



MINUTES

SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD MEETING: MONDAY 4 DECEMBER 2017, PARLIAMENT HOUSE, EDINBURGH

Present: Rt Hon Lord Carloway, Lord President (Chair)
Rt Hon Lady Dorrian, Lord Justice Clerk
Rt Hon Lady Smith
Dr Joe Morrow QC
Sheriff Principal Duncan Murray
Sheriff Iona McDonald
Sheriff Grant McCulloch
Johan Findlay OBE JP
Dr Kirsty Hood QC
Professor Hugh MacDougall
Colonel David McIlroy
Simon Catto
Joe Al-Gharabally
Eric McQueen

Attended: Noel Rehfisch, Corporate Secretary, SCTS
Karen Lawrie, Secretariat Business Manager (Minutes)

Apologies: (*None – all members present*)

1. Minutes of the SCTS Board Meeting of 16 October 2017

1.1 The Minutes of the last meeting were approved.

2. Matters Arising and Declarations of Interest

2.1 There were no outstanding actions from the last meeting.

2.2 Sheriff McCulloch declared an interest. As a resident Sheriff at Kirkcaldy Sheriff Court he had been consulted on the proposals covered under item 11 of the agenda.

3. Financial Results and Forecast Outturn 2017-18 (SCTS/Dec17/76)

3.1 The Board considered a report on the financial performance to the end of October 2017. As reported at the October meeting the total budget remained at £108.8m.

3.2 The level of retained fines income continued to fall below forecast. Representations had been made to the Scottish Government in order to ensure that the final outturn can be effectively managed.

3.3 The Executive reported that budgets remained tight across the organisation generally. In view of this position the Board agreed to defer allocation of the financial reserve until the likely end of year position became clearer. The Board agreed that, should funding become available, this should be directed towards estates maintenance.

4. Spending Review (SCTS/Dec17/77)

4.1 An overview of the Scottish Government's spending review process was presented by the Executive. The UK Government's Autumn Budget Statement had been presented to Parliament on 22 November. It was expected that the 2018-19 budget allocation for SCTS would be announced as part of the Scottish Government's draft budget bill, due to be published on 14 December.

4.2 The Board discussed the likely funding position for the coming year. Members reiterated their view that the organisation had already absorbed significant financial pressures in recent years and agreed that any further significant increase in business levels could not be accommodated within existing resources.

5. Devolution of Reserved Tribunals (SCTS/Dec17/78)

5.1 At the last meeting the Board had agreed that the programme for the devolution of the administration of reserved tribunals should move from feasibility phase into implementation phase. The Board were informed of the work underway to establish the overarching governance structure for the programme. This would incorporate the devolution of reserved Tribunals alongside the Glasgow Integrated Tribunals Centre and the transfer of devolved Tribunals into the new chamber structure.

5.2 The importance of securing adequate funding to manage the transfer and to deliver the expanded service was reiterated by the Board. It was expected that the position on funding would be confirmed as part of the 2018-19 Budget Bill.

6. Integrated Case Management System – Progress Report (SCTS/Dec17/79)

6.1 The current position in relation to the operation and future development of the Integrated Case Management System (ICMS) was discussed. The first phase of the "Civil Online" for simple procedure is scheduled to be implemented in March 2018. This would allow parties to track and view the status of their cases online in the first instance.

6.2 An independent Technical Assurance Review would be carried out by the Scottish Government in January 2018. The findings would be analysed by the Audit and Risk Committee.

6.3 The Board discussed the assurances and arrangements in place across the ICMS programme and agreed to keep these under review.

7. Quarterly Performance Review and Scorecard (SCTS/Dec17/80)

7.1 The Board carried out its quarterly review of performance of the organisation, including a progress review of the outcomes in the 2017-18 Business Plan.

7.2 A recent Internal Audit on performance management had been completed. The audit provided substantial assurance. The report contained a number of recommendations for the Board scorecard which would be incorporated into a revised version.

8. SCTS Staff Survey – High Level Results 2017 (SCTS/Dec17/81)

8.1 The results of the SCTS Staff Survey 2017 were reviewed. The overall Engagement Index for SCTS was 63%, a decrease of 1% on 2016. This placed the organisation alongside the Scottish Government in having the highest engagement score in Scotland

8.2 The Board welcomed the results, whilst stressing the need to focus on areas where further improvement could be made. It was agreed that detailed analysis and consideration of follow-up should be remitted to the People Committee, with findings presented to a future Board meeting.

8.3 The value of the partnership approach with the PCS Union to review and address areas of development identified from the survey results was recognised. Representatives from the PCS union would be involved in the analysis completed by the People Committee.

9. Customer Service Excellence Accreditation and Court User Survey Results (SCTS/Dec17/82)

Customer Service Excellence Accreditation

9.1 The Board recognised the continued improvement recorded by the Customer Service Excellence (CSE) assessors in 2017. The assessors had visited a number of areas during the assessments which, for the first time, had also included Tribunals Operations in Glasgow.

Court Users' Satisfaction Survey

9.2 The main findings of the Bi-annual Court Users Satisfaction Survey were presented to the Board. They reported a 92% overall satisfaction rating with SCTS services (up from 89% in 2015).

9.3 Following discussion of the survey results it was agreed that the Estates Committee would investigate the level of facilities provided in Jury Rooms across the country. The analysis would be reported to the Board at a future meeting.

9.4 The Board commended all staff for the excellent results and agreed that both CSE and the court users' satisfaction survey remained an important part of the way in which the organisation ensured that its services were of a high standard.

10. Inverness Justice Centre (SCTS/Dec17/83)

10.1 The Board was informed on the progress being made to deliver the justice centre in Inverness. The work underway to develop the final construction plans and costings was considered. The overall programme remained on-track to deliver an operational justice centre by autumn 2019.

10.2 The Board commended the considerable work being led by staff in the Property and Services Team in managing a range of major estates projects concurrently in addition to delivering the day to day running of the SCTS Estate to a high standard.

11. Kirkcaldy Development (SCTS/Dec17/84)

11.1 A business case to develop improved court facilities in Kirkcaldy, using accommodation that was available for development in the local police station, was presented to the Board. The Estates Committee had submitted the business case for Board approval. The Board discussed the proposals and approved the business case, subject to funding being secured from the Scottish Government to commence development.

12. Justice of the Peace Analysis (SCTS/Dec17/85)

12.1 Following discussion at the last meeting, the Executive presented an evaluation of business volumes in the Justice of the Peace Courts over recent years. The number of cases directed to the JP Court by the Crown Office and Procurator Fiscal Service had been declining steadily over recent years. The Board were advised of proposed changes to court programmes and the development of a revised operating model which was being considered by Sheriffs Principal and the Crown in order to ensure that Justice of the Peace Courts continued to manage business effectively at the levels anticipated for the coming year.

13. Evidence and Procedure Review (SCTS/Dec17/86)

13.1 The latest position on the work of the evidence and procedure review was considered. Activity to increase the proportion of cases in which the evidence of child and vulnerable witnesses was pre-recorded was ongoing, with the practice note on the taking of evidence on commission

bedding-in effectively. A range of pilots, aimed at testing the impact of certain operational and procedural changes to the summary justice system would be considered by the programme board ahead of their development and introduction in the New Year.

14. SCTS Board Operation (SCTS/Dec17/87)

14.1 The Board reviewed the structure of its existing four Committees: People, Estates, Audit and Risk and Remuneration. The Committees had supported the Board in discharging its role to good effect over the past year and it was agreed that the structure would be maintained for 2018.

14.2 Informed by the Board appraisal process, a schedule of workshop sessions, visits and development activities to coincide with each Board meeting in 2018 was considered. The Board approved the shortlist of topics for the sessions and would review these at its next meeting.

15. SCTS Committees

Audit and Risk Committee

15.1 The Committee Chair updated the Board on discussions at the November meeting and confirmed that the committee's post-meeting workshop sessions in 2018-19 would focus on the changes to the General Data Protection Regulations, ICMS, the SCTS Digital Strategy and Brexit.

People Committee

15.2 The Committee Chair summarised matters discussed at the November meeting and presented the Committee's Annual Report to the Board. The Committee would be involved in the continuing development of the People Strategy, which would be submitted to the Board for approval in the New Year. It was announced that Kirsty Hood QC would succeed Johan Findlay OBE, JP as Chair of the Committee.

Estates Committee

15.3 Sheriff McDonald submitted the Committee's Annual Report to the Board. This reported on the decisions made during the year which included: the approval of Business Cases for the Inverness Justice Centre and the Glasgow Integrated Tribunals Centre and the re-appointment of Arthur McKay to the next generation Facilities Management contract. The Committee also approved the estates budget priorities for 2017-18 and the list of "shovel ready" projects maintained to ensure full budget utilisation and effective use of any late release funding from the Scottish Government.

15.4 It was announced that Sheriff McCulloch would succeed Sheriff McDonald as Chair of the Committee, with Professor Hugh MacDougall taking up the position of Deputy Chair.

16. Any Other Business

16.1 None.

16.2 In closing the meeting, the Chair thanked Sheriff Iona McDonald and Johan Findlay OBE, JP for their contribution to the Board and its Committees over the last 8 years as their tenure was due to end on 31 December 2017.

17. Papers for Scrutiny/Exception Reporting Only

17.1 The following papers had been circulated for scrutiny:

- Court Programming
- ICT High Level Risks
- the SCTS Decision Tracker

No matters were raised by exception.

18. Date of the Next Meeting

18.1 Monday 5 February 2018 in Parliament House, Edinburgh.

Scottish Courts and Tribunals Service
December 2017