

## BOARD MEETING MINUTES

Monday 28 June 2021,  
videoconference

### Present:

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

### Apologies

### In attendance:

Ms Collette Paterson, Chief Executive (CE)  
Mrs Angela Simpson Head of Business Management Unit (HBMU)  
Mrs Sarah Webster, Appointments Manager  
Mr Andrew Cairns, Business Support Officer  
Ms Beverley Cadle

### 1. Welcome & Apologies / Declarations of Interest

Ms Bakshi made the standard declaration in relation to Social Security.

### 2. Consent Agenda Items

#### 2.1 Minutes of Previous Meeting

The minutes were agreed with no changes.

#### 2.2 CE Report

2.2.1 The CE formally welcomed Sarah Webster to the BMU who joins us on secondment from Judicial Institute for between 3 and 6 months, and Beverley Cadle from Pertemps who will be in the new role of PA to Chief Executive and Business Support for the rest of the financial year.

### 3. Interim Chairing Member

#### 3.1 IC Update

3.1.1 The IC and CE had had met the President of the Scottish Tribunals to discuss the transfer of the valuation appeals committee and relationship management.

3.1.2 The IC and CE had met with the Director of the Judicial Institute. Sheriff Duff has confirmed in principle that the JI would be willing to give Board members restricted access to the Judicial Hub to allow them to review shrieval induction.

3.1.3 The IC had met with Lorna Jack and Ken Darling from the Law Society for Scotland. There was also a meeting with the Faculty of Advocates.

3.1.4 The IC and CE will meet with the Lord President on Tuesday 6 July to discuss a number of matters including two letters from the Lord President.

3.1.5 The IC provided an update on the new Board member appointments. A timetable for one Legal and two Lay Members (of which one is the Chairing Member) has been set and new members will be appointed by the end of the year.

## **4. Summary Sheriff – Board Decision**

### **4.1 Summary Sheriff Recommendations 2021**

4.1.1 On 19 January 2021, the Scottish Government had made a formal request for the Board to make recommendations of four individuals (3 x FTE, 1 x 0.5 FTE) for appointment. During the process, a further vacancy arose in Hamilton in the Shrievaldom of South Strathclyde, Dumfries and Galloway (request received 21 May 2021), taking the total number of vacancies to five.

4.1.2 JABS received 91 applications for this competition. Following longlisting 59 Candidates had been taken to shortlisting and from these candidates 26 had been interviewed.

4.1.3 The panel recommended 5 candidates and proposed a reserve list of 9. Following the quality assurance discussion, the Board accepted this.

4.1.4 The Panel working with the BMU will match the five successful candidates to locations and inform applicants of the result by 30 June. It was agreed there would be a separate matching exercise if the reserve list is put into motion and that that will be dependent on the locations JO lists at that point.

*BMU Action (1) Work with panel on recommending initial 5 successful candidate to location.*

*BMU Action (2) Interpretation of 'meritorious' to be defined in proposed appointments policy.*

## **5. Part Time Summary/Sheriff Competition**

### **5.1 Part-time Sheriff and Summary Sheriff competition: Next Steps**

5.1.1 The Board discussed the letter from the Lord President. It was agreed that the IC would draft a response for the Board's consideration and respond before the meeting next week.

5.1.2 The Board agreed that lay assistants should shadow and this will be built into the remodelling of the project plan and financial plan for this competition

5.1.3 The project plan and candidate papers were signed off subject to the following.

- The competitions will run in parallel and the advert will go live on Tuesday 13 July 2021.
- The number of expected sitting days in year will be higher (initially 60 days maximum).
- Longlisting will likely be used due to the anticipated number of application, however, this will be confirmed once the size of the field is known.
- There will be three interviews per day (working on a 2:1 ratio).
- The interviews will be carried out in line with the guidelines set by Scottish Government at the relevant point in planning.
- Judicial Office will be provided with the names of the successful candidates by Tuesday 30 November, to facilitate SG with steps only they can take to facilitate online training and a start date of training of January 24 2022.
- The timetable requires final updates.

*BMU Action (3) – To revise timeline and publish candidate facing paperwork once changes made.*

*BMU Action (4) – BMU to advise partners of launch date and date recommendations will be provided to SG.*

*BMU Action (5) BMU to arrange lay assistants shadowing one interview.*

*BMU Action (6) BMU to remodel project and financial plans.*

## **6. VAC President**

### **6.1 VAC President: Next Steps**

6.1.1 The VAC President competition will launch on Wednesday 14 July 2021. It is not expected that this will be a large round therefore, longlisting will not be required. The Board agreed the draft timetable, although noted that it may change once the Board Member availability exercise is completed. Judicial Office for Scotland have confirmed that The President of the Scottish Tribunals will nominate a representative for the panel as required by the 2008 Act. The Board also agreed that the IC will sit as a full panel member rather than acting as moderator.

*BMU Action (7) – Check with Policy Colleagues as to confirm the up to date policy position on transfer of VAC and create new project plan for Board's consideration at July meeting.*

## **7. Business Plan FY 21/22**

### **7.1 Business Plan**

7.1.1 The IC presented the business plan for the financial year 2021-2022 as setting out the direction of travel for the Board to support upcoming strategic planning. It was agreed the plan will be reviewed at the Q2 governance review

7.1.2 The Board agreed to change its policy position on legislative change being necessary for JABS to be able to achieve its aims, now favouring that over maximising the provisions of the legislation which had been the policy position since a December 2020 decision. Discussions with the Lord President and the Scottish Government to be taken forward on this new basis.

*BMU Action (8) The IC to raise this with the Scottish Government and Lord President*

*BMU Action (9) Legal advice that had been sought on the current legislation to be circulated to the Board.*

## **8. 2021 Review**

### **8.1 2021 Review**

8.1.1 The Board discussed the points raised by Ms Bakshi in relation to the tender document. The Board agreed that the CE should proceed with the publishing the invitation to tender.

*BMU Action (9): Ms Paterson to proceed with the tender for the 2021 review.*

## **9. Any Other Business**

9.1.1 The IC thanked Alison Mitchell for her outstanding contribution to JABS as her 8-year term will come to an end in July.

## **10. Close and Review**

10.1 The meeting closed at 13.30