

Meeting: Redress Scotland Oversight Board**Date:** 13th March 2023 13.45**Location:** Stirling Court Hotel, Stirling and on MS Teams**Minuted by:** Diane Piper (DP)**In attendance**

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| • Bill Matthews(WM) | (Redress Scotland Oversight Board Deputy Chair) |
| • Paul Edie (PE) | (Redress Scotland Oversight Board Member) |
| • Neil Mackay (NM) | (Redress Scotland ARAC Member - Observer) |
| • Roy McComb (RM) | (Redress Scotland Oversight Board Member) |
| • Anne Houston | (Redress Scotland Oversight Board Member, Panel Member) |
| • Lynne Harvie (LH) | (Redress Scotland Panel Member, ARAC Member, OB - Observer) |
| • Joanna McCreadie (JM) | (Redress Scotland Chief Executive) |
| • Michelle Nairn (MN) | (Redress Scotland Head of People) |
| • Mike Reid (MR) | (Redress Scotland Finance Manager) |
| • Gary Gallacher (GG) | (Redress Scotland Head of Operations) |
| • Melanie Lowe (ML) | (Redress Scotland Policy & Engagement Lead) |
| • Ian Donaldson | Deputy Director |

By Invitation**Item 8**

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| Alan Henderson (Alan H) | (Redress Scotland Operations Manager) |
| Rachael Boyle (RB) | (Redress Scotland Engagement Lead) |

Not in Attendance

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| • Emma Lewis(EL) | (Redress Scotland Oversight Board Member, Panel Member) |
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Agenda item 1. Welcome, apologies, conflicts of interest and appoint Survivor Voice

The Chair (WM) opened the meeting welcoming all present. The board acknowledged the retirement of Johnny Gwynne (JG) as Chair and acknowledged the enormous contribution he made in establishing Redress Scotland.

WM specifically welcomed Ian Donaldson (Deputy Director from the sponsor unit) to his first meeting.

One apology, Emma Lewis, was noted.

Conflicts of Interest : it was noted that there were items, such as the data on panel member earnings etc., that could be construed as a potential conflict of interest for most (if not all) of the participants. Members agreed that they should take the items of business as listed but remind themselves of the potential perception of conflict before the discussion took place.

Following the departure of JG several changes to the governance structure were proposed. As the Interim Chair of the Oversight Board WM can no longer chair the Audit and Risk Assurance Committee (ARAC) and the following changes were agreed :

- Colin Spivey will become Interim Chair of the Audit and Risk Assurance Committee, which will now comprise Colin Spivey, Lynne Harvie, Neil Mackay and a new ad-hoc member;
- In addition to her role on ARAC, Lynne Harvie will also temporarily join the Oversight Board;
- we will temporarily suspend the requirement to automatically rotate out Panellist Members of Governance Committees after serving an 18 month term, thus providing better continuity until a new Chair can reassess the composition of our boards;
- Catherine Dyer, currently Chair of the Audit and Accountability Committee at the Police Investigations and Review Commissioner (PIRC), will join temporarily as an ad-hoc member of ARAC; and
- these temporary arrangements will last until a substantive Chair is in place. The potential timing for that recruitment exercise will be advised once we have further information from our sponsor unit at the Scottish Government.

The Oversight Board will therefore comprise :

Bill Matthews (Interim Chair)
Paul Edie
Lynne Harvie
Anne Houston
Emma Lewis
Roy McComb
Colin Spivey

ARAC will comprise :

Colin Spivey (Interim ARAC Chair)
Catherine Dyer
Lynne Harvie
Neil Mackay

The members confirmed their agreement to these proposals.

Mel Lowe was appointed the survivor voice for the duration of the meeting.

Agenda item 2. Minutes of the previous meeting 26th January 2023

The minutes of the previous meeting were agreed as an accurate record of the meeting.

Following discussion, members agreed that the minutes of the Oversight Board would be circulated to team and panel members after they have been reviewed by BM. This will ensure information about governance is being widely shared across the public body.

Action: DP to share minutes with members immediately following approval by the Chair.

Agenda item 3. Matters Arising

All matters arising from the minute on the 26th January were on the agenda or will be covered under the workplan.

Agenda item 4. Report from the Chief Executive

JM presented some of the key points from the CE report. The report provides an update on the work contained within the corporate plan. JM noted JGs resignation as Chair and acknowledged the support he provided to both the organisation and to the CE personally.

JM highlighted that the report included discussion of the need to begin work on Redress Scotland's longer term legacy. It was also noted that our experience may be useful for other survivor schemes.

Operationally there is a new updated dashboard. The number of applications currently with Scottish Government is approximately 1500. The rate of completed applications being sent to Redress Scotland has increased which is impacting on our KPI of making decisions within 30 working days. A new error has come to light and a material error has been identified. Both are currently being investigated and managed.

The Practice Development Group continues to make progress and a working group on emotional abuse and neglect has been established.

Meetings with the Joint Collaboration Board have continued. At the most recent meeting Redress Scotland presented a paper on redaction based on feedback from panel members. Scottish Government are developing policy and practice in this area. Following on from the Joint Collaboration Board the Scottish Government are considering making changes and are also preparing a report on this area of work for the next meeting.

Scottish Government have shared their dashboard information with us providing access to the whole spectrum of data from point of application to award.

Three external engagement sessions have taken place, one for solicitors working with survivors and two for and those organisations which support survivors. Feedback is that these were well received.

We will start reporting against KPIs in the new financial year and it was noted that there will be a second page on the dashboard specifically for reporting KPI's.

In conclusion, WM confirmed that the organisation does have solid arrangements in place to cover until such time as a new chair is appointed. There has been positive feedback from survivors directly to the Deputy First Minister and we will ensure that the positive feedback is relayed back to the corporate body.

Agenda item 5. Framework document

WM advised that the framework document is based on a standard template for use between Scottish Government and all non-departmental public bodies. There is limited scope for significant adaption. It was noted that legislative provisions will always take precedence over the framework document. Several points were considered worthy of note, the first being the lack of recognition of the survivor voice and there is no note of the wider body corporate responsibilities.

ID reminded members that this was a framework document not an agreement and as such is not a contract.

It was also noted there were several spelling and grammar errors to be addressed. It was agreed that a short list of suggestions be drafted referencing, survivor voice, the role of the corporate body, and cross reference with the Rules of Procedure.

It was also questioned if the corporate body should be signing this for the organisation. JM will take legal advice on this point.

Action: JM to prepare a summary of the key points for further consideration and circulate these to the members before forwarding to the sponsor team.

JM to seek legal advice to clarify who has the authority to sign off on the document.

Agenda Item 6. Accountable officer review

WM reminded the board that the content of the paper could give rise to a potential conflict of interest as noted in his welcome address. The Oversight Board agreed that they would be aware of the potential for this and if an actual or potential conflict emerged, that appropriate action would be taken.

The paper covered in detail two areas of expenditure, the cost of governance and the cost of decision making.

In terms of the cost of governance several options were considered to reduce the number of meetings whilst maintaining the rigour of scrutiny required by the board. There was broad agreement that it would increase efficiency and effectiveness to reduce the overall number of meetings in a year. WM proposed that the current governance arrangements should be maintained until such time as a new chair is in post. It was noted however that the timescale for this is not yet clear. The current meetings timetable will be followed but with the ambition to reduce the oversight board meetings to quarterly in autumn 2023. It was noted that WM and CS should meet with JM and agree how best to allocate work and agendas over the coming months.

Action: WM/CS/JM to refine agendas and workplans for Oversight Board and ARAC

The review continued with a detailed analysis of the cost of decisions making (or panel member costs) which are a substantial part of the overall budget for Redress Scotland.

Part of the review started to address how it could be possible, and what considerations would have to be taken into account, in order to establish a cost per decision made. It was suggested that the variable costs could be considered by ARAC.

It was acknowledged that there were key questions to be addressed around the cost per decision. There was previously an assumption that panel members will undertake a minimum of one panel sitting per month, based on the days of work included in the appointment letter. However the number of days worked varies widely and this may have an impact on overall capacity and resilience.

WM agreed to take this to the panel member community for discussion. It is reasonable to expect a minimum commitment from panel members and regularity of availability.

Action; Analysis of costs as related to cost per decision to be considered further by ARAC.

Action; WM to discuss with panel members how best to ensure regularity of commitment to panel sitting days.

Agenda item 7. Capacity

This report was presented by GG. He advised that this was an update following an agreement in December 2022 to monitor internal changes to the way panels operate and the rate of completed applications sent to Redress Scotland. GG advised that even with the streamlining of panels we are moving closer to exceeding the 30 working day KPI. The current projection is that without additional support the current 6 week time frame could rapidly reach 3-4 months. The sponsor team have been approached and have advised that an advert to recruit additional panel members is ready to go. It was noted that a minimum 5 month lead time could be expected before panel members are in place.

Following discussion on the various options and the risks the board agreed to progress with recruitment and continue the internal work to optimise capacity.

Action; JM to proceed with recruitment of panel members through the sponsor team and to continue work on capacity optimisation.

Agenda item 8. Quality Assurance and Improvement

Alan H and RB joined the meeting for this item

8.1 Quality Framework

ML advised that following consideration of various quality assurance models there was agreement to develop a more bespoke framework for the operation of Redress Scotland. This is what is being presented to the board today.

Alan H spoke to the paper highlighting the methodology which was considered in the development of the framework. The board were appreciative of the work done and liked the straightforwardness of the proposed framework. In terms of development and application, and to give assurance to the board that progress was effectively being monitored and measured, the board requested two additions. Firstly a diagram to reflect the flow of information and secondly a dashboard summary to more easily measure performance against the core questions.

Action ML /Alan H to further develop the framework by including a flowchart showing flow of information and a dashboard summary of improvements against the core questions.

8.2 Survivor Impact Assessments

ML advised that at the December meeting the board requested that we look at how to capture the impact of our policies and governance decision making on survivors and to find a way of systematically recording these. The paper presented provides various approaches as to how this can be effectively managed.

RB spoke though the 3 approaches presented.

The board were pleased with the work undertaken and agreed to pursue options 1 & 3. These will be piloted immediately and an update will come to a future OB meeting.

Alan H and RB left the meeting.

Agenda item 9. Finance

MS spoke to the key results presented in the report advising that the figures were as expected. WM confirmed that future reports will contain a more detailed breakdown.

MS advised that the internal audit is progressing well on the four key areas identified for scrutiny. To date there have been advisory recommendations around maternity/paternity pay and statutory sick pay.

Audit Scotland have been appointed as our external auditors and requested papers have been shared with them. Treasury are aiming for / expecting final presentation in August however Audit Scotland may be working to a date in November. Timelines will therefore be kept under review.

Agenda item 10. Policy approvals

The Learning and Development Policy was approved as presented.

MN spoke to the plan proposed around Whistleblowing and the changes to the policy.

The board approved the plan and the revised policy.

The plan allows for a Whistleblowing Champion from within the non- executives. WM therefore requested that notes of interest be forwarded to him directly.

Action; Any member who wished to act as the Redress Scotland whistleblowing champion to advise WM as soon as possible.

Agenda item 11. Work update

Action Tracker- this was discussed in detail and updates notes.

Work plan- noted and agreed that as the governance structure was changing and the corporate and business plans still being developed this will be redesigned to meet future work of Redress Scotland and simplified for better tracking and planning. Chairs/JM and DP to discuss.

Action; revised workplan to be developed and shared WM/CS/JM/DP

Agenda item 12. Any other competent business

None

Agenda Item 13. Review of Meeting Survivor Voice

ML provided her view of the conduct of the meeting in relation to the perspective of the survivor. ML noted that every piece of work presented made specific note of the survivor. The capture and sharing of positive feedback of the scheme was welcomed and the full discussion around capacity and its potential to impact on the survivor experience of the scheme.

Survivor Impact Assessments are a key piece of work putting the survivor at the heart of our work.

WM thanked everyone and in particular ID for their time and participation .

The meeting ended at 4.45pm