

**MINUTES OF THE EXECUTIVE BOARD MEETING (EB)**

**28 May 2008**

**4<sup>th</sup> Floor Conference Room  
Hayweight House**

Present:

Eleanor Emberson, Chief Executive and Chair (EE)  
Eric McQueen, Director of Field Services (EMcQ)  
Gordon Wales, Director of Operational Support (GW)  
Alastair Sim, Director of Policy and Strategy (AS)  
Graeme Marwick, Principal Clerk of Session and Judiciary (GM)  
Alan Swift, Director of Personnel and Development Unit (AS)  
Cliff Binning, Deputy Director of Field Services (Development) (CB)  
David Forrester, Deputy Director of Field Services (Delivery) (DF)  
David Morris, Director of Information Technology (DM)  
Nicola Bennett, Director of Finance (NB)  
Stephen Coulter, Deputy Director; Planning and Performance (SC)  
Susan Whiteford, Head of Corporate Communications (SW)  
David Currie, Head of Service Delivery, Property & Services Unit (DC)  
Laura Wiles, Secretariat

Apologies were received in advance of the meeting from Gillian Jewell, Director of Property and Services Unit.

**1. Minutes of the Previous Executive Board Meeting**

The Board agreed that future minutes should be published on the internet within three months of the meeting. Members were asked to make a final check of the April minutes to ensure they were accurate.

**Action Point: Executive Board members to check the April minutes to ensure accuracy before publication and to advise Secretariat by 13 June 2008.**

**2. Matters not arising elsewhere**

In relation to the action point on Budgets and Business plans, the Board were advised that there was still time to submit any priorities for investment to be considered once the financial position for 2007/8 was more certain.

**Action Point: Board members to pass their suggestions to GW and CMcC by the end of July.**

EMcQ confirmed that he discussed the Field Services Directorate (FSD) risk register with SC and there will be further consideration after today's discussion on risk.

The action point on Business Unit plans was carried forward to the next meeting.

**Action Point: Executive Board members to revise Business Unit Plans to ensure that they use plain English.**

### **3. Corporate Plan**

SC updated the Board on the latest position of the Scottish Court Service (SCS) Corporate Plan and confirmed that the draft had been issued to key justice partners for consideration and comment.

SC highlighted some practical difficulties in collecting performance indicators for High Court business, including the total numbers of preliminary hearing cases which have been extended. There was discussion around the use of the Court Management System (CMS) and the possibility of using the average number of preliminary hearings per case as an alternative indicator. The Board agreed that SC should have further discussion with the Deputy Principal Clerk about the most relevant indicator and the ease of collecting the data.

**Action Point: SC to speak to Gillian Prentice about High Court indicators for the Corporate Plan.**

The Board agreed that SC should retain the performance indicators which have already been identified for the Corporate Plan. It was noted that data in CMS might not be complete and that an analysis of how CMS is being used in the High Court Appeal Court is currently taking place. A review of the use of CMS in first instance business will follow later. SC informed the Board that the next stage was to get the Corporate Plan indicators agreed by the Lord President. The Board confirmed that there were content with the draft Corporate Plan and discussed the best approach to publication. It was agreed that an electronic interactive version would be placed on the SCS website and a summary document prepared for staff.

### **4. Balanced Scorecard including Risk Register**

The Board carried out a review of the Balanced Scorecard. A slight decrease in the delay between not-guilty pleas being tendered and trial diet was noted. Detailed analysis is being carried out in Glasgow, and DF is investigating the underlying issues around movements in the different indicators. Efficiency savings for 2007-08 were £2.8 million, slightly better than forecast. The short-term absence rate had improved significantly overall but there was on going difficulty in managing a small number of long-term sickness absence cases. The increase in recorded training days was noted with satisfaction. Achieving in excess of 5300 days was an increase of 25% over the previous year. It

was also noted that Training and Development evaluation levels were good with staff positive about the training received. The increase also suggested that, more managers were able to release staff for training courses.

## **Risk Register**

The Board carried out a review of the Corporate Risk Register. It was agreed that the risk in relation to insufficient judicial availability should be escalated to the corporate risk register as it was recognised that this could not be entirely contained within the supreme courts. The risk should remain on the local register as the controls around management of the business would be handled there. In general, the Board wanted to avoid duplication in the risk register but recognised that there would be occasions when this was appropriate.

**Action Point: GM to amend the risk level on the online system and GW to ensure this risk captured on the Corporate Risk Register.**

The Board looked at the highest impact risk on the register relating to pandemic flu. A number of other business continuity risks were also discussed. Pandemic flu was recognised as a special case. The risk to business continuity over an outbreak should be closely managed over the next 12 months to ensure that joint planning work with other bodies produced a robust contingency plan. It was also agreed that a separate risk should be included in the register to cover wider business continuity and that this should be managed by the Policy and Strategy Directorate.

**Action Point: SC to add a wider business continuity risk to the register.**

## **5. Way Forward for the Balanced Scorecard**

The Board agreed that there was too much detail in the current scorecard and reflected on the use that had been made of the strategic linkage model over the last four years. On customer service indicators, there was an issue about whether a target rate of 100% was realistic, given that it could not in practice be achieved. The Board agreed that 95% targets were stretching and realistic. There was more to do on improving staff understanding of the performance monitoring arrangements and especially the data collection, to ensure timely and accurate data are returned.

The Board agreed that Corporate Support indicators should also be integrated so that the balanced scorecard is supported efficiently and reflected an accurate view of the organisation.

**Action Point: SC to discuss with DC the service delivery targets and how the property maintenance backlog is defined within the scorecard.**

There was work still to be done over the coming months to develop the new range of indicators into a full scorecard. As the next step, SC asked that the Board take a look at proposed changes and confirm if they are content with what is to be dropped from the document.

**Action Point: Executive Board members to confirm with SC that they are content with the items which have been taken off the old Scorecard by the end of June.**

## **6. Risk Management System**

GW addressed the Board on the 4risk system and provided background to the supplier and costs. There was discussion about the terms of the contract and it was agreed that this should be reviewed by the IT team.

**Action Point: GW to speak to DM about the 4risk contract**

The Board discussed ease of use of the system. Some Board members found the interface complicated and the system unintuitive; others were more positive. One benefit noted was that the system forced people to think in different ways about controls for risks. The Board agreed that the system would benefit from further improvement before it is rolled out fully to court level. GWilson asked that Board members keep him informed of any issues they find with the system, so that these can be relayed to 4risk.

**Action Point: Executive Board to send comments on the 4risk system to GW before the end of June.**

## **7. Provisional Financial Results 2007/08**

NB confirmed that the audit should be completed by the end of May and that provisional figures indicated a £337,000 revenue underspend and a £217,000 capital overspend. NB advised that the annual accounts were to be approved by the audit committee prior to the June Executive Board and that these would be circulated to the Board for comments.

**Action Point: NB to circulate the annual accounts for comments in advance of the June Executive Board.**

The Board expressed their thanks to the Finance Team for their hard work and effort and noted that the organisation's financial management had been excellent this year.

## **8. Estates Report**

DC presented the Estates Report to the Board.

### **Dumbarton**

Works are progressing well and the extension is now wind and watertight. Local court staff were shown around the extension as part of Learning at Work Week.

### **Livingston Civic Centre**

There is a meeting with the Sheriff Principal and the Sheriffs to provide an update on Livingston and to address any concerns.

### **Alloa**

Works are four weeks behind due to structural problems. Staff will be moving out of offices in four weeks to allow work on the new courtroom to begin.

### **Elgin**

Discussions are underway with the Sheriff Clerk and Sheriffdom Business Manager to bring the cost of the works at Elgin back in line with the business case.

### **Lawnmarket**

There are delays due to the fact that consent for renovation of the listed building had not been received yet. A complaint has been made to the local authority about the delay.

### **Summary Justice Reform**

There are statutory non-compliance issues at Aberdeen District Court building with a non-compliant fire alarm and no emergency lighting. Works on this should be complete within 6 weeks.

### **Budget Forecast**

Urgent condition works in Paisley, Peterhead and Forfar have been addressed but the budget remains tight and difficult decisions have had to be made to ensure that all critical issues can be covered.

### **Estates Programme Board**

Business cases have been made for additional courtrooms at Dunfermline, Stirling and Falkirk – all priorities within the Estate Strategy. The Board were advised that due to budget constraints we can only commit to one in the near future, but plans would be prepared for all in case money became available to accelerate the programme.

### **Health & Safety**

The handling of a body fluid spillage incident will be taken up at the next reliance and security meetings to ensure that individuals are not being exposed to unnecessary risks.

### **FM Contract**

There is a contract review meeting on the 10 June 2008.

**Action point: GJ to report the outcome of the contract review meeting to the Board at the June meeting.**

## **9. Any other business**

### **Fees Orders**

GW updated the Board on the latest position and noted that it was still the plan to lay the Orders before Parliament by 6 June 2008. GW undertook to

keep the Board up to date with developments by copying relevant documents to all Board members.

**Action Point: GW to ensure that the Executive Board and the non-executive members of the Strategic Board are kept informed on the latest position of the Fees Order.**

**Pay Remit**

This item was discussed but the information is not releasable.

**Judiciary and Courts (Scotland) Bill**

ASim updated the Board on the progression of the Judiciary and Courts (Scotland) Bill. There has been concern over the administrative burden on the judiciary which led to Douglas Osler carrying out a review. This issue was likely to feature significantly in the Stage 2 debate. Planning for implementation of the governance changes is progressing. A paper about possible future management structures will be issued to the Lord President after the first Project Board meeting in on 11 June 2008.

**Next Meeting**

The next Executive Board meeting will be held at Hayweight House, Edinburgh on 25 June 2008.

Laura Wiles  
10 June 2008