



MINUTES

SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD MEETING: MONDAY 4 FEBRUARY 2019, PARLIAMENT HOUSE, EDINBURGH

- Present:** Rt Hon Lord Carloway, Lord President (Chair)
Joe Al-Gharabally
Simon Catto
Rt Hon Lady Dorrian, Lord Justice Clerk
Dr Kirsty Hood QC
Professor Hugh MacDougall
Sheriff Grant McCulloch
Colonel David McIlroy
Dr Joe Morrow CBE QC
Eric McQueen
Rt Hon Lady Smith
- Attended:** Roddy Flinn, Legal Secretary to the Lord President (item 8 only)
Noel Rehfisch, Corporate Secretary, SCTS
Karen Lawrie, Secretariat Business Manager (Minutes)
- Apologies:** Sheriff Aisha Anwar
Sheriff Principal Duncan Murray
Morna Rae, JP

1. Minutes of the SCTS Board Meeting of 26 November 2018

- 1.1 The Minutes of the last meeting were approved.
- 1.2 The Board agreed that the business case for the next phase of the ICMS project should include a comparison of the initial costs and deliverables with the current project status.

2. Matters Arising and Declarations of Interest

- 2.1 There were no outstanding actions from the last meeting.
- 2.2 There were no declarations of interest.

3. Financial Results (SCTS/Feb19/01)

3.1 The Board considered a report on financial performance to the end of December 2018 and projected expenditure to the end of the financial year. The total budget for the year stood at £128.3m. The SCTS had received budget transfers of £9.1m from the Scottish Government following the recent Spring Budget Revision process.

3.2 The Board acknowledged the continued constraints on the SCTS Budget. Discussions were ongoing with the Scottish Government to address shortfalls in fees and fine income which had emerged over the course of the year. The level of income was outwith the control of the SCTS, creating budget volatility in the course of the year.

3.3 The Board welcomed the commencement of urgent maintenance work on Peterhead and Dumbarton Sheriff Courts, which had been prioritised for the current financial year in spite of financial pressures.

4. Spending Review (SCTS/Feb19/02)

4.1 The Board were informed that the 2019-20 budget allocation for SCTS had been set at £116.6m in the Budget (Scotland) Bill. The budget would be supplemented by a range of budget transfers that would be agreed during 2019-20, reflecting actual business levels.

4.2 The Board observed that the budget allocation would place additional pressure on the delivery of core services and the programme of investment and reform. Continued growth in tribunals' business volumes, specifically the Mental Health Tribunal and Housing and Property Chamber was discussed. The Board stressed the importance of continued discussions with Scottish Government to ensure that appropriate long-term funding was secured to meet increased demand and maintain satisfactory service levels.

5. ICMS Progress Report (SCTS/Feb19/03)

5.1 The Board reviewed the development of the Integrated Case Management System (ICMS). Phase 2 of Civil Online, which would provide for the online submission of simple procedure cases, remained on schedule for introduction towards the end of April. Extensive testing and user engagement had been carried out. The Board recognised that the launch of Phase 2 would be a significant milestone in the development of online case management. This would require careful oversight.

5.2 Analysis work had commenced to support the development of ICMS for personal injury cases in the Court of Session. The system would be introduced incrementally across different case types. This would allow system testing and roll-out to be completed effectively.

5.3 The Board acknowledged that the Audit and Risk Committee continued to scrutinise the progress of the ICMS project at their meetings in order to provide the Board with additional assurance.

6. Draft 2019-20 Business Plan (SCTS/Feb19/04)

6.1 The draft Business Plan for 2019-20 was reviewed. The Board were invited to comment on the draft outcomes and business volumes set out. A number of detailed comments were provided. These would be incorporated in the revised plan. The final version which would incorporate the organisational budget for 2019-20, would be submitted to the Board for approval at their March meeting.

7. SCTS Committee Update

Audit and Risk Committee

7.1 The Audit and Risk Committee chair provided an update on discussions at the meeting in January. The audit plans for Internal and External Audit had been considered. The Committee explored the SCTS approach to Information Security, which had been presented by the Director Digital Services. The Committee had discussed their annual appraisal exercise, which reflected on their personal contribution and the effectiveness of the Committee during the last year.

8. Brexit (SCTS/Feb19/05)

8.1 The Board reviewed the steps being taken to ensure that SCTS would be able to manage the impacts arising from Brexit. Whilst observing that the final position remained unknown the Board

were reassured by the steps that had been taken to ensure that practical arrangements to support staff and maintain court and tribunal business were in place.

8.2 The Board were satisfied that the work carried out to date would ensure that business would be maintained during the period around Brexit. It was acknowledged that significant changes to court rules may be required in the longer term.

9. Any Other Business

9.1 The Chair advised that a recruitment process was underway to appoint a new Sheriff Principal and Tribunal/Chamber President Member of the Board. The current members' periods of appointment would conclude following the March meeting.

10. Papers for Scrutiny/Exception Reporting Only

10.1 The following papers had been circulated for scrutiny:

- Court Programming;
- ICT High Level Risks;
- the SCTS Decision Tracker.

No matters were raised by exception.

11. Date of the Next Meeting

11.1 The next meeting would be held on Monday 25 March 2019.

12. Annual Review of Corporate Risk

12.1 Following the meeting the Board held a workshop with its three Committees (People, Estates and Audit and Risk). The workshop allowed Board and Committee members to review the SCTS Corporate Risk Register and consider new or emerging risks that may arise over the coming 2-3 years. Discussion groups focused on the work of the three Committees; each committee providing an overview of how its work contributed towards delivering outcomes and managing the risks.

12.2 The Board concluded that the key challenges will be managing change, and balancing an ambitious reform agenda with core service delivery, within an increasingly tight financial climate. It was agreed that the risk register should be kept under regular review, by both the Board and the Audit and Risk Committee

Scottish Courts and Tribunals Service
February 2019