance at PSP meetings did not breach confidentiality or bias rules.

8.7 The Board thanked Hannah Dickson and her team for an excellent update.

9. Link Improvement lead update CJS/2023/47

9.1 Freya Brock presented the Board with a Link Improvement Lead update. She explained that CJS acts as an important bridge between local and national community justice services and how it responds to a variety of local issues and challenges. She went on to identify the Scottish Government strategic documents that inform and guide her work and provided two examples of local Community Justice Partnership areas, demographic information and the context in which they work. This context included, in one case, the lack of a single dedicated Local Area Coordinator.

9.2 The Board thanked Freya Brock, Laura Hoskins and their team for an excellent update. They discussed how the lack of a single dedicated area coordinator could impede progress, conversations and relationship-building.

10. Corporate Risk Register (CJS/2023/48)

10.1 Bill Fitzpatrick presented the updated Risk Register. He noted the relatively benign risk environment but also pointed to the elevated risks around staff. This is due to recent illness among some staff. The Board went on to discuss risks to Finance function and HR pending appointment of a Head of Corporate Services and to the Caledonian Team, noting particularly that Caledonian services are not currently funded to be provided to every Scottish Local Authority and that some do not also have access to similar services.

11. CJAC draft minute 13 November 2023 (CJS/2023/49)

11.1 Catherine Dyer spoke to the CJAC draft minute. She noted that it was a helpful and useful discussion. The CJAC meeting explored the current pressures on the Scottish justice system, the use of short-term sentencing and how to affect change to better achieve use of short sentences as set out in statute and policy. The Board went on to discuss how we can improve the timeliness, accuracy and depth of our information to share with partners, and whether there could be a CJS data hub.

12. ARC draft minute of meeting held on 22 November 2023 CJS/2023/50

12.1 Graham Bell reported on the ARC meeting held on 22 November which was very positive. The Board discussed issues arising from the meeting, including re-advertising the post of Head of Corporate Services in January 2024. The Board also noted the good relationship between CJS and external auditors and the recognition of good Board and SMT engagement.

13. HRRC draft minute 22 November 2023 CJS/2023/51

13.1 Glenys Watt spoke to the HRRC draft minute of 22 November 2023. She discussed the regular CJS staff survey which HRRC considered should take place

every two years to allow progress to be properly assessed which was not possible in the limited time between results becoming available and a new survey annually. HRRC had also agreed that to provide further in-depth feedback for managers 360-degree feedback should take place in 2024/25 pending a further full staff survey in 25/26 which would provide evidence of how issues identified in the 22/23 survey had been resolved.

13.2 She also spoke to two policies and requested and received Board approval for these. 'Upholding our values and interventions' sets out examples of how issues raised by a member of staff will be handled at various points even if there is no formal action requested and what staff could expect at each point. The 'Employment passport' will cover reasonable adjustments in respect of a number of matters including caring duties or impact of health issues on individuals and capture any agreed changes necessary to support staff for relevant periods or permanently as a result.

13.3 The Board went on to discuss the potential inconsistencies in capture of performance management discussions that were noted at the recent HRRC meeting. The Board noted that inconsistencies can arise from the different procedures adopted by team leaders and the different contexts in which their work takes place. Teams have reported that they enjoy flexibility and the ability to manage meetings with managers in a variety of ways.

13.4 Catherine Dyer emphasised that, if CJS team leaders do seek flexibility in performance management engagement and capture, then this must be properly recorded in our policies which do not at present allow for that. She also emphasised that even if there were more flexibility there should be, as a minimum, monthly check-ins between line managers and individual staff to ensure that each individual staff member has the opportunity to discuss in a confidential setting rather than team meeting or open office scenario, how they are performing, any issues arising in work or in personal life that they wish the manager to know about and training and development opportunities they can access.

13.5 The Board discussed the previous intimation of a team restructuring process being considered by SMT. Bill Fitzpatrick advised that this process has been changed to a programme of considering and implementing efficiencies and improvement rather than simply team restructuring, and that there will be a new efficiencies/ improvements meeting in January 2024.

14. Communications Team verbal update (website launch, marketing insights research, short film)

14.1 Rebecca Worrall provided a verbal update on recent Communications Team activity. This included a review of the recent stakeholder consultation regarding the CJS brand and a discussion of the language, tone and imaging that CJS uses.

14.2 The meeting discussed whether CJS language is too generic and institutional sounding, how to better capture how our work manifests itself in concrete terms and its impact. The meeting went on to explore any potential quick wins and the themes

emerging from the feedback which had some comments from contributors that they felt communications from CJS sometimes had a perceived lack of urgency in messaging, too much emphasis on long-term, conceptual goals, the use of an apologetic tone around Community Justice and a misplaced sensitivity that alternatives to custodial sentencing might be perceived as a 'soft option'.

14.3 The Board discussed whether CJS language had changed since Covid-19 and how to emphasise CJS role in expert advice to Ministers and system partners and assert that, if aspects of the justice system appear flawed, it is permissible to challenge them. The meeting discussed whether this feedback gives CJS permission to be bolder, how best to disseminate CJS messages and which channels were best to use in various circumstances.

15. AOB

15.1 No AOB was tabled.

Forthcoming meetings: ARC meeting 23rd January; Board meeting 7th February 2024

8 December 2023