

BUSINESS PLAN 2016-17

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

Task	Action 2016-17	Lead responsibility	Notes/Progress
<p>Sheriff Principal Glasgow and Strathkelvin appointment round The Board has been asked to run a competition to recommend a candidate for appointment to Sheriff Principal Glasgow and Strathkelvin</p>	<p>Advert: 5 April 2016 Interviews: 21 June 2016 Decision Meeting: tbc Recommendation to Ministers: tbc</p>	Board Secretary	Mock interview held on 7 June 2016.
<p>Grampian Highland & Islands Sheriff appointment round The Board has been asked to run a competition to fill one resident vacancy in the sheriffdom of GH&I. The post is based in Aberdeen Sheriff Court.</p>	<p>Advert: 27 April 2016 Interviews: 1 July 2016 Decision Meeting: 27 July 2016 Recommendation to Ministers by 3 Aug 2016</p>	Appointments Team Leader	Sift took place on 7 June 2016.

Task	Action 2016-17	Lead responsibility	Notes/Progress
<p>Summary Sheriff 2016 appointment round The Board will be asked to run a competition to recommend selectable candidates for appointment to vacancies arising in the office of Summary Sheriff from 2016.</p>	<p>Advert: 15 June 2016 Interviews: 1 Nov – 9 Nov 2016 (exact dates to be confirmed). Decision Meeting: 21 November 2016 Recommendation to Ministers by 28 November 2016.</p>	<p>Board Secretary/Appointments Team Leader</p>	
<p>President of the Scottish Tax Tribunals appointment round The Board maybe asked run a competition to recommend a candidate for appointment to President of the Scottish Tax Tribunals, to be in post by April 2017</p>	<p>tbc</p>	<p>Board Secretary/Appointments Team Leader</p>	
<p>Private Rented Sector/Lettings Tribunals appointment round The Board will be asked to run a recruitment exercise to appoint up to 74 members(46 legal and 28 ordinary) to the newly formed PRS/Letting Agents Tribunal.</p>	<p>Advert: 25 January 2017 Interviews: 2-29 May 2017(exact dates to be confirmed). Decision Meeting: 19 June 2017 Recommendation to Ministers by 26 June 2017.</p>	<p>Appointments Team Leader</p>	

Task	Action 2016-17	Lead responsibility	Notes/Progress
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.	Chief Executive and Board Secretary to meet representatives of Scottish Government and Judicial Office for Scotland as necessary.	Chief Executive/Board Secretary	Tripartite meetings are on-going.

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 2016-17	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.	New website launched 1 April 2016. Website hosting and support provided by SG ISIS from 1 April 2016.	Policy Officer	
<p>Maintain and develop regular contacts with:</p> <p>Scottish Parliament</p> <p>Scottish Government</p> <p>Lord President</p>	<p>Chairing Member to attend Justice Committee if requested</p> <p>Chairing member to meet Cabinet Secretary for Justice if requested</p> <p>Chairing Member to meet Lord President as issues dictate</p>	<p>Chairing Member</p> <p>Chairing Member</p> <p>Chief Executive</p>	<p>Chairing Member and Chief Executive met with LP on 10 March 2016. LP attended Board meeting on 18 April 2016.</p>

Task	Action 2016-17	Lead responsibility	Progress
<p>Judicial Office for Scotland</p> <p>Dean of the Faculty of Advocates</p> <p>Chief Executive, Law Society</p> <p>Sheriffs Principal</p> <p>Sheriffs' Association</p> <p>Part-Time Sheriffs' Association</p> <p>Chief Executive, Scottish Legal Complaints Commission</p> <p>Crown Agent</p> <p>Judicial Institute</p>	<p>Chief Executive to meet with Director, Judicial Office for Scotland and Scottish Government as issues dictate</p> <p>Chief Executive to meet as business priorities demand.</p>	<p>Chief Executive/Board Secretary</p> <p>Chief Executive</p>	<p>Tripartite Meetings on-going.</p> <p>Board Members and Chief Executive attended an event hosted by the Judicial institute on 2 June 2016.</p>

Strategic objective 3 – To further develop consistently fair, open, transparent and effective selection processes and to keep them under continuous review

Task	Action 2016-17	Lead responsibility	Progress
<p>Keep application procedures and processes under review and have any agreed changes in place in time for the commencement of the next competition, taking into account any external advice on quality and equality issues and any legal advice</p>	<p>Quality Assurance Group to meet up to four times per year to:</p> <ul style="list-style-type: none"> • Monitor implementation of new legislation published by the Scottish Government insofar as it affects or could affect the statutory remit of the Board - ongoing • Regular monitoring of appointment rounds - ongoing • Ensure that the Board has robust systems in place for monitoring the quality of its processes - ongoing • Monitor areas for improvement. - ongoing • Monitor candidate experience – ongoing • Make recommendations to the Board on the development of any relevant processes - ongoing • Review the effectiveness of the Board in ensuring that members receive the appropriate support and training to undertake their roles as members of the Board – on-going • Review a revised sift process for large appointment rounds including the use of an online aptitude test. 	<p>Quality Assurance Group Board Secretary</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. Three visits made by Members to observe the JAC’s processes. Paper to be discussed by the QAG later in 2016.
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Strategic objective 4 – To prepare for the transfer to JABS responsibility for recommending appointments to tribunals in Scotland

Task	Action 2016-17	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. -Continuous	Chief Executive	Chief Executive to attend Scottish Tribunals Forum on 13 June 2016
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. -Continuous	Policy Officer/Appointments Team Leader	
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	To liaise with Housing Policy Team on appointments process. - Continuous	Policy Officer/Appointments Team Leader	

<p>chamber within the FTT alongside the existing Private Rented Housing Panel/Homeowner Housing Panel (PRHP/HOHP) due to the related nature of the jurisdictions.</p> <p>Liaise with the President of the Tribunals Service on transfer of responsibilities from STS to JABS on tribunal appointments</p> <p>Liaise with policy colleagues on the transfer of reserved tribunals following the Scotland Bill – Employment Tribunal first to transfer.</p>		<p>Chief Executive/Policy Officer</p> <p>Chief Executive/Policy Officer/Appointments Team Leader</p>	<p>Chief Executive met with Lady Smith on 18 February 2016.</p> <p>Chief Executive/Policy Officer/Appointments Team Leader met with Lisa McCann tribunals policy on 2 June 2016.</p>
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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 2016-17	Lead responsibility	Progress
<p>Support a Diversity Steering Group to develop strategies and monitor actions designed to widen the range of eligible applicants</p>	<p>DSG to meet up to four times a year :</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>Undertake research on benchmarking with other professions.</p> <p>Engage with groups within legal profession with a view to exploring diversity in the judiciary.</p>	<p>Policy Officer</p>	<p>Policy Officer attended Women in Law Scotland (WiLS) launch on 21 April 2016.</p> <p>Chief Executive and Policy Officer met with President of Scottish Young Lawyers Association(SYLA)</p>

Task	Action 2016-17	Lead responsibility	Progress
			and Davinia Cowden of Women in Law Scotland (WiLS) on 19 May 2016.
Outreach and communications strategy	<ul style="list-style-type: none"> • Arrange outreach events prior to the summary sheriff appointment round June 2016. • Explore ways of reaching other groups. 	Policy Officer	Events held at locations: Aberdeen, Edinburgh and Glasgow.

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

Task	Action 2016-17	Lead responsibility	Progress
Ensure the Board has adequate financial and staffing resources to enable it to operate effectively	Keep Secretariat staffing levels under review - Continuous	Chief Executive	
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– Continuous	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 induction training for new Board members/Lay Assistants as required. Arrange for new members and Assistants to receive an overview of Court System. Where possible, provide newly trained members and Assistants with an opportunity to observe key stages of an appointment round in advance of participating as a member of a selection panel	Board Secretary	New Board member Neelam Bakshi received induction training on 25 April 2016. Lay Assistants received induction training on 21/22 April 2016. All new members/assistants attended guided tour of supreme court on either 21 April and 6 May.

Maintain financial control and ensure budget is utilised effectively	Chief Executive to be provided with quarterly budget monitoring reports - Quarterly	Appointments Team Leader	On-going
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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
GOVERNANCE & MANAGEMENT RISK						
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
Lack of Records Management Plan	3	1	3	RMP signed off by the Board and reviewed annually by the ARMC	1	Regular review by Records Manager/policy officer

KEY RISK	A Impact 1-3	B Probability 1-3	C Overall Risk A x B	Control procedures	Current risk	Monitoring process
OPERATIONAL RISK						
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 and courts act 2008. Use of Assistants	2	Board appraisals and liaison with Chairing member.
Loss of Assistants	2	2	4	Build up a pool of legal and lay assistants to be used as and when.	2	Review after first tribunals exercise in 2017.
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
REPUTATIONAL RISK						
Disaffected applicants	3	2	6	Seek feedback from applicants at each stage of the appointment process. A small number of applicants unhappy at absence of individualised feedback.	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

KEY RISK	A Impact 1-3	B Probability 1-3	C Overall Risk A x B	Control procedures	Current risk	Monitoring process
POLICY RISK						
Failure to progress the outcomes of the Diversity Conference	3	3	9	Agree remit of the Group	3	Review at regular DSG meetings
Failure to have procedures and processes for Tribunal appointments in place at appropriate time	3	2	6	Work plan in place.	3	Review regularly at Board meetings

KEY RISK	A Impact 1-3	B Probability 1-3	C Overall Risk A x B	Control procedures	Current risk	Monitoring process
FINANCIAL RISK						
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
COMPLIANCE RISK (LAW & REGULATION)						
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
CONFIDENTIALITY						
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