

RISK MANAGEMENT AUTHORITY

Board Meeting

18 June 2018, RMA, Paisley

Board Meeting Minutes

Present

Mr David Crawford (Chair)
Ms Jane Davey
Mr Terry Powell
Mr Chris Hawkes
Dr Aileen Burnett
Mr Stephen Swan

In Attendance

Ms Yvonne Gailey, Chief Executive
Mr Paul Keoghan, Director of Business Performance
Ms Emma Harley, OLR Case Worker (point 7 to 11)

Welcome

1. The Chair extended 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. The minutes from the Board meeting held on the 21st of May 2018 were approved subject to two minor wording changes.

Matters Arising

5. The Chair provided a general update to Members. He advised that the current Board member recruitment campaign is on-going, with the closing date for applications being the 28th of June; that the staff pay remit and CE pay remit have been submitted to the sponsor department; and that he had attended a positive meeting with the Head of the Justice Department, Mr Neil Rennick at the beginning of the month. At this meeting the Chair had highlighted the recent Board paper concerning an audit of OLR cases and projected release to the community, with Mr Rennick expressing great interest in it. Members were also advised that the sponsor department's new lead officer for the RMA had changed, with the role now fulfilled by Ms Donna McKinnon.
6. The Chair provided an update on the proposal to hold a Board development session, advising that he had contacted David Watt from the Institute of Directors regarding this. The 3rd or 4th of September were identified as suitable potential dates, hence the Chair will liaise with Mr Watt to firm up arrangements and develop draft content.

7. Ms Harley joined the meeting.

RMP and AIR Business

Quality Assurance Risk Management Plan Approval Case 170 – Board Paper 700

8. The Board were given an overview of the approval process for case 170 and an outline of the decision-making and escalation stages that took place. Members were advised that the initial staff evaluation recommendation was for approval, but that the evaluation also identified areas of the plan where the standards and guidelines had not been fully met. This was communicated to the Head of Delivery, who shared those concerns. The plan was then escalated to the Chief Executive and a decision was reached on the points of guidance to be issued to the lead authority case manager - it was agreed that guidance was needed to make the proposed strategy more robust and address a lack of clarity regarding future lead authority ownership. Initial feedback from the case manager has subsequently been received, which confirmed the lead authority's amenity to the requested changes.
9. The Board welcomed the detailed case overview and expressed their reassurance that the chronology demonstrated effective tiered decision-making.
10. The Board discussed a wider point regarding the differentiation between risks posed within prison-based settings and community settings. Staff advised that the court of appeal's interpretation of 'risk posed when at liberty' suggested liberty meant 'in the absence of an OLR'. The Board felt it would be useful to identify a position on the consideration of risk posed within prison settings, including whether the management of risks posed by an OLR offender to prison staff / visitors etc should be commented upon by the RMA as part of the RMP approval process. It was agreed that the Chief Executive would develop a paper on this for the next meeting, to ensure any actions were in line with the RMA's statutory responsibilities.

Action Point: CE

11. Ms Harley left the meeting.

OLR Performance Report – Board Paper 701

12. The Director of Business Performance introduced the OLR Performance Report, which provided figures up to the end of May 2018. He advised that there were 167 OLRs, with 161 managed by SPS, 3 by Local Authorities and 3 by the NHS; these figures including the transfer of one OLR offender from the prison estate to a community setting in June 2018. There have been 2 Risk Assessment Orders made by the High Court so far this financial year. In terms of AIRs, there are 18 pending reviews and a further 47 AIRs due by the end of August.

OLR Status Report at 31 May 2018 – Board Paper 702

13. The Director introduced the OLR status report, which provided an overview of the status and distribution of OLR Offenders via five charts: OLR Distribution by Lead Authority; OLR Prison Distribution; Prison Sentence Status; National Top End/Open Estate; and NHS/Local Authority.

14. The Board thanked staff for the helpful OLR reports and suggested that it would be useful for future reports to provide information on potential releases into the community, specifying the local authority areas involved. It was agreed that OLR status reports would be provided on a half yearly basis.

Action Point: DBP

15. The Board had a general discussion about the operation of the Open Estate, and how home leave for OLR offenders was managed. The Board were advised that SPS are currently undertaking a review of their Progression Guidance, which RMA staff have contributed to. The Board will be updated once this guidance has been released.

Corporate Business

RMA Annual Report & Accounts 2017-18 - Board Paper 703

16. The Director advised the Board that the Annual Report and Accounts 2017-18 were recommended for approval at today's Audit Committee meeting, and were signed by the Chief Executive and external auditor. The external auditor provided an unqualified opinion, with one recommendation regarding oversight of the current litigation claim.
17. The finalised accounts show that the RMA operated within the agreed budget, drawing down £946k of grant in aid, and utilised £164k of reserves. The total expenditure for the year was therefore £1.1m, with the largest costs (70%) attributable to staffing. As agreed with the sponsor department, the RMA will continue to reduce the level of reserves, which now sit at £238k.
18. The Board were advised that there were no known or suspected instances of fraud; that accounting policies had remained unchanged; that the RMA continued to maintain a contingent liability in relation to the current litigation claim; and that the provision of £60k against dilapidation costs (for the previous RMA office premises) had been concluded at £28k.
19. The Board welcomed the unqualified audit opinion provided by the external auditor and thanked the Chief Executive and Director for their efforts and the early conclusion of the annual report and accounts this year.

Accreditation Governance

20. There were no matters to report.

Policy and Research

21. There were no matters to report.

Standards and Guidelines

22. There were no matters to report.

Training

23. There were no matters to report.

Committee Minutes

24. There were no matters to report.

Any Other Business

25. An update was provided to the Board on two staff changes: the Head of Delivery and Risk Practice Lead have given notice that they will leave their posts in September 2018. The Chief Executive advised that recruitment campaigns to fill these posts will not be advanced until the on-going pay remit process has been concluded. Contingency arrangements will therefore be put in place, to support the on-going operation of the RMP approval process' scheme of delegation. The contingency arrangements will take account of the existing staff structure. The Board noted these developments and were advised that details of the contingency planning arrangements will be provided at the Board meeting in August.

Action Point: CE

26. The Chair thanked all present for their contributions and brought the meeting to a close.

Date of Next Meeting – 20 August 2018