



BOARD MEETING

MINUTES OF THE MEETING HELD ON

MONDAY 17TH OCTOBER 2016 at 10:00AM

THISTLE HOUSE, 91 HAYMARKET TERRACE, EDINBURGH

Present: Dr Michael Ewart, Temporary Chairing Member
Mrs Alison Mitchell
Mrs Deirdre Fulton
Ms Neelam Bakshi
The Hon Lord Minginish
Mr James McNeill QC
Mr Alistair Morris

In attendance: Mr Michael Garden, Chief Executive
Miss Kerry Love, Secretary to the Board
Mrs Dorothy Smith, Policy Officer
Miss Ashleigh Meikle, Appointments Team Leader

Apologies: Professor Stephen Tierney
The Hon Lady Wise
Sheriff Principal Pyle
Sheriff Mackie

1. Welcome and Apologies

1.1 Dr Ewart welcomed the Board Members to the meeting. Apologies had been received from Professor Tierney, Lady Wise, Sheriff Principal Pyle and Sheriff Mackie. Dr Ewart welcomed Miss Ashleigh Meikle to her first meeting since joining the Board's Secretariat on the 10th October. She replaces Mr Michael Johns-Perring as Appointments Team Leader. Dr Ewart also informed the Board that Mrs Smith would be leaving the Board on 11th November to join Criminal Justice Scotland. An exercise to find her replacement is underway.

2. Minutes of the 20th September 2016 Board Meeting

2.1 The minutes of the Board Meeting were approved by the Board, subject to some minor amendments.

3. Matters arising from the minutes

3.1 There were no matters arising from the minutes.

4. Chairing Member and Chief Executive Updates

4.1 Dr Ewart provided the Board with the following updates:

- Dr Ewart thanked Members for making themselves available to speak with him by telephone, to discuss future membership of the Board's groups and committees, and other matters relating to the future work of the Board. The discussions were positive and most helpful. One action to take forward from the discussions was that as financial resources get tighter, the Board needs to be more sighted on the financial provision and the financial consequences of decisions. Dr Ewart asked the Secretariat to consider this and report back to the December Board Meeting.
- Dr Ewart informed the Board that he had been approached by the Scottish Government, who were looking for a male independent member to sit on the panel to identify a convenor for the Risk Management Authority. He has agreed to undertake this role.

4.2 Mr Garden provided the Board with the following updates:

- The planning meeting for the Sheriff exercise to fill vacancies in Oban and Fort William will take place on 20th October.
- The Senator appointment round launched on 6th October and the advert closes on 27th October.
- Since the last Board Meeting, two meetings have taken place with Lady Smith to discuss the Chamber President of the First-tier Tribunal, Tax Chamber appointment round. Dr Ewart and Mr Garden are meeting with Lord Ericht on 21st November to find out more about the role.
- On the PRS/LA exercise, they are looking to fill 82 vacancies in total. 51 legal and 31 ordinary members. The Board agreed to deploy Board Assistants in this exercise. A pre-planning meeting has been arranged for 23rd November. The Board asked the Secretariat to provide a paper to the Board on the proposed interview panel structure.
- Mr Garden provided feedback from a tripartite meeting with the Scottish Government and The Judicial Office for Scotland, which took place on the 29th September.
- Mr Garden provided feedback from the Law Society Annual Conference he attended on 30th September.
- Returning to the deployment of the Assistants, the Board agreed they were content to deploy Board Assistants at sift and interview stage. They noted they had performed extremely well whilst shadowing various exercises.

Action point: Secretariat to provide a paper to the Board on the proposed interview panel structure for the PRS/LA exercise.

5. Revised Framework Document (JABS 2016 44)

5.1 The Board considered a revised Framework Document drawn up by the Scottish Government (SG), which sets out the broad framework within which JABS will operate, and defines key roles and responsibilities which underpin the relationship between JABS and SG. The Board offered some suggested amendments and asked Mrs Smith to update and recirculate the Document. The Board also suggested it should produce a 5 year Corporate Plan.

Action point: Mrs Smith to update the Framework Document and recirculate it to the Board. Secretariat to draft a Corporate Plan for consideration by the Board.

6. Update and Re-Adoption of JABS Policy Documents (JABS 2016 45)

Data Protection Policy

6.1 The Board noted that the policy had been updated to reflect the Board's move towards more electronic sharing of applicant information. The Board re-adopted the policy subject to some minor amendments, and asked the Secretariat to investigate the secure tracking of encrypted memory sticks when there is no alternative but to send them by post.

Action point: Secretariat to investigate the secure tracking of encrypted memory sticks when there is no alternative but to send them by post.

Complaints Procedure

6.2 The Board noted only very minor changes had been made to the procedure. It re-adopted the policy subject to some minor amendments.

Action point: Mr Garden to speak with the Commissioner for Ethical Standards to confirm there is a sufficient level of independence in the process.

Confidentiality Policy

6.3 The Board noted only very minor changes had been made to the policy. It re-adopted the policy and agreed that it also applied to Board Assistants.

7. Verbal report from the QAG meeting held on 5th October 2016

7.1 Mr McNeill QC gave a verbal report of the business that was discussed at the Quality Assurance Group meeting on 5th October, which included a review of the last Shrieval and Sheriff Principal appointment rounds.

8. Any other business

8.1 There was no other business to discuss.

9. Forward Look (JABS 2016 05)

9.1 The Board noted the updated Forward Look.

The meeting closed at 12:45pm.