

# **RISK MANAGEMENT AUTHORITY**

## **Board Meeting**

**18 September 2017, RMA, Paisley**

### **Board Meeting Minutes**

#### **Present**

Mr David Crawford (Chair)  
Prof. Hazel Kemshall  
Mr Stephen Swan  
Dr Katharine Russell  
Ms Jane Davey  
Dr Aileen Burnett

#### **In Attendance**

Ms Yvonne Gailey, Chief Executive  
Mr Paul Keoghan, Director of Business Performance  
Ms Sharon Hume, OLR Case Worker (points 6 to 17)  
Ms Heather Irving, Head of Delivery (points 6 to 24)  
Miss Adele Ahmet, OLR Case Worker (points 6 to 17)

#### **Welcome**

1. The Chair extended a warm welcome to all present.

#### **Apologies**

2. The Board noted apologies from Mr Chris Hawkes and Mr Terry Powell.

#### **Declarations of Interest**

3. The meeting was called to order and Members asked for any declarations of interest, of which there were none.

#### **Approval of Previous Minutes**

4. The minutes from the Board meeting held on the 21st of August 2017 were noted and approved by the Board.

#### **Matters Arising**

Point 5 is redacted from the public minute – Data Protection

#### **RMP and AIR Business**

6. Staff members Ms Irving and Ms Hume and Miss Ahmet joined the meeting.
7. Prof. Kemshall presented the Risk Management Plan cases being considered by the Board for approval.

Points 8-13 are redacted from the public minute – Data Protection

### **OLR Performance Report – Board Paper 630**

14. The Director of Business Performance introduced this report, which provided figures until the end of August 2017. Key items to note were as follows:
  - 7 Risk Assessment Orders have been issued by the High Court since April;
  - There are currently 159 offenders subject to an OLR;
  - The punishment part has expired for 62% of the OLR population;
  - There are currently 8 Annual Implementation Reports (AIRs) pending review, with 57 due for submission before the end of the year.
  - 9 of the 15 Accredited Assessors are currently available to the High Court.
15. The Director reported that following previous agreement with the Board the formal quality assurance process governing risk assessment reports has now ceased. The Board acknowledged the change to this procedure noting assurance on the quality of risk assessment reports can be achieved via both the RMP Approval and Accreditation process.
16. The Board noted the report and discussed the implications of expired punishment parts upon the sentencing and on-going management of offenders. The Board thanked staff for the positive performance outlined in this report.
17. Staff members Ms Hume and Miss Ahmet left the meeting.

### **RMP Approval Process – Board Paper 631**

18. The Chief Executive and Head of Delivery introduced this paper, which proposed an updated model for Risk Management Plan approval. The Board were advised that this proposal marked a shift in emphasis; developed to be more closely aligned to the overarching intention for the Board to delegate the powers of RMP approval to staff.
19. The Chief Executive outlined the key stages of the proposed RMP Approval process as follows:
  - Level 1
    - OLR case worker would evaluate RMPs and make a recommendation on approval / rejection
    - the RMP together with the case worker evaluation would be submitted to Head of Delivery, who would make a decision to approve/reject or escalate the RMP.
  - Level 2
    - cases involving greater levels of difficulty or complexity would be escalated to the Chief Executive, who would review the full case and make the decision on whether to approve/reject or escalate.
  - Level 3
    - matters which are identified to be of critical concern or have reputational impact will be escalated to the Board.
    - matters which require the issuance of a Direction will be submitted to the Board.

20. It was highlighted that the proposed process allowed for Board members to be accessed by staff at any stage of the process for general advice and guidance.
21. The Board were advised that an initial implementation plan would be operated to support the new process, to allow progress to be reviewed and to provide assurance. An initial 6-month period would involve the Chief Executive checking all cases; and each month a sample case would be provided to the Board for review, to ensure the Board were content with the decisions made. Going forward, delivery of the new process would then involve the Chief Executive checking a percentage of all level 1 cases considered by the Head of Delivery.
22. The Board discussed the proposal and were agreed that the process was a much leaner solution than that previously considered. The Board noted the process of delegating decision making to staff was both legal and defensible. The Board were conscious of the impact of the new process upon the Chief Executive, commenting on the burden of work being shifted and what this would involve. To this end, the Board highlighted the importance of quality assurance within the process to ensure on-going robust decision making. The Board also noted that the new process should consider the impact upon new Board members, as their involvement in RMP approval would become less frequent, thus making it more difficult for them to build up knowledge on the approval process.
23. The Board **approved** the proposal in principal, agreeing the new process was a step in the right direction. They were assured by the implementation plan including a period of testing to provide an opportunity for scrutiny and challenge. The Board stressed the importance of taking time to implement these changes to ensure it was done correctly. It was noted that staff would draft detailed procedures to support the proposed process and that these procedures would be presented to the Board for review prior to implementation.

**Action Point: Head of Delivery**

24. The chair of the meeting reverted to Mr Crawford. Ms Irving left the meeting.

### **Accreditation Governance**

25. There were no governance matters to report. It was noted that an Accreditation Committee would be held today, chaired by Prof. Kemshall on an interim basis, as the Accreditation Chairperson position remained to be filled.

### **Policy and Research**

#### **Development Team Report – Board Paper 632**

26. The Head of Development introduced this paper, noting it was the first Development team report produced for the Board. An overview was provided to the Board, highlighting the activity undertaken against key statutory functions. Attention was drawn to the various working groups that the RMA contribute to, with recent work concerning items such as streamlining the form of risk management plan across the OLR, LS/CMI system and MAPPA guidance; LS/CMI working groups that consider the development of the system, quality assurance and technical support; and the RMA's contribution to the Scottish Government's response to the recommendations made by the Care Inspectorate and Police Inspectorate on the MAPPA inspection (involving the

development of minimum practice standards to support consistent practice). Other work highlighted included the delivery of risk practice training, with 4 courses planned this year for criminal justice social workers and 3 police practice courses; plans for learning evaluations of this training; a review of risk of serious harm using LS/CMI data; and the literature review plan that has been developed for the RMA's internet offending research proposals.

27. The Board noted the report and thanked the Head of Development for an informative and welcome presentation.

### **Standards and Guidelines**

28. There were no matters to report.

### **Training**

29. There were no matters to report.

### **Corporate Business**

#### **Annual Report and Account 2016-17 – Board Paper 633**

30. The Director of Business Performance advised the Board the finalised annual report and accounts had been approved by the Audit Committee, a response statement had been received from the Auditor General and that the report would now be laid before Parliament prior to publication on the RMA website.
31. The Director highlighted to the Board following key financial elements of the report:
- i. The RMA operated within the grant in aid fund of £985,000 for 2016-17;
  - ii. The RMA received additional funding of £75,000 to deliver risk practice training;
  - iii. Total general expenditure costs amounted £1,072,000 with salary costs remaining the largest expense item amounting to £805,000 (75%) of total expenditure;
  - iv. Investment in new assets amounted to £6,000 which related to upgrade of desktop PCs to laptops;
  - v. No incidents of known/suspected fraud were reported during 2016-17;
  - vi. The accounting policies remain unchanged from the previous year;
  - vii. A £60K provision is retained to support dilapidation costs for premises previously occupied by the RMA;
  - viii. The accounts note a contingent liability in relation to a legal dispute;
  - ix. Total reserves amount to £402,000.
32. The Director reviewed the external auditor recommendations, which included the on-going litigation claim against the RMA as noted as a contingent liability in the annual report and accounts. The Board were provided an update on the legal proceeding and informed a hearing was scheduled for 26<sup>th</sup> September. A further update would be provided after the hearing date.

33. The Board were advised that auditor recommendations concerning on-going funding issues were being taken forward, with a baseline budget scheduled to be submitted to the Sponsor Department this month, followed by a meeting in October.
34. The Chief Executive advised that an amended Corporate Plan would be provided to the Board in due course, for subsequent submission to the Sponsor Department for their consideration and approval.
35. The Board noted the annual report and accounts for 2016-17.

#### **Revised Business Plan 2017-18 – Board Paper 634**

36. The Board were advised the Sponsor Department had made recommendations for changes to the RMA Business Plan 2017-18. These concerned an invitation to pursue accreditation as a living wage employer and participation in a CESPLS research project on board governance and diversity.
37. The Board noted the administrative requirements of living wage accreditation and highlighted the importance of having arrangements to ensure on-going compliance and the implications it would have on contracts and procurement.
38. The Board were content with the business plan amendments and agreed that the RMA should seek accreditation as a living wage employer.

**Action: DBP**

#### **Parole Reform in Scotland: a consultation – Board Paper 635**

39. The Chief Executive advised the Board of an opportunity to provide contributions to the Parole Board consultation: Parole Reform in Scotland. The consultation is open until the 13<sup>th</sup> of October and covers a broad range of subjects concerning governance, administrative matters and legislative change. The Chief Executive is currently drafting an RMA response to the consultation and, as part of that process, invited Board members to communicate any contributions they wish to make to her, so that those points could be incorporated into the RMA response.

#### **Scottish Government Review of Board Diversity and Governance – Board paper 636**

40. The RMA Convener has been asked to participate in a Board diversity and governance research project being run by the Scottish Government and Commissioner for Ethical Standards in Public Life in Scotland. This consists of a questionnaire that seeks to collate information on self-assessment tools, challenges faced by the RMA Board in harnessing diversity; and tool and techniques used by the RMA Board.
41. The Board were agreed that a response should be provided to the research project. A draft response was provided to the Board, which will be finalised and sent on the Convener's behalf by the Chief Executive.

**Action Point: Chief Executive**

#### **Training and Events Bulletin – Board paper 637**

42. The Board's attention was drawn to the training and events bulletin and advised that they should submit a training and development request if they wished to attend any of the opportunities listed. The Board suggested two additions to the list, these being training events provided by the Forensic Network during late September on internet offenders and the Stalking Risk Profile.

### **Committee Minutes**

43. There were no matters to report.

### **Any Other Business**

44. There being no other business the Chair thanked those present and brought the meeting to a close.

### **Date of Next Meeting – October 2017**