

RISK MANAGEMENT AUTHORITY

Board Meeting

16 December 2019, RMA, Paisley

Board Meeting Minutes

Present

Mr David Crawford - Chair
Dr Aileen Burnett
Mr Stephen McAllister
Ms Jane Davey (teleconference)
Mr Terry Powell
Mr Chris Hawkes
Ms Michele Gilluley
Mr Stephen Swan

In Attendance

Mr Mark McSherry, Chief Executive
Mr Paul Keoghan, Director Corporate Services

Welcome

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

Apologies

2. There were no apologies.

Declarations of Interest

3. There were no declarations of interest.

Approval of Previous Minutes

4. Members reviewed and approved the minutes from the Board meeting held on the 21st of October 2019.

Matters Arising

5. The Chief Executive confirmed that he would provide a full update on the RMA's involvement in supporting Scottish Government to update Home Detention Curfew processes at today's meeting; and also provide details of the recent changes to the RMA staff group.
6. The Chair advised Members that following the last meeting, he had discussed succession planning with Scottish Government and outlined the potential solutions identified by the Board to space out future appointments. The Scottish Government confirmed they were supportive of this process and that it was for the RMA to decide on the best approach to its succession planning. It was subsequently agreed that

individual discussions will be held with Members at appraisal time in April/May to record their future intentions; and this information will then be used to inform new succession planning arrangements, including the potential staggering of appointments to minimise disruptions to the Board's function.

RMP Evaluation Procedure - Board Paper 797

AIR Evaluation Procedure – Board Paper 798

7. The Chief Executive provided the Board with an overview of the updated procedures for risk management plan (RMP) approval and annual implementation reporting (AIR). The new procedures seek to create a more consistent and formalised approach for various aspects, including how feedback is provided to lead authorities on draft plans; setting specified timescales for amended and revised plans; and guidance on how the RMP and AIR procedures interact with each other – an example of this being a proposal for staff to undertake implementation evaluations at the time of reviewing RMPs submitted for approval.
8. The Board were reminded that the Scottish Prison Service (SPS) had also recently introduced a number of changes to their processes, to provide oversight arrangements that include senior staff reviews and quality assurance checks on RMP submissions. The RMA contributed to the design of those processes and to the delivery of case manager training; and staff had reported improvements in the quality of submissions received as a result of the changes.
9. The Board reviewed the RMP and AIR procedures and fed back that the new arrangements were difficult to follow in parts. As such, it was agreed that the Head of Risk Practice would deliver a session for Members at the next meeting, to walk through the procedures in detail and thus aid fuller understanding of the proposed changes. Members were asked to let staff know if they wanted particular aspects covered at this session. A decision on these procedures was therefore deferred to February's meeting.

Action Point: HeadRP

10. Members highlighted that it was important for them to retain a working knowledge of the RMP approval process, to ensure that level 3 approval cases were dealt with efficiently and appropriately. It was noted that a low instance of level 3 cases could reduce Members' exposure to case work over time, hence it was requested that cases of some interest were tabled periodically to maintain skills and bolster continuity in the absence of regular level 3 cases.

Action Point: CE

11. The Board raised a query on the backlog of AIRs as reported in the OLR report (Paper 802). The Board were advised that plans had been put in place to have the backlog cleared by June 2020 - performance in this area has been impacted by staffing levels, however it is anticipated that training development team staff to support the AIR process together with the provision of overtime and expected return to full complement of OLR case workers from mid-January will resolve matters. The Board noted OLR case volumes are expected to continue to increase and this is monitored carefully by management to inform workforce planning. Current and projected volumes indicate a present requirement for an additional OLR case worker, therefore a business case will be prepared and submitted to the sponsor department in the coming months.

Accreditation Governance

12. There were no matters to report.

Standards and Guidelines

13. There were no matters to report.

First Grant of Temporary Release – Board Paper 799

14. The Chief Executive advised the Board of an approach from the Scottish Government's Community Justice Division for the RMA to be involved in a review of the First Grant of Temporary Release (FGTR) process. The scope of the review is still to be determined, so the proposal at this stage would be for the RMA to contribute to preliminary discussions.
15. The Board discussed the approach, highlighting the commonalities between life sentences and the OLR sentence. Members welcomed involvement in the FGTR process in principle and were content for staff to contribute to the discussion, as it appears to be aligned with RMA functions. However, Members also highlighted that the review could identify a wide range of potential roles for the RMA, some of which would require a significant shift away from the RMA's current independent, non-operational standing. Staff confirmed that they would attend the discussions and keep the Board informed of developments.

Half Year Financial Performance Report - Board Paper 800

16. The Director introduced the half-year financial report, drawing the Board's attention to the following:
 - a. As reported previously, the RMA has accounted for a budget underspend of £40k, which has been transferred to capital projects. This action has been approved by the Sponsor Department.
 - b. The running half year balance contains a £15k underspend, and further underspends to budgets have also been identified, owing to a reduction in fibre optic line rental costs from £14k to £4k per annum; and an additional grant of £32k being received in relation to pension cost increases. The management team are currently developing expenditure options, with the intention being to utilise the full budget provision by year end.
 - c. Work on the office lease has progressed, with the lease arrangements now secured. The landlord will therefore commence renovation work to develop a training facility within the RMA's premises in January 2020.
17. The Board noted the contents of the financial update report.

Business Plan Performance Report and C.E Update – Board Paper 801

18. The Chief Executive provided an update on progress against the business plan's strategic objectives, advising that work on the internet offending project will now continue in earnest from January, running in tandem with external developments concerning MFMC; and that progress to date against the research strategy had been impacted by two vacant research officer positions and the RMA's involvement in HDC. The Board were advised that the HDC deliverables were now largely concluded, hence proposals were currently being developed to review the RMA's research

function afresh, including the scoping of research on areas such as the OLR and progression trajectories. The research strategy will be brought back to the Board for review in due course and is likely to extend into the new financial year.

19. Work on the engagement strategy for local authorities has continued during the last quarter, with the production of a management report that maps out the current processes and issues, along with a set of recommendations for future arrangements. This activity has provided details of the various support mechanisms provided to local authorities but also identified that there are gaps and undocumented elements present within the existing process. Staff are currently incorporating these findings into their development of new processes, which will continue throughout the new year.
20. The Board suggested they would be keen to provide input to the engagement strategy, through the form of a short life working group, hence it was agreed that staff would first provide a detailed input on the strategy to Members at February's meeting, which would then be used to shape the Board's involvement in the project over the following months.

Action Point: DCS

21. The Chief Executive provided a verbal update to the Board regarding two recent significant case reviews, and gave details of his engagement activity with justice partners since taking up his role in September, which included meetings with the Cabinet Secretary, Sponsor Department, the Scottish Prison Service, the Parole Board; and victims agencies. These discussions had proved very useful in scoping future partnership working opportunities, and highlighted the benefits of enhancing knowledge and awareness of the OLR amongst practitioners. The Board also welcomed the positive feedback received from the Cabinet Secretary and partners regarding the RMA's advice and contributions to practice, in particular the recent work on HDC.
22. The Board held a discussion on the wider aspects of communications activity and the visibility of the RMA more generally, acknowledging the benefits to be found from engaging purposefully with stakeholders and fostering working links that promote RMA activity and staff's support to wider practice developments. The Board agreed it would be helpful to receive regular updates on RMA contributions to public consultations.

OLR Performance Report – Board Paper 802

23. The Board noted the OLR performance report and had no further queries other than that raised under Point 11 above.

Corporate Risk Register – Board Paper 803

24. The Board noted the corporate risk register and the addition of two new risks, namely a short term risk regarding the delivery of HDC training (which is likely to be removed by January); and a longer-term risk emerging from the RMA's association with HDC. The Chief Executive wished to record his thanks to the Head of Risk Practice for his contributions to the HDC model and training provision; advising that the RMA would submit recommendations to the HDC Guidance and Governance Group in January; after which the RMA's involvement would largely cease.
25. The Board highlighted that the RMA's contribution to HDC had expanded considerably over the past 8 weeks beyond initial expectations, which had impacted upon RMA

capacity to deliver against business plan objectives, but accepted staff's commitment to seeing the project through to conclusion.

HR Performance Report – Board Paper 804

26. The Board noted the HR report. Staff drew the Board's attention to the gender pay gap information, advising that while this is actively monitored, staff changes can have significant impacts given the RMA's relatively small staff complement. It was recognised that four of five members of the management team are male, hence actions will be taken to support and develop staff by creating more CPD opportunities, with the aim of encouraging more female applicants for senior roles.
27. The Board commended the low levels of staff absence recorded. They also requested that the wording be changed from 'absenteeism' to 'attendance' in future reports.

Action point: DCS

Half year FOISA update – Board Paper

28. The Board noted the FOISA update.

Board & Committee Meeting Schedule 2020-21 - Board Paper 806

29. The Board noted the schedule of meetings and suggested that the December 2020 meeting date be brought forward to the 14th of December.
30. The Board discussed the provision of accommodation for Members to attend meetings, and it was agreed that on dates where meetings are scheduled to start at 11am there should be no need for overnight accommodation. It was also reiterated that attendance via teleconference was available as necessary.
31. The Convener submitted early apologies for the August 2020 meeting.

Amendment to Standing Orders & Scheme of Delegation – Board Paper 807

32. The Board approved the amendment to standing orders, which addressed the dissolution of the Remuneration Committee.

Policy and Research

33. There were no matter to report.
34. There were no matters to report.

CPD Bulletin - Board Paper 808

35. The Board noted the CPD bulletin.

Governance Hub – Board Induction Module – Board Paper 809

36. The Board noted the module.

Committee Minutes

37. The Board noted Audit & Assurance Committee minutes from June 2019 and Accreditation Committee minutes for April 2019.

CE briefing on OLR Case Management

38. The Chief Executive provided a verbal update to the Board on a recent OLR case that was before the Parole Board. The Chief Executive raised concerns regarding the ability for lead authorities to be adequately prepared when faced with “immediate” release decisions by the Parole Board. Members reviewed the details of the case and shared the concerns raised by staff, noting there was a significant risk in the “immediate” release process used by the Parole Board. As such, the Board agreed that the Convener would write to the Scottish Government to make them aware of the RMA’s concerns; and agreed the matter should be recorded as an emerging risk within the Corporate Risk Register.

Action point: Convener

Other Competent Business

39. There was no other competent business.
40. The Chair thanked those present for their contributions and brought the meeting to a close.

Date of Next Meeting – 17 February 2020