



SCOTTISH COURT SERVICE BOARD

MEETING: Monday 12 APRIL 2010 in Saughton House, Edinburgh

Present:

Rt Hon Lord Hamilton, Lord President, (Chair)
Eleanor Emberson
Tony McGrath
Robert Milligan QC
Elizabeth Carmichael CBE
Sheriff Derek Pyle
Sheriff Principal Alastair Dunlop QC
Sheriff Iona McDonald
Johan Findlay JP

Also Attended:

Neil Rennick, Executive Director Policy & Strategy, SCS
Glynis McKeand, Head of Civil & Governance Change, SCS
Susan Whiteford, Head of Communications (for item 3)
Margaret Peattie, Secretariat Business Manager, SCS, (Minutes)

Apologies:

Rt Hon Lord Gill
Rt Hon Lord Reed
Mark Higgins
Debbie Crosbie

Pre-Meeting Presentations

Prior to the formal meeting, the Board met with Headquarters teams and received presentations on their work from the Directors of Estates, IT, HR and Operational Policy.

1. Minutes of the Meeting of 15 March 2010

1.1 The Minutes were approved.

2. Matters Arising

2.1 All action points were cleared.

SCS Business Plan 2010/11

2.2 Work was being undertaken in consultation with Directorates to incorporate the points raised by the Board at its previous meeting into the revised plan - which would now be re-titled as the Operational Plan. This would be circulated to the Board before the next meeting.

Action: Executive to circulate a revised draft of the 2010-11 Operational Plan ahead of the June meeting.

3. Post 1 April 2010 Stock Take

3.1 The Board reviewed communications which heralded the 1 April vesting day, when the new Scottish Court Service came into being and the Board took on its full range of responsibilities as prescribed in the Judiciary and Courts (Scotland) Act.

3.2 The Lord President had been interviewed by John Forsyth for the Scotsman law pages and had recorded a video message for staff which was available on the intranet from 1 April. Other communications and activities included:

- a general media press release and media photo opportunity with the Lord President and Cabinet Secretary for Justice;
- a special edition of the staff magazine, Open Record;
- an article in the Scottish Justices' Association newsletter;
- tailored communications issued by the Lord President, on behalf of the Board, to relevant public and voluntary sector organisations and to all MSPs;
- specific advice to Scottish Government officials, emphasising the need for continuing policy engagement with the new SCS and Judicial Office for Scotland; and
- the establishment of the new corporate identity with the coat of arms being introduced from 1 April.

3.3 The Board was content that these arrangements had been effective. It discussed how information about its work and priorities would be communicated in the future. Currently, after each meeting, a short Board Briefing was issued to the judiciary and staff to provide a short summary of its discussions but the Board was keen to have a more meaningful update issued at the earliest opportunity rather than wait until Minutes were approved at subsequent meetings.

3.4 It was agreed that draft minutes from each Board meeting should be published on the website to give a more immediate summary of the discussion. Further consideration would be given to the best format for effectively communicating information about the Board's work and priorities to judicial office holders and staff.

Action: Head of Communications to provide advice at a future meeting on options for Board communications.

4. Performance Framework (SCS/Apr10/14)

4.1 The Performance Framework was discussed and it was noted that the content was currently under review by the Executive and that discussions with the judiciary and staff were already taking place to draw on their practical experience. However, it was recognised that future development of the framework should also be informed by specific requirements which the Board considered would better reflect its strategic role.

4.2 Consideration was given to what purpose the Performance Framework should serve. The current framework reflected the operational side of the business but if it were linked to objectives set out in the Corporate Plan, the right measures would have to be developed to demonstrate progress towards achieving the strategic outcomes. Concern was expressed that the current indicators did not best serve the needs of the Board.

4.3 Work was being done to build up data on Justice of the Peace courts and performance measures on this area of the business would be included once established.

4.4 It was agreed that a new framework would be developed over the summer and that this should take account of:

- work already in hand by the administrative judges and the staff in the High Court of Justiciary and Court of Session;
- work by Sheriffs Principal and Sheriffdom Business Managers to develop a consistent performance report for sheriffdoms;
- extending discussions on performance measures to solemn and civil business;
- working with others across the justice system, both at local and national levels; and
- incorporating the work done to update performance measures for the Office of the Public Guardian.

4.5 Arrangements for overseeing, reporting and monitoring performance would be discussed alongside the new performance framework at the June meeting of the Board, with the aim of having this established for inclusion in the Corporate Plan for 2011. Consideration would be given at the June meeting to establishing a possible Board working group to consider this issue in more detail during 2010.

Action: An update on work to develop a revised performance framework for the SCS should be submitted to the June Board meeting.

5. Finance Report (SCS/Apr10/15)

5.1 The financial results for the period to February 2010 were discussed and it was noted that forecast outturn was almost to budget with only relatively small underspends on the revenue and capital budgets expected.

6. Standing Orders (SCS/Apr10/16)

6.1 The Board considered the revised Standing Orders and, in particular, the Scheme of Delegation and Members' Register of Interests. The Executive had looked at those of other organisations but there were too many different schemes to arrive at any degree of commonality.

6.2 It was agreed that the Scheme be revised to reflect the discussion and, when finalised, the Standing Orders would be published on the SCS intranet and website. The specific revisions to the Scheme of Delegation would include:

- reference the role of the Board to consider any proposed increase in overall full-time equivalent (FTE) staff numbers;
- confirmation of the Board's overarching responsibility for the SCS risk framework;
- clarification of the Board's and Executive's roles in ensuring that the SCS meets its statutory responsibilities, e.g. for health & safety, equality and carbon reduction;
- reference to the Executive's responsibility for keeping the Board informed of relevant formal consultations and other policy documents relevant to the SCS.

6.3 The Board also agreed that it should discuss at its June meeting options for the establishment of formal Committees to the Board, as reflected within the Standing Orders.

6.4 Arrangements for the Members' Register of Interests were agreed. Members would review and update the Register, if required, every six months.

Action: Executive to circulate the revised Scheme of Delegation to the Board for approval.

7. Strategic Planning Update

7.1 Neil Rennick provided an oral update on the work being taken forward in preparation for the June meeting. The Executive was already engaged in:

- preparing narratives for the anticipated Scottish Government Spending Review, to include information on business and legislative pressures that will impact on the Scottish Court Service;
- considering opportunities for maximising the use of available resources and working with others; and
- providing clear descriptions of cost drivers and information on the costs of different areas of the business.

7.2 A workshop session would be arranged when this development work was more advanced and involvement of members would be welcome.

7.3 Strategic planning for 2011-12 and beyond would be informed by this piece of work and the Board would discuss it in more detail at the next meeting.

8. Board Members' Review Process (SCS/Apr10/17)

8.1 The proposed arrangements for Board members to review their own contribution and the overall performance of the Board were discussed. The draft self assessment form issued with the paper was agreed to be a good basis on which to build a process to measure the effectiveness of members, both as individuals and collectively as a Board.

8.2 It was agreed that appraisal should be carried out annually and that the current arrangements should be revised to include specific objectives for the Board and information on attendance at Board meetings. The Executive would revise the draft appraisal form and submit an updated draft at a future meeting.

Action: Executive to revise the draft Board appraisal form to reflect Board priorities for 2010-11.

9. Any Other Business

Framework Document and Corporate Plan

9.1 The Board noted the generally positive response received from the Cabinet Secretary for Justice on the draft Framework Document and the Scottish Court Service Corporate Plan for 2010-11.

9.2 After discussion, the Board agreed specific revisions which would take account of the Cabinet Secretary's comments but would also re-emphasise the independent status of the SCS Board.

9.3 In closing, the Board recorded its thanks to Glynis McKeand for leading the Judiciary & Courts (Scotland) Act Implementation Project and for her work in delivering a successful hand over to the new Board and providing support when it met in a shadow capacity.

10. Date of the Next Meeting

10.1 Monday 14 June 2010 in Stirling.