

**BOARD MEETING MINUTES**  
**Monday 21 August 2023**  
**9:15 am to 15:30 pm**  
**Thistle House**

**Present:**

Dr Lindsay Montgomery CBE, Chairing Member  
Mrs Liz Burnley CBE  
Mrs May Dunsmuir  
The Hon. Lady Haldane, KC  
Ms Denise Loney  
Ms Emma Marriott (until agenda item 10)  
Professor Stephen Tierney  
Sheriff David Young, KC  
The Hon. Lord Weir, KC

**Attendees:**

Mr Billy Love, Head of Operations  
Stuart Scott, Digital and Continuous Improvement Manager  
Mrs Julie Tarbet, Appointments Manager

**Apologies:**

Ms Neelam Bakshi  
Sheriff Principal Dowdalls, KC  
Ms Paula Stevenson, Chief Executive

**Welcome and Apologies**

1.1 The Chairing Member welcomed everyone to the meeting and noted the apologies.

**2. Business from the previous meeting**

**2.1 Minutes of the June meeting**

2.1.1 The Board were content with the minutes of the meeting held on 19 June 2023.

**2.2 Action Tracker**

2.2.1 The Head of Operations updated the Board on the progress on completing the actions in the Action Tracker.

2.2.2 For action point 11 - Chief Executive to consider options for survey work on under-represented cohorts. It was suggested to ask the Chamber Presidents' view on this.

### **3. Chairing Member Update**

3.1 The Chairing Member and Board thanked Deirdre Fulton for all of her hard work and support for the Board for over 8 years, including her period as Interim Chairing Member.

3.2 The Chairing Member updated the Board on a range of matters, including, the progress to recruit the new Board members and Legal Appointment Advisers. He provided information on upcoming meetings, outreach events and that a successful training session for Judicial and Legal Board members had been held. He confirmed that Neil Rennick has been appointed as DG Justice and Education.

### **4. Chief Executive Update**

4.1 The Board noted the contents of the Chief Executive's report, including the update about the BMU staffing.

4.2 The Board had a brief discussion on the new consumer duties legislation and implications for the work of the Board.

**Action point 1: Chief Executive to provide further detail on the new consumer duties legislation when available.**

### **5. Assurance of Governance**

5.1 Board members noted the contents of the Assurance of Governance Report.

#### **5.2 Budget Update**

5.2.1 The Chairing Member explained that the figures in the budget for staff costs will be reviewed following the recent SG staff pay award announcement. The Board thanked the BMU for the new format of the budget report which provided clear and concise information.

#### **5.3 Business Plan**

5.3.1 The Board noted that good progress had been made in a range of areas and were content with the contents of the Business Plan.

#### **5.4 Risk Register**

5.4.1 The Chairing Member explained that the Chief Executive had added suggested changes to the Risk Register. The Board were content with the positive direction of travel that was being shown. Given the Chief Executive's unavailability at the meeting, it was agreed that this subject would be discussed further at the October meeting. The Board commented that the dashboard at the front of the document was useful but should also reflect the suggested changes.

**Action point 2: The Risk Register dashboard to be updated to include reference to proposed changes and how this would look on accepting any proposed changes.**

## **6. Corporate**

### **6.1 Annual Report**

6.1.1 The Chairing Member talked to the updated Annual Report (AR) and explained that there was ongoing work on the comparison of data and statistics from stakeholders for the Diversity report recognising that some data included from other organisations was not directly comparable with JABS. He suggested that in future, full diversity information would be issued as a separate document to the AR, with a summary in the AR.

6.1.2 The Board provided some amendments to the Mission Statement wording and the tribunal information in the Annual Report. With these amendments, the Board were content with the AR, subject to final changes to the Diversity section as discussed at the meeting.

**Action point 3: The Chief Executive/BMU to update the Annual Report and any other corporate documents with the revised wording for the mission statement.**

### **6.2 Corporate Plan**

6.2.1 The Chairing Member explained that the Corporate Plan had been updated with helpful comments from the Sponsoring Directorate. It was agreed there should be mention of clarifying plans for any further tribunals coming to JABS. following discussion with Scottish Government. The Board confirmed that they were otherwise content with the Corporate Plan.

### **6.3 Framework Agreement**

6.3.1 The Chairing Member advised the Board that a Framework Agreement was used for all public bodies outlining their relationship with Scottish Government and work was ongoing to revise the current Agreement to make it more bespoke to JABS. The Board discussed the importance of the document properly reflecting JABS independence as an advisory NDPB and reflected on the reference to individual accountability in the Framework Agreement. The Chairing Member confirmed that an updated draft version would be brought back to the Board.

### **6.4 Board Effectiveness Review**

6.4.1 The Chairing Member stated that as part of the process of good corporate governance it is appropriate for all Boards to undertake an annual review of their effectiveness. He reminded the Board that good progress had been made with the governance work and that moving the Board meeting to a two monthly full day

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schedule would make better use of the meetings for Board business and training. A continuing issue was the very high workload for members and the BMU. This had slowed the pace of the planned continuous improvement work.

6.4.2 Board members provided feedback on the four areas of work covered in the paper. In summary, overall, the board were content with the direction of travel but highlighted some areas for further development.

## **7. Policies**

### **7.1 Policies update**

7.1.1 The Head of Operations updated the Board on the good progress that had been made on developing a number of corporate policies. The Board requested that an update to the Criminal Conviction policy was made a priority.

**Action point 4: Chief Executive/HoO to review and provide an update to the Board on the Criminal Conviction Policy.**

### **7.2 Records Management Plan update**

7.2.1 The Head of Operations stated that the draft Records Management Plan had been submitted to the Keeper and that he had received positive comments and suggestions on the approach. He confirmed that Board members will be asked to confirm their method of confidential document destruction. The Board asked for further guidance on destruction of sensitive/confidential material.

**Action point 5: Digital and Continuous Improvement Manager will contact Board members to provide further guidance on destruction of documentation.**

### **7.3 Feedback from candidates**

7.3.1 The Digital and Continuous Improvement Manager advised the Board that he had looked at various options on how to gather feedback from candidates and recommended that the best solution was Google Forms. He confirmed that there were no issues with security or confidentiality, and it was compatible with a range of IT platforms.

7.3.2 The consent on the website and application system would have to be updated to reflect requesting feedback from candidates.

7.3.3 The Board made a number of comments and would like some further development work including focusing on fewer questions and clarifying the appropriate points for requesting feedback e.g., priority at sift and then final outcome.

7.3.4 The Board were content to approve Google Forms as the format for feedback.

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**Action point 6: Digital and Continuous Improvement Manager to prioritise the evaluation forms from successful and unsuccessful candidates at sift and interview stages of the recruitment process.**

**Action point 7: Digital and Continuous Improvement Manager to update the consent on the website and application system to reflect that in future JABS will be requesting feedback from candidates.**

**Action point 8: Digital and Continuous Improvement Manager to further develop the evaluation questions seeking views from the Board for the first survey.**

#### **7.4 Digital Recording Policy**

7.4.1 The Digital and Continuous Improvement Manager provided an update on the capacity to record MS Teams meetings and that this technology was used successfully for the Summary Sheriff outreach event. The DCIM confirmed attendees for outreach events can join a Teams event anonymously. The DCIM will produce a process note for BMU for creating seminars and provide training as required.

7.4.2 The Board were content with the policy.

**Action point 9: Digital and Continuous Improvement Manager to develop the training materials for MS Teams.**

#### **7.5 Social Media Policy**

7.5.1 The DCIM introduced the Social Media Policy which was due for review. The Board were content with the updated policy. There followed a brief discussion on the monitoring of social media as part of the appointments process. This was commonly done by many organisations, including for Public Appointments.

**Action point 10: Digital and Continuous Improvement Manager to prepare a paper on the options for and the use of reviewing social media accounts as part of the assessment process.**

### **8. Current and Future Competitions**

#### **8.1 Upcoming Rounds**

8.1.1 The Head of Operations gave a brief overview of the paper and details on upcoming rounds. The Board noted the contents of the paper.

8.1.2 Liz Burnley (Governance and Oversight Panel Chair for the SSC recruitment) provided a short oral update about the Social Security Chamber recruitment. The light touch recruitment is proceeding to conclusion and the Board should receive the recommendation report by correspondence in early course. The full competition is proceeding well, and interviews are now taking place for the three roles. The Board

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were interested in finding out more about what reasonable adjustments that have been put in place for the round for consistency of approach with other rounds.

**Action point 11: Head of Operations to provide further detail on the reasonable adjustments agreed for the Social Security Chamber round.**

## **9.1 Applicant Tracking System**

9.1.1 The Digital and Continuous Improvement Manager provided an update on the development of the Applicant Tracking system including that BMU staff had received training and that he will provide training to Board members. The DCIM anticipates that the correspondence mechanism will be used for Summary Sheriff 2023 and the full system will be operational for the Senator 2023 round. Lord Weir, Lady Haldane along with the Chairing Member agreed to assist with the development of the scoring system.

**Action point 12: Digital and Continuous Improvement Manager to arrange a meeting with Lord Weir, Lady Haldane and the Chairing Member about the development of the new ATS scoring system.**

## **9.2 Website**

9.2.1 The Digital and Continuous Improvement Manager explained that the JABS website is outdated and required to be reviewed to ensure it is fit for purpose. A requirement specification is being developed for a business case to be made to Scottish government for the necessary funding. The Board discussed the benefits and costs of redesigning the website.

**Action point 13: Digital and Continuous Improvement Manager to further develop the business case for the Website.**

## **10. Diversity Action Plan update**

10.1 The Chairing Member stated that the Diversity Action Plan had been issued to a range of key stakeholders. There will be an early discussion with stakeholders for their comments with a view to the proposed reference group being set up. The feedback from stakeholders and how to take forward the Diversity Action Plan will be brought back to the Board.

**Action point 14: Chief Executive to update the Board with stakeholder feedback on the Diversity Action Plan.**

## **11. Programme for Change**

### **11.1 Update**

11.1.1 The Chairing Member advised that a plan to take the work forward had been developed and that he will speak with the Sub-group Chairs. The afternoon of Board

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meetings could be used for this work and that he is looking at additional resources, including dedicated resource for this project.

### **Any Other Competent Business**

12.1 No items were raised by Board members.

### **13. Date of Next Meeting**

13.1 The next meeting is on 16 October 2023 and is a full day.