



MINUTES

SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD

MEETING: Monday 5 February 2024, Parliament House, Edinburgh

Present: Lord Carloway, Lord President (Chair)
Sheriff Principal Anwar
Dr David Caddick MBE
Maggie Craig
Steven Dickson
Lady Dorrian, Lord Justice Clerk
Dr Sophie Flemig
Ruth Innes, KC
Sheriff Jillian Martin-Brown
Eric McQueen
Anne Scott
Lady Wise

Attended: Noel Rehfisch, Deputy Chief Executive, SCTS
Karen Lawrie, Head of Secretariat, SCTS

Apologies: Sheriff Olga Paspornikov
Lynsey Walker

1. Minutes of the SCTS Board Meeting on 27 November 2023

1.1 The Minutes of the last meeting were approved.

2. Declarations of Interest and Matters Arising

2.1 There were no declarations of interest.

2.2 The Lord President provided an outline of the history of the Post Office Horizon cases. A number of convictions which appeared to be limited to Horizon had been identified by the Scottish Criminal Case Review Commission. A small number of these had been referred to the High Court by the SCCRC and the convictions were quashed. There was no difficulty in the courts ability to deal with these cases.

2.3 The Board received an update on the continuing resource and delivery challenges faced by GEOAmeY, who provide the prisoner transfer service to courts. Whilst concerns remained in relation to staffing levels, GEOAmeY had implemented a range of recovery activities, including further recruitment and an improvement to staff salaries. This had assisted in reducing staff turnover. Combined with an updated induction programme, this should lead to increased levels of available staff in the coming months. This would hopefully improve service levels. Several Board members described the difficulties being experienced at courts as a consequence of staff shortages and the steps being taken to ensure that business was conducted as efficiently as possible.

2.4 The Board welcomed the steps taken to support the wellbeing of all involved in the operation of the custody courts. The Executive confirmed that they would continue monitor the provision of the service by GEOAmeY.

3. Finance Report

3.1 The Board considered a report on financial performance to the end of December 2023. The 2023-24 budget was £194.5m.

3.2 A number of budget transfers had been successfully obtained as a result of discussion with the Scottish Government as part of the Autumn budget revision process. These had not met the full amount requested due to the challenging financial position across the public sector. Action was being taken to ensure that full-year outturn matched the available budget. Discussions would continue with the Government. Fee income from personal injury cases and power of attorney registrations had continued to increase. Monitoring in these areas would continue to understand fully the trends and their impact on future budget levels.

3.3 Costs related to the use of interpreters had grown. This was due to an increase in demand and the difficulty in obtaining services for some less common languages. The Board acknowledged that the use of AI was being considered to assist with future interpretation, transcription and summarisation work. The results would be presented to the Board in more detail at a future meeting.

4. 2024-25 Budget Update

4.1 The Scottish budget for 2024-25 had been published on 19 December. The Executive provided an overview of the settlement received. This had been the result of intensive negotiations with the Government during which the pressures that the organisation was facing had been outlined. Revenue and capital budgets had been increased and funding had been secured to maintain the court recovery programme and associated activities in the coming year. The detailed budget would be developed in tandem with the 2024-25 Business Plan. This would be presented for approval at the next meeting.

4.2 The Board welcomed the positive settlement, whilst acknowledging that the budget would remain tight due to increased inflation levels and the agreed 2-year pay deal. They recognised the need to maintain efforts on both recovery and reform.

5. Reinforced Autoclaved Aerated Concrete Update

5.1 The Executive updated the Board on the work which was underway manage issues arising as a result of the presence of RAAC in Airdrie Sheriff Court.

5.2 A number of courtrooms within the building had been closed in order to ensure the safety of staff, judiciary and court users. Contingency arrangements had been put in place to manage business in the short to medium term. Work had been instructed to reinstate some of the facilities safely within the building over the coming months. Assessments to determine the best delivery model in the longer term would be developed.

5.3 The Lord President and Chief Executive reported on their recent visit to Airdrie. They had viewed the current working arrangements for staff and judiciary; commending their resilience for maintaining services during the disruption. The Board agreed that works should progress as quickly as possible, in order to improve the working arrangements in the short to medium term.

5.4 The Board agreed that work should continue to develop options for a more significant redevelopment in the longer term. This would include plans either for the reconstruction of the current facility or the development of an enhanced Justice Hub that could support new business types and new ways of working. The Board accepted that it may be challenging to secure funding in the short term. However, they supported the development of longer term options which had the potential to bring significant benefits to the delivery of justice and to the economy of the local area.

6. Draft SCTS Business Plan 2024-25

6.1 The Board reviewed a developing draft of the 2024-25 SCTS Business Plan. This set out the proposed key outcomes and would include the overall budget for the coming year. The final draft would be presented to the Board for consideration at the meeting on 25 March. A number of comments had been received from Board members. These would be incorporated into the final version. The Board commended the draft which they had found informative and easy to follow.

7. People Survey Results 2023

7.1 The results of the 2023 People Survey were reviewed. The SCTS' overall engagement score had risen to 64%. Completion levels had increased. These results continued to place the SCTS among the top performers in Scotland for both the completion rate and the engagement score.

7.2 The Board acknowledged the positive results. These showed improvements across all core themes. The Executive observed that good progress had been made with a two year action plan, based on previous survey results, which had focused on leadership and learning. The successful completion of business plan outcomes and the introduction of new ways of working had led to a number of improvements. These had required significant commitment and effort to deliver.

7.3 The Executive proposed two key themes into which deeper analysis and follow up activity should focus during 2024 and 2025: (i) leadership and managing change; and (ii) SCTS values and behaviours. The Board concurred with these themes and agreed that detailed analysis of the results and follow-up activity should be conducted by the People Committee. Findings would be presented to a future Board meeting.

8. Customer Service Excellence Accreditation 2023

8.1 The Board were advised that, following upon recent assessments across a range of business units, SCTS had achieved Customer Service Excellence re-accreditation. Of the 57 elements assessed, SCTS were rated as fully compliant in 41 elements and compliant plus in 16 others. The assessors recognised the intense and well managed recovery from the pandemic that had been managed by the organisation and the significant effort to modernise services, policy and procedures.

8.2 The Board commended the Executive on the achievement; acknowledging that this was the highest level of performance achieved by the organisation since assessment commenced in 2013. They agreed that the rolling assessment programme should continue in 2024.

9. SCTS Committees

Audit and Risk Committee

9.1 The Committee Chair updated the Board on discussions which had taken place at the January meeting. The Committee had discussed progress on the Oracle Fusion Shared Services Programme and the delay to its implementation date which had been announced by the Government. The Committee received an update on the Accountant of Court retendering exercise. Good progress, with a cost-effective outcome. The Internal Audit Plan for 2024-25 was agreed. The deep dive session had focused on the creation of the Social Security Chamber in the First Tier Tribunal and the development of its systems and processes to manage growing business levels.

9.2 The Committee Chair advised that recruitment was underway for two new committee members due to the end of current appointment tenures.

10. Any Other Business

10.1 The Board were advised that Eric McQueen was due to retire in August. Recruitment for the role of SCTS Chief Executive was underway. Succession planning for the SCTS Executive Team and SCTS Board Members was briefly discussed.

11. Papers for Scrutiny/Exception Reporting Only

11.1 The following papers had been circulated for scrutiny:

- the SCTS Decision Tracker

No matters were raised by exception.

12. Date of the Next Meeting

12.1 The next meeting would be on Monday 25 March 2024.

13. Deep Dive Session – Joint Board and Committee Annual Risk Workshop

13.1 Following the meeting, the Board held a workshop session with members from its three Committees (People, Estates and Audit & Risk). The workshop allowed Board and Committee members to review the SCTS Corporate Risk Register. Attendees explored the trends, challenges and opportunities facing the SCTS across its four key reform areas: Criminal Justice; Civil Justice; Tribunals & OPG; and Corporate.

13.2 Workshop attendees concluded that the risks in the Corporate Risk Register remained valid. These provided additional analysis that would be incorporated into the next version of the register. A significant ongoing challenge was overcoming external barriers to delivering change. A key lever to managing such risks successfully was early engagement with others involved in the justice system. These included the legal profession. Promotion of the benefits of reform was essential. While good progress had been made in reducing carbon output, the long-term challenge presented by sustainability targets remained significant, particularly in a challenging financial climate. The need to recognise and support the welfare of the workforce and the judiciary was acknowledged. Their work was critical to achieving both recovery and reform. The Register would continue to be kept under review by the Board, the Audit and Risk Committee and the Executive.

Scottish Courts and Tribunals Service
February 2024