



BOARD MEETING

MINUTES OF THE MEETING HELD ON

TUESDAY 20TH SEPTEMBER 2016 at 10:00AM

THISTLE HOUSE, 91 HAYMARKET TERRACE, EDINBURGH

- Present: Sir Muir Russell, Chairing Member
Dr Michael Ewart
Mrs Alison Mitchell
Mrs Deirdre Fulton
Professor Stephen Tierney
Ms Neelam Bakshi
The Hon Lady Wise
Sheriff Principal Pyle
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
- Apologies: Sheriff Mackie

1. Welcome and Apologies

1.1 The Chairing Member welcomed the Board Members to the meeting. Apologies had been received from Sheriff Mackie.

2. Minutes of the 27th July 2016 Board Meeting

2.1 The minutes of the Board Meeting were approved by the Board.

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 The Chairing Member informed the full Board that representatives of the Board had met with the Lord President and the Lord Justice Clerk and officials on 10th August. The criteria for Senatorial appointments and the job profile, as well as the disappointing number of female applicants that applied for the last Senatorial appointment round were also discussed.

4.2 The Chairing Member informed the Board that he was meeting with Lady Smith on 21st September to discuss the Chamber President of the First-tier Tribunal, Tax Chamber appointment round.

4.3 Mr Garden provided the Board with the following updates:

- The Scottish Government has improved the IT support it currently provides by allocating a business partner to each organisation. The Board's business partner will meet with the Secretariat on a quarterly basis to discuss performance and any current issues. This development came at the same time as a SG-wide ransom ware attack that had prevented access to stored documents for three working days.
- Sheriff Jack Brown has been appointed to Aberdeen Sheriff Court.
- The Summary Sheriff individual panel sift meetings and moderation have taken place, and the full sift meeting is scheduled to take place on the 22nd and 23rd September.
- The timetable and panel for the Chamber President of the First-tier Tribunal, Tax Chamber appointment round will be agreed with Lady Smith at the meeting on 21st September. On present plans the appointment will launch on 1st November.
- The Board has been asked to run a further Senator appointment round. The timetable and panel has been agreed. On present plans the advert will launch on 6th October. An appointment pack is being prepared for a planning meeting on 26th September.
- The PRS/LA Tribunal appointment timetable and panel has been agreed. On present plans the advert will launch on the 25th January 2017.
- The Board has been asked to run a further sheriff appointment. A draft timetable will be produced and Members trawled for their availability. The Board asked the Quality Assurance Group to look at how the Board might undertake Sheriff and Summary Sheriff appointments in the future if they are being asked to run unplanned appointment rounds more frequently.
- Mr Garden attended a very useful meeting with Sheriff Duff, Director of the Judicial Institute.
- The Secretariat recently met with Housing policy colleagues in Scottish Government who are continuing to work through a list of actions for the PRS/LA Tribunal appointment round.
- The Scottish Government has revised its news release process. The Communications Directorate reviewed the volume and type of all online content, with a view to reducing the number of news releases published online. For judicial appointments it was agreed to move to a targeted distribution to judicial and legal circles, as well as the geographical area to which the appointment is being made. The Judiciary website will continue to announce Board appointments.

Action point: QAG to look at how the Board might undertake Sheriff and Summary Sheriff appointments in the future as it is being asked to run unplanned appointment rounds more frequently.

5. Revised Approach to the Model Publication Scheme (JABS 2016 39)

5.1 The Board considered the revised approach to the Model Publication Scheme and the addition of a new “class” of Open Data, following an internal review by the Scottish Information Commissioner. The Board agreed that any data shared from appointment rounds should be aggregated to avoid possible identification of individuals.

6. Update and Re-Adoption of JABS Policy Documents (JABS 2016 40)

6.1 The Board re-adopted its Code of Conduct for Members, the Secretariat Code of Conduct, its Policy on Conflicts of Interest and its Social Media Policy, subject to minor amendments. Mrs Smith will arrange to have the updated versions uploaded to the website.

Action point: Mrs Smith will arrange to have the updated versions uploaded to the website.

7. Evidence for Senior Salaries Review Board (JABS 2016 41)

7.1 The Board agreed the draft response, subject to minor amendment. Mrs Smith will send off the final response.

Action point: Mrs Smith to amend and issue the final response

8. Senator Appointment Round Request

8.1 The Board considered comments from the Lord President in relation to the criteria for appointment and a revised role profile, and agreed its approach to the exercise. The selection panel will discuss further at the planning meeting on 26th September.

9. Any other Business

9.1 The Board discussed approaches to Board members in light of an approach made recently by a student seeking assistance. The Board recognised that members might receive approaches in their day to day work, and reiterated the Code of Conduct guidance about applying discretion in relation to giving advice about roles within the jurisdiction of JABS - to ensure there was no actual or perceived conflict of interest. In this instance, the student should be referred to the appropriate body.

9.2 The Board noted that the current Chairing Member’s tenure to the Board ends on 30th September 2016. Two recruitment rounds run by the Scottish Government had failed to identify a suitable person to replace him. A vacancy was therefore imminent. In the circumstances the Board agreed to nominate Dr Michael Ewart to carry out the functions of Chairing Member until a replacement is identified. Dr Ewart agreed to act in this capacity. A letter will be issued to interested parties.

9.3 Noting that this was Sir Muir’s last Board Meeting, he thanked the Board and the Secretariat for their support during his time as Chairing Member. He took the opportunity to talk about the changes that had taken place during his eight years on the Board and what the priorities were moving forward. The Board unanimously thanked Sir Muir for his contribution to the work of the Board.

The meeting closed at 12:15