

BOARD MEETING MINUTES

Monday 22 November 2021,
videoconference

Present:

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

Apologies

The Hon. Lord Minginish

In attendance:

Ms Heather Tully, Interim Chief Executive (ICE)
Ms Angela Kirkwood, Interim Head of Operations (IHoO)
Mr Andrew Cairns, Business Support Officer
Mr Stuart Scott, Appointments Manager,

Business conducted by correspondence since previous Board meeting

In late October, a request from Judicial Office that a Senator competition commence in December created a need for the Board to approve competition plans by correspondence, to allow preparations to be made for a 1 December launch. The proposed plans were circulated to the Board on 2 November, and approval from all members was received by 12 November.

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

2.1.1 The minutes were agreed, subject to a clarification from Ms Bakshi on the suggestion she had raised on wellbeing principles and policy for Board members.

2.2 CE Report

2.2.1 The ICE presented her report to the Board and its contents were noted.

2.2.2 The ICE updated the Board on staff changes.

2.2.3 The ICE updated the Board on recent discussions had with Judicial Office regarding the Sheriff 2022 competition. The Board agreed that JABS' external engagement would have a crucial role to play in generating interest from potential applicants in upcoming competitions.

2.3 Annual Report 2020/21

2.3.1 The ICE and ICM had made changes to the report since the last meeting, to reflect comments made by members. The Board have agreed that any further changes would be agreed by correspondence.

BMU Action (1) - ICM and ICE to incorporate further suggested adjustments, and the Board to approve the report by correspondence.

2.4 BMU Operations and Resource

2.4.1 The IHoO presented the Board with a report reviewing JABS' operating model. This gave the Board an indication of Board member and BMU resource needed to support 2022 competitions on current planning assumptions.

2.4.2 Ms Bakshi raised the point that the Board were not sighted on cost per competitions, this would be something the Board would like to see for each round.

2.4.3 There was discussion on communications surrounding competitions. It was noted that, for the tribunals recruitment JABS would be carrying out, the audience was not just the 'traditional' JABS' audience of the legally qualified – for example, SSC members with disability experience, whose eligibility would be rooted in their experience rather than in legal qualification. JABS' comms would therefore need to reach a wider audience, and decisions on which communications channels to use would need to consider how to reach a diverse pool of potential applicants.

BMU Action (2) – Create a table for each tribunal competition, setting out routes to reaching relevant audiences. Input to be sought from co-opted Tribunals panel members and from Ms Bakshi, for any suggestions in light of her tribunals experience.

3. Interim Chairing Member

3.1 ICM Oral Update

3.1.1 ICM confirmed that Emma Marriott would be joining the Board as the new Lay Board Member in early December. The appointment of the new Chairing

Member was progressing, but had not yet been formally confirmed. Induction training would be provided to new members.

3.1.2 Discussions on the outstanding Solicitor Member were ongoing with the Scottish Government, and it was anticipated that the new Chairing Member would join those discussions once appointed.

4. Part-Time Sheriff – Board decision

4.1 Board Decision

4.1.1 The request from Judicial Office was for 15 Part-Time Sheriff vacancies. 54 applications were received for these posts. The longlisting process was used for this competition as outlined in the candidate paperwork and on the JABS website. Longlisted candidates were then shortlisted, and 26 candidates were put forward for interview.

[Note: the Board's decisions on final recommendations are embargoed as appointments had not been announced at the time of publication.]

5. Sheriff – Dunoon and Dumfries – Board decision

5.1 Board decision

5.1.1 The request from Judicial Office was for two Sheriff vacancies plus a reserve. 40 applications were received for these posts. Seven candidates were then short-listed for interview for these posts.

[Note: the Board's decisions on final recommendations are embargoed as appointments had not been announced at the time of publication.]

6. Part-Time Summary Sheriff

6.1 Board decision

6.1.1 The request from Judicial Office was for 15 Part-Time Summary Sheriff vacancies. 105 applications were received for these posts. The longlisting process was used for this competition as outlined in the candidate paperwork and on the JABS website. Longlisted candidates were then shortlisted and 28 candidates were then put forward for interview for 15 posts.

[Note: the Board's decisions on final recommendations are embargoed until any appointments are announced.]

7. Future/Current Competitions (oral updates)

7.1 LTC President

7.1.1 The ICE updated the panel on the competition underway for Local Taxation Chamber President.

7.2 LTC Legal/Surveyor Members

7.2.1 The ICE confirmed that preparations were on track to launch these competitions as agreed on 1 December.

7.3 Senator 2022

7.3.1 The ICE confirmed that preparations were on track to launch this competition as agreed on 1 December.

7.3.2 The Board noted there was a planned outreach event on 29 November, organised by Judicial Office and chaired by Lady Wise.

7.4 Sheriff Principal 2022

7.4.1 The Board were provided with an update on competition plans by the ICE.

7.5 Sheriff 2022

7.5.1 The Board were provided with an update by the ICE, this was also covered in the CE report.

7.6 Advertising windows for future competitions

7.6.1 As part of the plans for the Senator competition, it had been agreed that the advert would run for a period of 6 weeks, from 1 December to 12 January 2022. This was partly in recognition of the proximity to the festive period, but also an opportunity to identify what impact longer competition windows might have on applications.

7.6.2 The Board agreed that future planning for court appointment competitions should aim to build in a six-week advertising window (if the notification given for competitions allowed), and the Board could reflect on the impact of this in due course. It was noted that the advertising window for tribunal recruitments would require further thought, to ensure that it took into account the time needed to reach potential applicants through communication channels.

8. Board protocols

8.1 Board decision-making protocols and standing orders

8.1.1 The board agreed in principal to consider the protocols set out in paper 22.11.20 as working practices, subject to the paper being adjusted to reflect specific comments made during the meeting. Ms Bakshi raised the point that decision-making by correspondence was becoming increasingly common, rather than being exceptional, and that this created new challenges to ensure discussions by correspondence were fully captured and stored for audit purposes.

BMU action (3) to adjust paper in line with members' comments.

9. Collecting data on sex and gender.

9.1 Response to new guidance from Chief Statistician

9.1.1 Lady Wise agreed to discuss this with the DSG meeting on 13 December.

10. Any Other Business

10.1 The ICM thanked Sheriff Principal Lewis for her time with JABS - this was her last Board Meeting as she had already tendered her apologies for the meeting in December, and would be leaving the Board on 31 December. The Board was extremely grateful to Sheriff Principal Lewis for all her work with JABS over the past three years.

10.2 The ICE confirmed that Diversity Stats for the three recent rounds - Part-Time Sheriff, Part-Time Summary Sheriff and Sheriff Dumfries and Dunoon - would be on the agenda for the December meeting.

11. Meeting Close

The meeting closed at 12.55