

## BUSINESS PLAN 2015-16

**Strategic objective 1 – To be in a position to respond efficiently to all requests from the Scottish Government by recommending high quality candidates based on merit**

Task	Action 2015-16	Lead responsibility	Progress
<p><b>Grampian Highland &amp; Islands Sheriff appointment round</b> The Board will run a competition to fill two resident vacancies in the sheriffdom of GH&amp;I. The posts are based in Inverness and Elgin Sheriffs Courts.</p>	<p><b>Advert: 10 March 2015</b> <b>Interviews: 2 &amp; 3 June 2015</b> <b>Decision Meeting: 15 June 2015</b> <b>Recommendation to Ministers by w/c 22 June 2015</b></p>	Board Secretary	Appointment pack reviewed and ready for launch. Interviews to be held in Inverness suitable accommodation being sourced.
<p><b>Summary Sheriff 2015</b> The Board has been asked to run a competition to create a group of selectable candidates to be recommended for appointment to vacancies arising in the office of Summary Sheriff from 2016.</p>	<p><b>Advert: 17 June 2015</b> <b>Interviews w/c 17 November 2015</b> <b>Decision Meeting: 14 December 2015</b> <b>Recommendation to Ministers by w/c 21 December 2015</b></p>	Board Secretary	The Board have agreed the criteria for appointment. The Judicial Office for Scotland is working on a role description to be included in the appointment pack. Appointment timetable and selection panel membership agreed at the Feb 15 Board Meeting

Task	Action 2015-16	Lead responsibility	Progress
<p><b>Assistants Recruitment</b> The Courts Reform (Scotland) Act 2014 provided the Board with the power to recruit and appoint legal and lay 'Assistants' for both Court and Tribunal appointments. In preparation for the PRS and Lettings tribunal appointment rounds the Board will run an Assistant competition.</p>	<p><b>Advert: 3 August 2015</b> <b>Interviews w/c 2nd November 2015</b> <b>Decision Meeting: 16 November 2015</b></p>	<p>Board Secretary</p>	<p>Appointment timetable and selection panel membership agreed at the Feb 15 Board Meeting The Quality Assurance Group considered the recruitment, training and evaluation of Assistants at a meeting in Feb 15 and made recommendations to the Board Meeting in March 15.</p>
<p><b>Private Rented Sector Tribunal appointments</b> The Board will be asked to run a recruitment exercise to appoint up to 62 members to the newly formed PRS Tribunal.</p>	<p><b>Advert: 13 January 2016</b> <b>Interviews w/c 6 June 2016</b> <b>Decision Meeting: 18 July 2016</b></p>	<p>Board Secretary</p>	<p>Appointment timetable and selection panel membership agreed at the Feb 15 Board Meeting.</p>
<p><b>Letting Agents Tribunal</b> The Board will be asked to run a recruitment exercise to appoint up to 40 members to the newly formed Letting Agents Tribunal.</p>	<p><b>Advert: 24 February 2016</b> <b>Interviews w/c 11 July 2016</b> <b>Decision Meeting: 15 August 2016</b></p>	<p>Board Secretary</p>	<p>Appointment timetable and selection panel membership agreed at the Feb 2015 Board Meeting.</p>

Task	Action 2015-16	Lead responsibility	Progress
<p>Work with Scottish Government and the Judicial Office for Scotland to improve forecasting of judicial vacancies and to keep the efficiency of the appointments process under review.</p>	<p>Chief Executive and Board Secretary to meet representatives of Scottish Government and Judicial Office for Scotland as necessary.</p>	<p>Chief Executive/Board Secretary</p>	<p>Tripartite meetings are on-going and scheduled up to the end of June 15.</p>

**Strategic objective 2 – To maintain the confidence of Scottish Ministers, the judiciary, the legal profession and the public in the reliability of the Board’s procedures and processes**

Task	Action 2015-16	Lead responsibility	Progress
Keep Board website fully up to date in relation to appointment rounds and as a source of information about developments in judicial appointments in line with website strategy.	Regular review and update – Monthly  <b>Review arrangements for hosting the website</b>	Policy Officer	On-going
Maintain and develop regular contacts with:  Scottish Parliament  Scottish Government  Lord President	Chairing Member to attend Justice Committee if requested  Chairing member to meet Cabinet Secretary for Justice if requested  Chief Executive to meet with Scottish Government as required  Chairing Member to meet Lord President as issues dictate	Chairing Member  Chairing Member  Chief Executive  Chairing Member	Meeting to be set up with Cab Sec in first half of 2015 In the process of setting up a meeting. Tripartite Meetings on-going.

Task	Action 2015-16	Lead responsibility	Progress
<p>Judicial Office for Scotland</p> <p>Dean of the Faculty of Advocates Chief Executive, Law Society Sheriffs Principal Sheriffs' Association Part-Time Sheriffs' Association Chief Executive, Scottish Legal Complaints Commission Crown Agent</p>	<p>Chief Executive to meet with Director, Judicial Office for Scotland as issues dictate</p> <p>Chief Executive to meet as business priorities demand.</p>	<p>Chief Executive</p> <p>Chief Executive</p>	<p>Tripartite Meetings on-going.</p> <p>Chief Executive and Policy Officer met with Faculty of Advocates and Crown Agent in March 2015 to discuss the offer of bespoke info events for these organisations.</p>



Liaise with JAC and NIJAC on development of appointment processes	Consider merits of JAC and NIJAC appointment processes and whether there are any lessons to be learned.	Chief Executive/Board Secretary	Board Secretary – quarterly teleconference with JAC/NIJAC. Chief Executive in regular contact with RofUK counterparts.
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**Strategic objective 4 – To prepare for the transfer to JABS responsibility for recommending appointments to tribunals in Scotland**

Task	Action 2015-16	Lead responsibility	Progress
Continued liaison with SG Tribunals Act Implementation team on the transfer of responsibilities for tribunal appointments to JABS.	Chief Executive to liaise closely with SG Tribunals Act Implementation team on the timing and progress of policy proposals, legislative changes to ensure that the Board is well placed to undertake tribunal appointments. - <b>Continuous</b>	Chief Executive	Update meetings being held every 4-6 weeks
Develop an appointments process and procedures for, initially, the 6 main devolved tribunals in Scotland.	Develop options for an appointments process and an Implementation Plan. Liaise with JAC and NIJAC as necessary to develop potential appointment system models – <b>Continuous</b>	Policy Officer	On-going
To monitor the design and introduction of the Private Rented Sector Housing tribunal and Lettings Agent Tribunal, new jurisdictions likely to form part of a chamber within the FTT alongside the existing Private Rented Housing Panel/Homeowner Housing Panel (PRHP/HOHP) due to the related nature of the jurisdictions.	To liaise with the Housing Policy Team on appointments process – <b>Continuous</b>	Policy Officer	On-going



<p>Attend Tribunal Appointments workstream Purpose: In conjunction with JABS, the appointments work stream will be responsible for ensuring that the new procedures for tribunal appointments relating to the new Housing tribunals are undertaken by 1 December 2016</p>	<p>The workstream will meet every two months and as business requires.</p> <p>Activities:</p> <ul style="list-style-type: none"> <li>• To provide overall direction and guidance to the project ensuring it remains viable and within any specific constraints</li> <li>• To ensure the right people and resources are in place to deliver the project</li> <li>• Draft the project Highlight Report (Chair)</li> <li>• Monitor overall progress of the project</li> <li>• Identify and escalate the risks associated with the project to the Project Board</li> <li>• Identify overall costs of the project</li> <li>• Responsible for communication supporting the project</li> </ul>	<p>Policy Officer</p>	<p>Most recent meeting 18 March</p>
<p>Liaise with the President of the Tribunals Service on transfer of responsibilities from STS to JABS on tribunal appointments</p>		<p>Chief Executive/Policy Officer</p>	<p>Initial discussions with Lady Smith, President of Tribunals held 6 March 2015.</p> <p>Meeting arranged for 16 April with Aileen Devanny</p>

			President of the Private Rented Housing Panel/ Homeowner Housing Panel
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**Strategic objective 5 – To encourage a wider range of eligible applicants which reflects the diverse nature of Scotland's communities**

Task	Action 2015-16	Lead responsibility	Progress
Support a Diversity Steering Group to develop strategies and monitor actions designed to widen the range of eligible applicants	<p>DSG to meet up to four times a year :</p> <p>Through the Diversity Steering Group, report on the outcomes of the Diversity Conference held on 11 March 2014 <b>by 11 March 2015.</b></p> <p>Keep the Diversity Strategy under review ensuring it complies with the Public Sector Equality Duty Scotland.</p> <p>Encourage partner organisations to develop data gathering capability for under-represented groups, particularly women, BME and disabled.</p> <p>Approach recently appointed candidates from the sheriff 2014 appointment round to consider putting their profiles on the website to encourage diversity. <b>By mid- April 2015</b></p>	Policy Officer	<p>News release issued for launch of report on 11 March 2015</p> <p>Four volunteers-draft profiles provided photos be arranged.</p>

Task	Action 2015-16	Lead responsibility	Progress
	Consider arrangements for the follow up of the MVA survey of the legal profession in 2009, due to be repeated in 2014 – Delayed due to the publication of the Law Society survey in October 2013.		
Outreach and communications strategy	<ul style="list-style-type: none"> <li>• Arrange outreach events prior to the summary sheriff appointment round <b>June 2015</b>.</li> <li>• Attend Law Society event (legal Aid)- <b>15 May</b> to promote role of summary sheriff.</li> <li>• Arrange bespoke events for Faculty of Advocates and COPFS.</li> </ul>	Policy Officer	<p>At locations: Inverness, Stirling, Aberdeen and Dumfries.</p> <p>Sheriff Mackie/Mike Ewart to attend.</p> <p>Met with Faculty on 17 February and COPFS on 6 March 2015. COPFS event to be held AM on 15 Mat 2015.</p>

**Strategic objective 6 – To ensure that the Board is fully equipped to carry out its statutory functions and to achieve continuous improvement.**

<b>Task</b>	<b>Action 2015-16</b>	<b>Lead responsibility</b>	<b>Progress</b>
Ensure the Board has adequate financial and staffing resources to enable it to operate effectively	Keep Secretariat staffing levels under review - <b>Continuous</b>	Chief Executive	Arrangements to recruit a B1 in place. Advert appeared on 10 April closing date 24 April.
Ensure staff have appropriate skills, training and resources to enable them to perform effectively	Review skill sets and training requirements of staff and agree training requirements as necessary— <b>Continuous</b>	Chief Executive	Personal Development Plans to be discussed with staff.
Ensure Board members have the appropriate skills and training to enable them to perform effectively and ensure their continued development	Arrange competency based interview training for new Board members and offer refresher training to existing Board Members. Arrange for new lay members to visit the High Court and Sheriff Court. Provide interview/selection panel members with opportunity to participate in a mock interview prior to candidate interviews for all appointment rounds. Develop induction/training package for newly recruited Assistants.	Board Secretary	In-house training in the appointments process being trialled with two new members. Arrangements to meet with clerk of sheriff court in hand. Training for Assistants will be discussed at the April QAG.
Maintain financial control and ensure budget is utilised effectively	Chief Executive to be provided with quarterly budget monitoring reports - <b>Quarterly</b>	Board Secretary	On-going

## KEY RISK REGISTER

**Key: 3 – High**  
**2 – Medium**  
**1 – Low**

KEY RISK	A Impact 1-3	B Probability 1-3	C Overall Risk A x B	Control procedures	Current risk	Monitoring process
<b>GOVERNANCE &amp; MANAGEMENT RISK</b>						
Lack of Outline Business Plan	3	1	3	Agreed Business Plan	1	Regular review
Board lacks relevant skills	2	1	2	Relevant training	1	Monitoring
Lack of reporting to the Board	3	1	3	Provision of timely key reports to the Board	1	Regular reports
<b>OPERATIONAL RISK</b>						
Loss of key staff	2	2	4	Staff recruitment procedures in place and job descriptions kept up to date	2	Staff appraisals and Monthly Conversations
Loss of Board Members	2	2	4	Appointment of temporary members as covered by schedule 1 para 11 of the Judiciary	2	Board appraisals and liaison with Chairing member.

				and courts act 2008. Use of Assistants		
Lack of financial and other procedures	3	1	3	Manual and procedures in place	1	Procedures monitored and reviewed
Failure of information systems	3	3	9	Reliable support in place	2	Review of support procedures

KEY RISK	A Impact 1-3	B Probability 1-3	C Overall Risk A x B	Control procedures	Current risk	Monitoring process
<b>REPUTATIONAL RISK</b>						
Disaffected applicants	3	2	6	Seek feedback from applicants at each stage of the appointment process	2	Review at the end of each appointment round
Legal challenge from applicants	3	1	3	Full audit trail of discussions and decisions affecting candidates. Legal advice sought where appropriate	1	Full Board engagement with all potentially sensitive correspondence with candidates.
Adverse public or private comments	3	2	6	Monitor media and legal press. Comms strategy in place	2	Daily review
Breach of Board Data Security	3	2	6	Reliable methods of corresponding used.	3	Regular review
Lack of Continuity Plan	2	2	4	Agreed Continuity Plan in place	1	Regular review
<b>POLICY RISK</b>						
Failure to progress the outcomes of the Diversity Conference	3	3	9	Agree remit of the Group	3	Review at regular DSG meetings

KEY RISK	A Impact 1-3	B Probability 1-3	C Overall Risk A x B	Control procedures	Current risk	Monitoring process
Failure to have procedures and processes for Tribunal appointments in place at appropriate time	3	2	6	<p>Work plan in place.</p> <p>Appointments workstream set up to develop the appointments process.</p>	3	<p>Review regularly at Board meetings</p> <p>Appointments workstream meet Bi-monthly</p>



KEY RISK	A Impact 1-3	B Probability 1-3	C Overall Risk A x B	Control procedures	Current risk	Monitoring process
<b>FINANCIAL RISK</b>						
Lack of budgetary control and financial reporting	3	1	3	Provision of monthly management information	1	Review of reports
Applicant awarded costs/damages in successful action against Board	3	1	3	Early Full Board engagement and legal advice	1	Continuous improvement process review
Fraud or error	2	1	2	Authorisation manual with detailed procedures	1	Internal checks
Impact of new legislation and Government policy	2	2	4	Monitor new legislation	1	Review of any new legislation
<b>COMPLIANCE RISK (LAW &amp; REGULATION)</b>						
Lack of compliance with legislation	2	1	2	Monitor legislation	1	Review for non-compliance
Failure to comply with Freedom of Information or Data Protection legislation	2	1	2	Procedures in place for dealing with requests for information	1	Review all requests for information and responses issued
Lack of compliance with financial regulations	2	1	2	Monitor legislation	1	Audit

KEY RISK	A Impact 1-3	B Probability 1-3	C Overall Risk A x B	Control procedures	Current risk	Monitoring process
<b>CONFIDENTIALITY</b>						
Lack of compliance with the data protection act	2	1	2	Review the Board's policy on confidentiality, review of process (now underway)	1	Regular review
Lack of confidentiality of shared information with other parties	2	2	4	Board to seek assurance from other parties on the strict adherence to confidentiality of the info it shares	2	Regular review