



**BOARD MEETING
DRAFT MINUTES OF THE MEETING HELD ON
WEDNESDAY 22 MAY 2024, AT 10.30
R1 SPUR SAUGHTON HOUSE**

- Present:
- Mr Graham Bell
 - Ms Linda Bendle
 - Ms Linda de Caestecker
 - Ms Catherine Dyer, Chair
 - Mr Steve Kirkwood (**MS Teams**)
 - Sheriff Kathrine Mackie
(Advisor to the Board)
 - Mr Alec Spencer
 - Ms Glenys Watt
- In attendance CJS:
- Ms Laura Hoskins, Head of Policy and Improvement
(Items 7, 8 and 9 only)
 - Ms Karyn McCluskey, Chief Executive
 - Ms Rose McConnachie, Improvement Lead**(Item 8 only)**
 - Ms Rebecca Proctor, Temporary Business Manager
(Obsever)
 - Mrs Dorothy Smith, Board Secretary (minutes)
 - Mr Richard Thomson, Improvement Lead **(Item 9 only)**
 - Ms Vicky Woolf, Finance Officer **(Items 12 and 13 only)**
- Apologies:
- Ms Pauline Aylesbury
 - Mr Adam Burley

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 and Adam Burley.

2. Declarations of interest, gifts, or hospitality

2.1 Kathrine Mackie and Linda Bendle declared interest 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 and it was also noted that Kathrine Mackie and Linda Bendle had not been circulated the Commissioning update paper as detailed in item 5 on the agenda.

3. Minute of Board meeting 27 March 2024

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.

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

5.1 The Board noted the Commissioning update, the paper was not circulated to Kathrine Mackie and Linda Bendle as a consequence of their involvement in third sector organisations that would have an interest in the voluntary throughcare and mentoring contract.

5.2 The Board noted the Q4 performance report for 2023/24.

6. Chair update

6.1 The Chair reported that she had emailed the Board to amend today's agenda to allow for discussion on matters arising in recent weeks. These included:

- Prison population – There is concern across the Justice system about the current high numbers in prison and consideration of short and long-term measures to address this.
- National Care Service (NCS) Bill – Stage 1 is completed but the Bill will be subject to significant amendment during stage 2.
- National Social Work Agency (NSWA) – It is the intention that the NSWA will become an Executive Agency of SG.
- CJS budget 2024/25 – An uplift was given to the core 2024/25 budget but no additional funding for the expansion of the Caledonian system which means there would be a halt in year to provision of much needed training for further practitioners, which is a priority in tackling repeat domestic abuse offending, if additional funding cannot be sourced.
- CJS Staffing – There is pressure on SMT with absences and vacant posts, the new Head of Corporate Services will help to provide resilience when she takes up post at beginning of June.

7. Chief Executive update

7.1 Karyn McCluskey provided the Board with an update, matters of note included:

- Pressure on SMT with five members down, this has required a re-prioritisation and moving teams to cover essential work.
- Cabinet Office benchmarking corporate functions exercise – The exercise and the data CJS is required to provide relates to the 2022/23 financial year (CJS FTE as published in the accounts then was 42.35, therefore CJS required to participate). Rebecca Proctor attended a drop-in session on information to be gathered. The Chair requested that the request from the Cabinet Office be circulated to the Board for information.

7.2 Karyn McCluskey presented prison figures; it was noted that short-term sentences numbers are on the increase despite the legislative presumption against them. The Board also noted the time on remand figure is also increasing. Community Justice Board (CJB), which is a sub-committee of the national Justice Board, is creating an intelligence group to enable partners to make informed decisions based on more real time evidence and not the previous examination of statistics when reported yearly in arrears.

7.3 Karyn McCluskey reported that the Prison Population Leadership group meeting on 17 May discussed whether sheriffs know what community-based services are available (which has regularly been highlighted as an issue that CJS has been championing for some time and has been gathering updated data this year for use by Sheriffs) – and also information as to whether if social work assessments are being undertaken to look at CJS alternatives to custody. To provide usable management information for the criminal justice system. A small team in CJS are looking at treatment by Police, COPFS and Sheriffs of warrants and merging data from these and other bodies. SG are actively looking at early release, there are currently 970 warrants outstanding. CJB recognises that preventing future issues of high prison numbers requires strategic focus by all partners in the criminal justice system as this is a systemic issue.

7.4 Laura Hoskins briefed the Board on the National Care Service Bill (NCS). CJS attended the NCS Justice Reference Group on 15 May hosted by SG. The NCS Bill has now completed stage 1 but will be subject to significant amendment during stage 2. Negotiations reached between COSLA and SG in Stage 1 were around creation of a national level NCS board of SG/LG with no transfer of staff, functions or assets to Scottish Ministers.

7.5 Laura Hoskins reported that the intention is that the National Social Work Agency (NSWA) will become an Executive Agency of the SG. It is not yet clear what this means, if anything, in terms of potential transfer of some functions/staff from other bodies, but SG verbally advised that there will be a need to avoid duplication. There was discussion on what the function will be for CJS with NSWA. It was noted that CJS will be invited to give evidence when the NSWA is discussed by the Criminal Justice Committee.

7.6 Karyn McCluskey presented the amended 2024/25 Business Plan. The Board approved the Business Plan subject to slight rewording of Outcome 1(1.4), Glenys Watt to provide wording.

Action: Dorothy Smith to circulate Cabinet Office bench marking exercise to the Board for information. Rebecca Proctor to liaise with Glenys Watt on wording of 1.4. in Business Plan.

8. Link Improvement lead update CJS/2024/18

8.1 Rose McConnachie presented the Board with a case study on how CJS is collaborating with local partners to support improvement in one of the areas covered by a Community Justice Partnership that she covers as LIL.

8.2 The presentation included some contextual information about the area, a summary of the locally identified community justice priorities, and some initial observations about how the partners are working together to deliver community justice. The Board asked if there was opportunity to share best practice across CJP's. Rose and Laura advised that the improvement team are considering developing a learning/sharing plan.

9. Matrix of service provision in local areas CJS/2024/19

9.1 Richard Thomson presented his paper which provided the Board with a high-level list of services available in each CJP area. It draws on Link Improvement Lead intelligence. The Board thanked Richard for this very helpful information and noted the diverse provision across CJPs.

10. Equality legislation CJS/2024/20

10.1 Chair introduced the discussion on preparations for CJS being listed for the first time as an authority under the Equalities Act 2010. This was discussed at the HRRC meeting on 8 May and it was agreed a subgroup would be set up to look at reporting our progress on mainstreaming the public sector duty, Denise Huntridge is leading on this subgroup and Chair asked for expressions of interest from Board members to assist the sub-group.

10.2 Karyn McCluskey reported in terms of addressing the new duties CJS would require further assistance and had tendered for external providers; one submission was received at a cost of £25,000 which is not affordable at this time with constraints on the 2024/25 budget. Assistance has been requested from other NDPBs with experience of first undertaking reporting under the Act, but no response as yet. Glenys Watt offered to provide a contact that may be able to assist. Karyn undertook to split tasks up and progress those that we can afford to take forward at this stage.

Action: Denise Huntridge to invite expressions of interest for equalities subgroup. Glenys Watt to provide contact to approach re equalities training etc.

11. Corporate Risk Register - CJS/2024/21

11.1 The Board noted the revised risk register. As Mr Fitzpatrick is expected to be absent for a period Karyn McCluskey asked if the ARC members would review the CRR in light of discussions today and bring back to July Board meeting.

Action: Alec Spencer and ARC to review the risk register and bring to July Board meeting.

12. Budget 2024/25 CJS/2024/23

12.1 Vicky Woolf provided the Board with the 2024/25 draft core budget along with an update on the 2024/25 funding position for CJS's two ring fenced funded areas – Restorative Justice and the Caledonian System.

12.2 The Board noted that the Caledonian funding allocated by SG is not sufficient to cover 2024/25 operations. As the BAM letter was only received on 1 May and Caledonian funding is ring fenced it had been difficult to precisely forecast budget pressures. Providing sufficient training to meet the demand across Scotland for services to work to change behaviours of those who commit domestic abuse is a high priority and improves public safety. SG have been alerted that if further funding is not forthcoming from SG there will be possible overspend for Caledonian if the training programme is not to stop due to the lack of uplift in funding. If funding is required to be found in-year from the core budget of CJS to meet the shortfall in the currently allocated Caledonian ring-fenced budget it is likely that planned work in other areas which cover statutory functions of CJ may not happen as the budget allocated within CJS for that would have to be reallocated to Caledonian in order to ensure Caledonian services can be met.

13. 2023/24 Q4 finance update CJS/2024/24

13.1 Vicky Woolf provided the Q4 update. The Board noted the £100,000 underspend. She reminded the Board that in January 2024, CJS received a letter from the Cabinet Secretary for Justice and Home Affairs advising that action was required from public bodies in order to support SG in delivering a balanced budget for 2023/24. In response to the requests contained in the letter, some areas of CJS planned expenditure were not subsequently progressed during 2023/24 so that funds could be reallocated to other organisations by SG. This resulted in £100,000 that had been originally allocated to CJS not being spent by CJS.

14. HRRC draft minute 8 May 2024 CJS/2024/25

14.1 The Board noted the HRRC draft minute 8 May 2024. Glenys Watt reported the following key points;

- The CJS internal communication strategy to be reviewed by the Head of Corporate Services when she takes up appointment.
- 360 feedback exercise to be costed and delivered by 2025/26.
- CJS values document to be updated.
- Grievance procedures to be reviewed CJS uses SG guidance and requirement for CJS bespoke procedure.

- Sub-group led by Denise Huntridge will forward equalities reporting.

15. ARC draft minute 8 May 2024 CJS/2024/26

15.1 The Board noted the ARC draft minute 8 May 2024. Alec Spencer reported the following key points;

- CJS assessed by Internal Audit as substantial assurance for 2023/24.
- External audit has confirmed that Audit Scotland only needs to meet in private with ARC once a year in that capacity.

15.2 Chair of the Board said that she has attended the ARC meeting as an observer since she was appointed and given the increased maturity of the finance function and the substantial assurance achieved, she will no longer attend every ARC meeting in future.

15.3 Alec Spencer undertook to thank internal audit for their support to CJS over the past year.

Action: Alec Spencer to thank internal audit for their support to CJS over the past year.

16. AOB

Board members

16.1 The Chair informed the Board that Adam Burley is stepping down from the Board due to other work commitments and his last Board meeting will be 31 July 2024. There will be four board member vacancies and the Chair is liaising with the SG public appointments team on recruitment and will complete a skills matrix to identify areas which could benefit from some members with particular expertise. Members agreed these could include, equalities, finance and HR. The Chair will also review the induction package for new members.

Forthcoming meetings: HRRC and ARC meetings 24 July, Board meeting 31 July 2024

28 May 2024