

RISK MANAGEMENT AUTHORITY

Board Meeting Minutes

16 August 2021, Video Conference

Present

Mr David Crawford - Chair
Dr Aileen Burnett
Ms Jane Davey
Mr Stephen Swan
Mr Stephen McAlister
Mr Jim Farish
Dr Joe Judge
Ms Michele Gilluley
Mr Terry Powell (joined meeting from para 8.1)

In Attendance

Mr Mark McSherry, Chief Executive
Mr Paul Keoghan, Director Corporate Services
Mr Geoffrey Tordzro-Taylor, Head of Development
Ms Lesley Weber, Head of Effective Practice
Mrs Debbie Campbell, Head of OLR

Welcome

1. The Chair called the meeting to order at 11:00am and welcomed all present.

Apologies

2. The Chair noted no apologies were submitted.

Declarations of Interest

3. The Chair called for declarations of interests and noted none were raised.

Approval of Previous Minutes

4. The Board noted the title for Mr Judge was incorrect and requested this be amended to Dr Judge.
Action: DCS
5. Subject to the above amendment Members approved the minutes of the Board meeting held on the 28 June 2021.

Matters Arising

6. The Chief Executive provided the Board with a verbal update on planned return to office. The Chief Executive confirmed that following easing of COVID restrictions a phased return to office will commence from 30 August. The Chief Executive also confirmed appropriate arrangements were in place and staff and trade unions were consulted.
7. The Board noted Ms Gilluley will deliver a development session to Board Members to be held on the afternoon of 18th October.

Action: MG

Agenda Items

8. Quarterly OLR Performance Report – Board Paper 907

- 8.1. Mr Terry Powell joined the meeting.
- 8.2. The Head of OLR presented the OLR Quarterly Performance Report and confirmed the number of submissions for risk management plan approval and annual implementation reports remained relatively low for the first quarter. The Board were informed assessors were currently accepting multiple risk assessment reports in order to meet court requirements. The Board also noted an increase in hospital transfer which was explained by the Head of OLR.
- 8.3. The Head of OLR updated the Board on SPS's outsourcing arrangement in relation to the preparation of amended risk management plans. The Head confirmed the contract issued by SPS provided the contractor a 13 week timescale to draft amended plans and highlighted the contractual provision did not align with RMA's requirement of 8 weeks.
- 8.4. The Head informed the Board, a combination of an SPS waiting list for amended plans and the 13 week timescale provided by SPS to the outsourced contractor will result in two specific plans failing to meet dates set by the RMA under Section 6 of the Criminal Justice (Scotland) Act 2003. The Board noted legal advice was received on the implications of failure to prepare an amended plan within the period set by the RMA and that a direction remained an option for the RMA.
- 8.5. The Board discussed the issues presented by SPS's failure to prepare amended plans within the timescales set by the RMA and agreed the Chief Executive would write to SPS seeking informal remedies. The Board also recommended Scottish Government be informed of this issue and potential implications. The Board requested the draft letter be circulated to Members for information.

Action: CE
- 8.6. The Board agreed to provisionally schedule an extraordinary meeting in September to review SPS's response on informal remedies. The Board noted the exact date of the meeting will be confirmed in due course.

Action: DCS
- 8.7. The Board noted the OLR Performance Report.

9. **Death in Custody Notification – Board Paper 908**

- 9.1. The Head of OLR presented the Death in Custody Notification paper and informed the Board the implementation of the risk management plan had been reviewed and was considered to have been implemented effectively.
- 9.2. The Head of OLR also informed the Board that SPS is currently seeking legal advice on the RMA's death in custody procedure particularly in relation to the requirement to confirm cause of death.
- 9.3. The Board noted the Death in Custody notification.

10. **Serious Incident Reports – Board Paper 909**

- 10.1. The Head of OLR presented the report on serious incidents to the Board.
- 10.2. The Head of OLR informed the Board that following recent circulation of the serious incidents reporting procedure a number of lead authorities provided updates on the occurrence of several serious incidents.
- 10.3. The Board were also informed SPS is seeking legal advice on the RMA's serious incident procedure and have advised they are suspending the submission of further updates until their advice is concluded.
- 10.4. The Board noted the Serious Incidents Reports.

11. **OLR Research – Board Paper 913**

- 11.1. The Head of OLR presented the OLR Research paper and informed the Board the research proposal was for a qualitative study on OLR progression to the community. The Head reviewed the rationale for the proposed application of exclusion criteria and answered questions on the size and construct of the cohort. The Head also reviewed the expected outcome of the study and discussed contingency arrangements.
- 11.2. The Board noted the OLR Research paper and recommended the research proposal considers a potential conflict of interest for staff involved in OLR case management.

Action: HOLR

12. **Quarterly Financial Management Report – Board Paper 910**

- 12.1. The Director Corporate Services presented the Quarterly Financial Management Report to the Board. The Director confirmed the report forecasted a small budget overspend and stated it was expected this would be brought back in line with budget subject to no additional unfunded budget pressures arising.
- 12.2. The Board noted the Quarterly Financial Management Report.

13. **Quarterly Business Plan Performance Report – Board Paper 911**

13.1. The Director Corporate Services presented the Quarterly Business Plan Performance Report for the Board to note.

13.2. The Director informed the Board all business plan objectives were on target with the exception of the proposed study of OLR offenders under the age of 25. The Head of Development informed the Board the scope of this objective is currently being reviewed and the study is expected to commence in 2022/23.

13.3. The Board noted the Quarterly Business Plan Performance Report.

14. **Corporate Risk Register – Board Paper 912**

14.1. The Director Corporate Services presented the Corporate Risk Register and informed Members one risk item had changed since the last review. The Director informed the Board the reasons for the escalation in risk and planned actions to manage the risk.

14.2. The Board noted the Corporate Risk Register.

15. **Risk Matrix – Board Paper 914**

15.1. Mr Farish presented the Risk Matrix item to the Board explaining the risk matrix provided an alternative way to monitor corporate risks.

15.2. The Board noted the risk register contained a substantial number of risks and agreed to host a seminar to assess the Board's risk appetite in order to support the development of a more strategic focused risk register.

Action: DCS

16. **Audit and Assurance Committee Membership – Board Paper 915**

16.1. The Director Corporate Services presented the report and informed Members the paper sought the Board's approval for the nomination of Jane Davey to the Audit and Assurance Committee.

16.2. The Board noted the paper and approved Jane Davey as a member of the Audit and Assurance Committee with immediate effect.

17. **Audit and Assurance Committee Minutes – 15 February 2021**

17.1. The Board noted the Audit and Assurance Committee Minutes from the 15 February 2021 meeting.

18. **Accreditation Committee Minutes – 14 May 2021**

18.1. The Board noted the minutes from the Accreditation Committee meeting held on the 14 May 2021.

Items for Noting

19. Papers added to Resources List

19.1. The Board noted the papers added to resources which included CPD opportunities; Safer Community Justice Brief for June and July; Standards Commission Newsletter and the Assist Bulletin.

AOCB

20. National Care Service Consultation – Board Paper 916

20.1. The Head of Effective Practice presented the National Care Service Consultation paper to the Board. The Board were informed of the main aims of the consultation and to consider the implication of the inclusion of justice social work.

20.2. The Board noted the paper and expressed interest in attending staff focus groups and agreed to convene an extraordinary Board meeting in September to considered the RMA's proposed response to the consultation.

Action: HEP

21. The Chief Executive provided a verbal update to the Board on an OLR research project being conducted by the University of Glasgow and confirmed the RMA will participate in the research project.

22. The Chair noted Stephen Swan's retiral from the Board and thanked him for his valuable service as a Board Member.

Date of Next Meeting

23. The Chair noted the date for the next Board meeting is scheduled for 18 October 2021.

24. The Chair thanked everyone for attending and closed the meeting at 2:00pm.