

BOARD MEETING MINUTES

Monday 20 January 2020, Thistle House, Edinburgh

Present

Mrs Nicola Gordon, Chairing Member	Mrs Alison Mitchell
Ms Neelam Bakshi	Ms Morag Ross, QC
Mrs Liz Burnley, CBE	Professor Stephen Tierney
Mrs Deirdre Fulton	The Hon. Lady Wise, QC
Sheriff Principal Marysia Lewis	Ms Eilidh Wiseman
The Hon. Lord Minginish, QC	

Apologies

Sheriff Michael O'Grady, QC

In Attendance

Mr John Craig, Chief Executive
Head of the Business Management Unit
Board Secretary
Appointments Administrator

1. Welcome & Apologies / Declarations of Interest

The Chairing Member (the Chair) welcomed all attendees to the meeting. There was one declaration of interest from Ms Bakshi in relation to Social Security Tribunal recruitment, as she is currently a member of the reserved Social Entitlement Chamber.

2. Minutes of the Previous Meeting & Action Tracker Update

The minutes of the December Board Meeting were approved by the Board subject to one amendment to item 7.3. The Board reviewed the Board Action Tracker and there were no further comments.

3. General Updates

3.1. The Chair gave an oral update to the Board:

- The Chair, Chief Executive (CE) and the Head of BMU attended the Annual meeting on 16 January with the Northern Ireland Judicial Appointments Commission and hosted in London by the Judicial Appointments Commission.
- The Chair will meet with Peter Nicholson from the Law Society of Scotland (LSS) to deliver an article to promote the upcoming shrieval competitions in the LSS Journal. The Chair welcomed input from Board Members by 21 January at noon.
- The Chair and Sheriff Principal Lewis will speak at the LSS event 'Journey to the Judiciary' with Summary Sheriff Flinn on 28 January. This event is open to all.

- JABS have accepted SEMLA's invitation to participate in a meeting on Diversity RGPL in Glasgow on 6th February. Eilidh Wiseman will join a panel with two judges and the Charing Member will also attend.

Board Action (1): Board Members to contact BMU if they would like to attend the LSS Annual Dinner.

3.2. The Chief Executive (CE) gave an oral update to the Board:

- The CE welcomed the new Appointments Administrator to the BMU.
- The BMU attended the recent Senator Installations held on 9 and 10 January.
- The BMU will visit the Glasgow Tribunals Centre on 31 January.
- The CE highlighted that Board Members had been sent the new Travel Expenses Guidance. Board Members were asked to contact the CE if they had any further questions.

4. Assurance of Operational Delivery

4.1. Operational Plan / Risk

There were no changes to the Operational Plan. The CE will submit a draft Annual Operational Plan 2020-2021 for comment by members at the next Board Meeting.

BMU Action (1): CE to submit a draft Annual Operational Plan 2020-21 for comment by Board members on 21 February 2020.

4.2. JABS Risk Register

There was one amendment to the Risk Register. Risk number four had been reduced due to the implementation of the New IT System. The Scottish Government (SG) Cyber Security have not yet downloaded the PAMS IT System to JABS computers.

BMU Action (2): CE to escalate the implementation of the PAMS IT System with SG Sponsor Unit.

4.3. BMU Task Tracker

The Board noted the BMU Action Tracker. The CE will progress with Action 19/042.

BMU Action (3): CE to contact Scottish Legal News in relation to advertising costs for recruitment rounds and to update the Board at the April Board Meeting.

5. Assurance of Financial Activity

5.1. JABS Budget 2019-20

The Board were provided with additional detail in relation to the Budget, as agreed at the previous Governance Meeting. There is an overspend of £56K which is a SG Sponsor Unit authorised overspend. The overspend includes salary increases of the

BMU and an increased budget for legal advice as agreed by the Deputy Director. The Board expressed concern around the way in which the Budget is managed by the Sponsor Unit and the Chair will raise this again with the Deputy Director.

6. Assurance of Governance

The Board noted the Assurance of Governance Report. There were no further comments.

7. JABS Policy Update

7.1. JABS Policy Update

7.2. Equality and Diversity Policy

The Board agreed the re-drafted Equality and Diversity Policy. It was also agreed that an Implementation Plan needed to be developed. This should be brought to the March 2020 meeting.

BMU Action (4): Mrs Simpson to draft a Diversity Implementation Plan for the 16 March 2020 board meeting

7.3. Conflicts of Interest Policy

The Board reviewed the Conflicts of Interest Policy. The policy will be amended by the BMU and brought back to the next meeting.

BMU Action (5): Mrs Simpson to amend the Conflicts of Interest Policy for the next Meeting on 17 February 2020.

7.4. Data Protection Policy

A full review of the Data Protection policy had been undertaken. The requirement is now for a Privacy Statement to be published with the Policy being in place for Board Members, Lay Assistants and the BMU. Ms Bakshi raised some questions surrounding the Data Subject Access Requests. The Board agreed the Privacy Notice, Policy and associated documents subject to any amendments required for the Data Subject Access Request documents.

It was agreed that there should be reporting on DP and this should be added to the Assurance of Governance paper at Governance Meetings.

Board Member Data Protection training will be arranged for late summer 2020. .

BMU Action (6): Mrs Simpson to review Data Subject Access Request policy. CE to add a section for Data Protection reporting to the Assurance of Governance at Governance Meetings going forward.

8. Appointment Round updates

8.1. Sheriff Principal

Professor Tierney provided the Board with an update on the current Sheriff Principal recruitment exercise. Eight applications were received and the Panel have completed the sift. The Panel will meet in the afternoon of 20 January for the sift decision meeting. The Board noted that the new IT recruitment system was working well.

8.2. Lay Assistants

Mrs Burnley provided the Board with an update on the current Lay Assistant recruitment exercise. The advert was published on 7 January. The posts have been advertised on the JABS website and on the Public Appointments website. The advert is due to close on 21 January and the panel will then sift and shortlist applications.

8.3. Social Security

The Board discussed the current Scottish Tribunals Social Security Recruitment. The Board suggested amendments to the registration form. It was agreed that the Board will request an Exception Report from consultees in relation to the SST Recruitment and appropriate questions were agreed.

9. Quality Assurance

9.1. Role of the Panel/Moderator/Board

The Board discussed the JABS Appointment Process Outline paper in relation to the role of the Panel, Moderator and the Board. The full Consultation report will be sent to the whole Board for each round (this has already been added to the Administration guidelines). Each Panel will report back to the Board at each stage in the process.

The composition of Panels was also discussed, in particular, Senator recruitment. It was agreed that Lady Wise will produce a paper outlining the pros and cons on the number of panel members.

It was agreed to incorporate the discussion on the roles into the initial draft being considered and bring it back to the March Board meeting.

Board Action (2): Lady Wise will produce a pros and cons paper on the number of Board Members on a selection panel for the April Board Meeting.

Board Action (3): Ms Wiseman will revise the JABS Role Profiles for the March Board Meeting.

9.2. Skills and Qualities

The Board approved the generic Skills and Qualities, including the Skills and Qualities Wheel.

BMU Action (7): BMU to publish the generic Skills and Qualities Wheel on the JABS website.

10. Any Other Business

10.1. Update on LSS engagement

The update on the Law Society Scotland engagement was covered within the Chief Executive's update.

10.2. Update on Criminal Convictions

Mrs Simpson provided an update on the progress of the policy issue. The SG Sponsor unit is in the process of setting up a meeting with the Disclosure Scotland policy unit to discuss the exemption.

11. Board Meeting Close 12:50