

BOARD MEETING MINUTES
Monday 16 January 2023
9:15 am to 12:30 am
Hybrid, Thistle House

Present:

Dr Lindsay Montgomery, CBE, Chairing Member
Sheriff Principal Aisha Anwar (by VC)
Ms Neelam Bakshi (by VC)
Mrs Liz Burnley, CBE (by VC)
Mrs May Dunsmuir
Mrs Deirdre Fulton
The Hon. Lady Haldane, KC
Ms Cat Maclean
Ms Emma Marriott
Ms Morag Ross, KC
Professor Stephen Tierney
The Hon. Lord Weir, KC
Sheriff David Young, KC (by VC)

Attendees:

Ms Paula Stevenson, Chief Executive
Mr Billy Love, Head of Operations
Ms Julie Tarbet, Appointments Manager

1. Welcome, Apologies and Declaration of Interest

- The Chairing Member welcomed Lord Weir, the new Senator for the Board, to his first meeting.
- Neelam Bakshi made her standard declaration regarding membership of the Social Entitlement and Employment tribunals and excused herself from the Social Security Chamber recruitment agenda item 7.1.

2. Business from the previous meeting

2.1 Minutes of the December meeting

- The Board were content with the minutes of the December meeting. The Board discussed and agreed the wording for the amendment to the November minute.

2.2 Action Tracker

- The Chief Executive updated the Board on the Action Tracker. She requested comments on the revised Code of Conduct for the Lay Assistants, confirmed that the meeting with Cabinet Secretary had been arranged for 28 February 2023 and that the JABS organogram had been issued to all members, save for Lord Weir – who would be sent a copy. It is also available on Huddle.

Action point 1: A copy of the organogram to be sent to Lord Weir.

Action point 2: Board members to send any comments on the Lay Assistant Code of Conduct to the Chief Executive by 18 January 2023.

3. Chairing Member Update

The Chairing Member provided the following update:

- The Chairing Member summarised meetings and work carried out over the past month; he also informed the Board of meetings due to be held in the next month.
- With the assistance of Board members, the Chairing Member hopes to arrange visits to the Scottish Tribunals and the Court of Session for Board members and to begin the next series of visits to Sheriff Courts. A new date for the Scottish Government 'Onboard' workshop was being arranged.
- The Board discussed the letter received from Joe Griffin, Director General, Education & Justice about reviewing efficiency and planning to make public services in Scotland sustainable.
- Planning with the Scottish Government Public Appointments Team is progressing for the Board Member recruitment which is expected to be completed by the end of May.
- The Annual Report was sent to the Scottish Government in December 2022 and will shortly be laid before Parliament.
- The Chairing Member confirmed that from April 2023, the Board meeting schedule would move to meetings every two months.

Action point 3: BMU to update the Board when the Annual Report has been published.

4. Chief Executive Update

- The Board noted the contents of the Chief Executive update in terms of the staffing complement of the BMU, accommodation etc.
- The Chief Executive confirmed that the Board will receive a paper about the options for a new online recruitment system in February and confirmed that the options being considered are cloud-based systems.

5. Assurance of Governance

5.1 Assurance of Governance

The Chief Executive confirmed that the Board had previously been notified of the FOI requests included in the quarterly report, as part of her monthly update. It was agreed that if an FOI request referred to Board members, it would be shared with them for awareness.

The Board discussed the records retention and disposal policy and the Data Protection review. There was also discussion around possible outreach provisions in relation to previous applicants and whether the new online system could support this function.

Action point 4: BMU to add all FOI requests to a folder on Huddle.

Action point 5: The Digital and Continuous Improvement Manager will consider outreach functionality for the potential new online recruitment systems and advise on options.

5.2 Quarterly Finance update

- The Board noted the contents of the Finance Report. The Board agreed that the new style of finance report was clearer. The Chairing Member requested that Board members submit their fee claims as soon as possible and in any event by the end of March to enable payment from this year's budget.
- A new fee claim form is being developed and will be issued to all Board members shortly. Members are asked to submit their fee claims using this new form and if possible, ensuring this is returned monthly to assist with budget monitoring.
- The Research budget line was being reviewed to provide a more accurate forecast.

5.3 Operational Plan

- The Board noted the contents of the Operational Plan and that progress had been made in a number of areas.

Action Point 6: JABS will take steps to give early notice of future recruitment rounds to assist both potential retirees and applicants.

5.4 Risk Register

- The Chief Executive provided an update on the Risk register. The Board noted the latest amendments and updates to the register, but no changes were made to the risk scores.

6. Policy

6.1 Policy Paper

- The Chief Executive updated the Board on progress with the review of JABS Policies. The Board noted the timescales for the policy updates.
- The CE confirmed that the BMU is considering the development of a Social Impact Pledge policy.

6.2 Complaints Policy

- The Chief Executive explained the development of the revised Complaints Policy which was specifically for investigating any complaints of maladministration. The Board discussed the time period for a complaint, assistance to complainants to submit a complaint and the different ways a complaint may be submitted.

Action point 7: The Chief Executive to review the Complaints Policy based on the Board's feedback and send a revised version to the Board.

6.3 Lay Assistant Contracts

- The Chief Executive provided an overview of the Lay Assistant contracts, duties and likely workload over the next three years. The Board agreed the proposed extensions to the contracts.

7. Current and Future Competitions

7.1 Upcoming Rounds

- The Head of Operations gave a brief overview of the paper and details on upcoming rounds. The Board noted the contents of the paper.
- Liz Burnley (Governance and Oversight Panel Chair) provided a short update about the Social Security Chamber recruitment. The Board had previously agreed to a Light Touch Recruitment (LTR) for medical members of the Social Entitlement Chamber (SEC) and MHTS. JABS had received a request to extend the LTR to include Legal and Ordinary members with Disability experience. The Board approved extending the LTR approach to all SEC members.
- The Chairing Member confirmed that Andrew Veitch, temporary president of the Social Security Chamber, will join the Governance and Oversight Panel for the Social Security Chamber recruitment.
- Deirdre Fulton (Panel Chair) provided a short update about the Sheriff 2023 round focusing on the planning, timeline and interview approach.

- Neelam Bakshi (Panel Chair) provided an update to the Board on potential reserve candidates for roles in the Parole Board Scotland. The Board considered and accepted the recommendations of the panel.

7.2 Reserves Policy

- The Head of Operations outlined the Reserves Policy paper to the Board. The Board discussed the time period for the reserve list and the Reserve Policy principles and how they should be applied to different judicial roles.

Action point 8: Head of Operations to review the Reserves Policy based on the Board's feedback and bring a revised version back to the Board.

8. Programme for Change

- Due to a shortage of time, the Chairing Member agreed that a paper summarising the output of the last Subgroup Chairs meeting would be circulated to include an update from each of the Chairs.

Action Point 9: CE to circulate a Programme for Change update paper.

9. Any Other Competent Business

- The Chairing Member thanked Morag Ross who was attending her last Board meeting for all of her hard work, kindness and support, and dedication to the work of the Board.

10. Date of Next Meeting

- The next meeting is on 20 February 2023 and will covering normal Board Business in the morning with a session on the corporate strategy in the afternoon.