

RISK MANAGEMENT AUTHORITY

Board Meeting

17 September 2018, RMA, Paisley

Board Meeting Minutes

Present

Mr David Crawford
Mr Stephen Swan
Ms Jane Davey
Dr Aileen Burnett (teleconference)

In Attendance

Ms Yvonne Gailey, Chief Executive (points 1 to 27 and 32 to 36)
Mr Paul Keoghan, Director of Business Performance
Mr Mark McSherry, Head of Development (points 1 to 16)
Mr Geoff Taylor, Risk Practice Lead (points 13 to 16)

Welcome

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

Apologies

2. Apologies were submitted by Mr Terry Powell and Mr Chris Hawkes.

Declarations of Interest

3. There were no declarations of interest.

Approval of Previous Minutes

4. The minutes from the Board meeting held on the 20th of August were approved.

Matters Arising

5. There were no matters arising.

RMP and AIR Business

RMP Approval Process Implementation Report - Board Paper 713

6. The Board discussed the implementation report, which considered the operation of the revised RMP approval process between April and August 2018. The Board were content with the delivery of the revised approach and agreed that the initial implementation phase had provided a sufficient period of testing. While the Board expected the RMP approval process to continue to evolve over time, they instructed that the implementation phase was now complete, and therefore the revised process should operate forthwith on a business as normal basis.

Action Point: CE

AIR Exception Report - Board Paper 714

7. The Chief Executive introduced this paper, which stemmed from a request at the previous Board meeting to explore a process for exception reporting to the Board. It was agreed that there should be a mechanism for raising awareness of issues the Board would require oversight of, such as items that would have a bearing on the RMA's function or reputation. For example, this might include situations that present a perceived legal issue, media-sensitive situations; or broader high-level governance or research issues.
8. It was noted that this mechanism differed from the escalation procedures for RMP approval, which are used to notify the Board of issues based on risk, such as significant failures to implement a plan, occasions where issuing a direction is being considered; or situations where a pattern of work gives cause for concern. It was agreed that the escalation procedures for OLR cases should be objective and risk-based only. The inclusion of any case profiling was deemed too subjective to consider.
9. The Board made clear that processes should protect individual members of staff, as the Board and Chief Executive were ultimately responsible and accountable for decision making, including delegated decision making.
10. The Board suggested that the wording developed for exception reporting must be clear, to identify that any reporting was in the form of a briefing, brought to the Board for oversight and information purposes. It was highlighted that the RMA is currently undertaking work on public relations (PR) planning, and recognised this as being relevant to exception reporting. As such, it was agreed that consideration of exception reporting would be incorporated into the RMA's PR plans.

Action Point: DBP

Accreditation Governance

11. There were no matters to report.

Policy and Research

12. There were no matters to report.

Standards and Guidelines for Risk Assessment - Board Paper 715

13. Mr Taylor joined the meeting.
14. The Head of Development introduced this paper and advised the Board that the Standards and Guidelines had been updated following the conclusion of the consultation exercise with stakeholders – this process had provided useful feedback and guidance on the document. The Board praised the work undertaken by staff on the Standards and Guidelines and commented on its usefulness to practitioners, particularly the elements concerning formulation. The Board raised a point regarding precognitions and suggested making clear that witnesses do not have to be precognosed; rather it is their choice if they wish to do so.

15. The Board were advised that the next stages would see the Standards and Guidelines published on the RMA website later this month, with additional web content developed to support the publication; an accredited assessor meeting will be held on the 9th of October; and the go live date for implementation will be the 1st of January 2019. The Board recommended that staff make the Sponsor Department aware of the publication date.

Action Point: Head Dev.

16. Mr Taylor and Mr McSherry left the meeting.

Training

17. There were no matters to report.

Corporate and Governance

Audit Committee Terms of Reference – Board Paper 716

18. The Board were advised that Audit Committee terms of reference had been updated. The scope of the committee has been widened to include assurance as part of its role, and therefore the title of the committee has been changed to recognise that function. The Board were content with the update.

Board Member's Pay Remit – Board Paper 717

19. The Board noted that the pay policy for 2018-19 has been issued by the Scottish Government Pay Policy for Senior Appointments, which proposes a 2% fee increase back dated to the 1st of April.

Board Member's Daily Fees Procedure – Board Paper 718

20. The Board reviewed the new arrangements for a transition to a daily fees system for Board members and were advised that the Scottish Government are drafting updated contracts and terms to reflect this change. Staff have developed a new procedure to support the arrangements, which outlines how Members will record and claim for meeting attendance and preparation time. The procedure incorporates a degree of flexibility to accommodate occasions where typical meeting times are exceeded. The new procedure will also streamline arrangements by instructing all payments through the payroll system, as opposed to separating payments through the payroll and expenses systems.
21. The Board were content that the new daily fees system had been benchmarked against other relevant bodies, and contained an element of flexibility. It was highlighted that Members should be mindful of the new system's requirement to proactively submit claims (within 3 months of meeting attendance). The calendar of meetings for the forthcoming year will also be issued as normal via boardbooks in November.
22. The Board noted the new procedure with no objections, and agreed that the appropriate next step would be to forward it to the sponsor department for their approval.

Action Point: DBP

Staff Pay Remit – Board Paper 719

23. The Board were advised that the staff pay remit for 2018-19 has been approved by the Scottish Government Remuneration Group and will be implemented in September's pay run. The terms of the 2018-19 pay policy will cover a two year period. A key feature of the proposal was to address recruitment and retention issues by revising salary grades that were assessed as below the market median; this being of particular concern regarding grade 6 posts and above. The pay remit was also able to reduce journey times for some grades from 5 to 4 years.
24. The Board were content with the negotiated pay remit and commented that it should provide the basis for the RMA's staff pay arrangements for the foreseeable future. The Board also noted their thanks to those involved and their gratitude to the Sponsor Department for their support during this process.

Committee Minutes

25. There were no minutes to report.

Items for noting

MF:MC Research Report – Board Paper 720

26. The Board noted the Public Bodies Unit Bulletin.

Justice Statistics Report – Board Paper 721

27. The Board noted the Justice Statistics report, adding that was a useful tool in raising awareness of wider issues and emerging themes. The Board suggested that this type of information could be uploaded to the resources section of boardbooks for future reference.

Action Point: DBP

Business Case to Scottish Government – CE Remuneration – Board Paper 722

28. Ms Gailey left the meeting.
29. The Chair provided an update to the Board on the CE remuneration proposal. He advised that pay policy had considered the original submission and responded with areas of feedback, which had resulted in an updated proposal and business case being submitted for consideration. The Chair advised that the update concerned revised wording to better explain the rationale supporting the proposal, but importantly the salary and salary range had remained unchanged from the original submission.
30. The Chair highlighted that the sponsor department had been supportive of the process and that he understood the RMA's contribution to now be complete. No firm timescales for a decision have been provided, however the indications received thus far have been positive.
31. The Board noted the update.

32. Ms Gailey re-joined the meeting.

Any Other Business

33. The Chair provided an update on the appointment of new members to the Board – he advised that the recruitment process went well, with a number of appointable candidates identified. As such, a decision by the Minister is expected shortly, which should lead to new members being in place by November.
34. The Board were given an update on the arrangements for the development day to be held on the 5th of October – the Chair has engaged with Mr David Watt from the Institute of Directors, and an outline agenda has been produced and circulated. The Chair asked if members could provide feedback on the agenda to Mr Paul Keoghan, to confirm the focus of the event and discussion points. It was noted that an Audit Committee meeting will take place immediately prior to the development day meeting.
35. The Board enquired about the status of the internet offending study circulated at last month's meeting and were advised that the RMA expects to release an edited version shortly, with the publication of the full report to follow in due course.
36. The Chair thanked those present for their contributions and brought the meeting to a close.

Date of Next Meeting – November 2018