

Meeting: Redress Scotland Oversight Board

Date: 16th August 2023 1000- 1430

Location: The Scottish Criminal Cases Review Commission (SCCRC), Portland House,
17 Renfield Street, Glasgow G2 5AH

Minuted by: Diane Piper (DP)

In attendance

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| • Bill Matthews (WM) | (Redress Scotland Oversight Board Deputy Chair) |
| • Colin Spivey (CS) | (Redress Scotland Oversight Board Member, Audit Risk and Assurance Committee Interim Chair) |
| • Roy McComb (RM) | (Redress Scotland Oversight Board Member) |
| • Paul Edie (PE) | (Redress Scotland Oversight Board Member) |
| • Emma Lewis (EL) | (Redress Scotland Oversight Board Member, Panel Member) |
| • Anne Houston (AH) | (Redress Scotland Oversight Board Member, Panel Member) |
| • Lynne Harvie (LH) | (Redress Scotland Panel Member -Interim Oversight Board Member and Audit, Risk and Assurance Committee Member) |
| • Joanna McCreadie (JM) | (Redress Scotland Chief Executive) |
| • Michelle Nairn (MN) | (Redress Scotland Head of People) |
| • Mike Stevens (MS) | (Redress Scotland Head of Finance & Resources) |
| • Gary Gallacher GG) | (Redress Scotland Head of Operations) |
| • Melanie Lowe (ML) | (Redress Scotland Head of Policy & Improvement) |

Not in Attendance

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| • Ian Donaldson (ID) | Deputy Director |
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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 Chair noted thanks to Scottish Criminal Cases Review Commission for use of their premises for this meeting and also to Children's Hearings Scotland for the use of their premises yesterday.

Apologies;

Apologies from Ian Donaldson were given in advance.

Conflicts of Interest

None noted.

Survivor Voice

PE was appointed the survivor voice for the duration of the meeting.

Agenda item 2. Minutes of the previous meeting 14th June 2023

The minutes of the previous meeting held on the 14th June were agreed as an accurate record of the meeting.

Agenda item 3. Matters Arising

All matters arising would be picked up during the meeting or under item 12, work update.

Agenda item 4. Report from the Chair

WM reported that he and JM met yesterday with representatives from the Northern Ireland redress scheme adding that the meeting was very useful and a good relationship has been established.

Panel member appraisals have been really worthwhile. WM thanked JM and all involved in the preparation of the material and statistics which supported the process.

WM has met with Andrew Watson, Director of Children and Families and advised that he will also be meeting with Neil Rennick, new Director General, previously Justice Director.

The first of 29 interviews for panel members start in early September and continue until the end of October.

The Deputy First Minister has signed off the appointment of our new Chair, with a possible start date of the 18th September. WM noted that the appointment the new chair will coincide with the timing of a refresh of the composition of the Oversight Board and Audit Risk and Assurance Committee.

Agenda Item 5. Update from the Audit, Risk and Assurance Committee on the 28th July 2023

CS provided an update from last Audit Risk and Assurance Committee meeting where the main business covered was a detailed review of the annual report and accounts. CS reminded the board that the committee's role is to scrutinise the draft and provide advice to the accountable officer and the team. The timetable is complicated as we are affected by Audit Scotland's timeframe. The committee were impressed with the proposed document presentation and were pleased to hear that consideration has been given to survivor's views of the report.

The committee undertook a page turn of the draft document and a significant number of minor points were raised. There were specifics that ARAC had questions on, some for clarification and some questions for the auditors to respond to.

CS concluded his update by thanking all committee members for supporting him in his interim Chair role.

JM confirmed that the risks highlighted in the recommendations section will be incorporated in the strategic risk register which is due for review at next round of meetings.

Agenda item 6. Annual report and Accounts

6.1 Annual Report and Accounts

JM advised that the paper presented is the updated draft following the Audit Risk and Assurance Committee meeting on the 28th July 2023. The recommendations section is the result of extensive work with both Redress Scotland and Scottish Government.

JM is keen that after today we have a last round of editing so that what is presented to the AGM is the final draft.

Several suggestions were noted and members were asked to forward any minor amendments directly to JM.

Members also agreed that the recommendations are well drafted and appropriate.

6.2 Draft resolution for endorsement of the annual accounts.

WM advised that due to complex timings of signing off the accounts that the proposal is to agree this resolution at the AGM.

All members agreed with the resolution which will be presented to the AGM.

Agenda item 7. Report from the Chief Executive

JM expanded on several key points from her report:

- A useful workshop around recommendations for improvement of the scheme was undertaken with Scottish Government. There was a general consensus around the areas that are now included in the annual report and accounts.
- There has been a shift forward in work on the Survivor Forum with 4 direct engagement sessions planned to take place before Christmas.
- Scottish Government have responded to JM's letter on the practice of removing information from applications. A number of questions have been asked to increase our understanding of this practice. Redress Scotland will continue to highlight where this has occurred and the implications for panel members and survivors.
- There was discussion around the staff time involved in managing and responding to the effects of incomplete information and the impact in terms of waiting time for survivors. Members noted that this was potentially inefficient and incurred additional costs for the scheme.
- The Dashboard report reflects the high volume of applications now being received at Redress Scotland. The impact of this is that our key performance indicator (KPI) for turnaround of applications is no longer being met and a backlog is developing. There was discussion around the KPI was and the need to add up to date information on the pace of decision making to the website.
- There is an increase in the number of reconvened panels. JM will raise this matter with Scottish Government.
- A material error was noted. This is the second to have been identified in over 800 applications processed. In order to ensure there is learning from this JM will draft an anonymised report for sharing with panel members and training will be developed.
- Work has started on the planning for of the closure of the scheme. In terms of the staff team It is a complex situation as employees are not civil servants. There will also be costs associated with closure. It is also important that we consider the legacy of the scheme. More work will be undertaken and will come to future board meetings and this item will be added to the risk register.
- The practice standards for panel members are now signed off having been considered fully by the Practice Development Group.

- Members of the team have been in discussion with other schemes across the world these include Northern Ireland, Lambeth and Australia.
- Agreement has been reached that working arrangements for panel members will move to hourly recording of time.
- Wellbeing of staff and panel members is always being considered with the risk of negative impact and vicarious trauma. Additional support services will be considered as support for the team.

Approval of Redress Scotland Business Plan

This paper is the product of discussion and deliberation at team and board level and was previously circulated before coming before the board for approval. All suggestions have been considered and members were content to approve the business plan in its final format.

Agenda item 8.a. Capacity in the Redress Scotland team

GG presented his report on the capacity of the team at Redress Scotland to support increases in the number of applications, panel members and sitting days. There was a discussion about the challenges of ensuring that capacity matches demand when that demand is difficult to predict.

Members of the Oversight Board noted that Redress Scotland is no longer meeting the agreed KPI in relation to the number of days for completing decisions and that the pace of the decision making is slowing further. This is due to a combination of increased numbers of applications and that the recruitment of new panel members has not been completed. WM raised the point that setting a KPI that is appropriate, sensitive to the needs of survivors and can be delivered in the context of unpredictable demand is challenging and will need further consideration by the senior management team and the Oversight Board.

CS highlighted the importance of ensuring that all options have been considered in relation to optimising capacity to ensure that any additional posts are matched to both short and longer term demand on Redress Scotland. Further work on the available options will be completed for the Oversight Board in September and these will use the best available data for forecasting demand. In the interim, recruitment of the two panel support co-ordinator posts that have already been agreed will be taken forward.

Actions: GG to prepare an options appraisal for the Oversight Board in September; GG and MN to take forward recruitment of two panel support co-ordinators.

Agenda Item 9. Finance

MS advised that the finance team have been able to prepare period 4 results and not period 3 as noted on the agenda.

MS advised there is an underspend of approximately £40k per month. The reasons for this are twofold: we are still not staffed to full capacity and non-executive directors are not being employed 3 days per month as expected.

Work is due to commence on the budget review process which will link into work on capacity planning.

Agenda Item 10. Change to staff terms and conditions

MN presented a paper outlining the case for a move to a 35 hour week.

Members were supportive of the change and asked for clarification on the implications for part time workers. MN confirmed that the process of how we will handle this will be done with trade union and staff during consultation.

MN also confirmed that this change was for staff only and panel members, as they are ministerial appointments, are not included.

During discussion it was noted that the process for approving changes to staff salaries would come to Oversight Board and then to Scottish Government for ratification.

Action; MN to progress the move to a 35 hour week

Agenda Item 11. Policy Approvals

11.1 Equality and Diversity Policy

MN advised that since circulation it has been noted that due to the size of the organisation there is no legal requirement to publish our results but we will report internally.

Details of how to raise a complaint will be included and that the policy applies to staff.

The policy was approved subject to the above noted changes.

11.2 Equality and Diversity Report

MN advised that this was the first time we have produced this report. As was previously noted, due to the low numbers involved the report will not be made public.

Members thanked MN for this piece of work adding it was good to see our data benchmarked against Scottish wider data.

11.3 Disciplinary, Capability and Dismissal Policy and Procedure

MN advised that disciplinary, capability and dismissal has been combined into one policy. Given the nature of the content the policy has been scrutinised by our legal advisors. One omission has however been picked up in relation to any issues which might relate to the Chief Executive, in which case the matter will be referred to the Chair of Redress Scotland.

The policy was approved by members subject to the inclusion of a section on the Chief Executive. Final sign off will be by the Interim Chair, WM due to the significance of this policy.

Agenda Item 12 Work Update

12.1 Action Log Update

A detailed review of the action log was undertaken and the log updated.

12.2 Work Plan Update

The work plan was noted and will be reviewed fully at a future meeting.

Agenda Item 13. Any other competent business

Redress Scotland has the survivor at the heart of all our activities and the question was asked if it was necessary to have a survivor impact assessment section on the front sheet of all papers to the board. There was a suggestion that a note is made within each report that the survivor is at the heart of all our work. This change was agreed.

Members also agreed that the question of how well survivors were considered within governance would be part of the board self-evaluation session.

Agenda Item 14. Review of Meeting, Survivor Voice

PE summarised the meeting with particular reference to the view of the survivor. The discussion on the annual report included scope for incorporating the survivor voice, and all the recommendations have been prepared with the survivor at the heart.

The CE report highlighted the challenges of making decisions based on incomplete information and the organisations concern of delays impacting on the survivor.

There were similar concerns when discussing capacity, the increasing backlog of applications and the number of reconvened panels.

PE noted the work that commencing on the legacy of the scheme and that there will be focus on capturing survivor stories.

Finally, the business plan definitely focussed on the survivor.

WM thanked everyone for their contributions to the meeting and there being no other business the meeting concluded at 1420.