

RISK MANAGEMENT AUTHORITY

Board Meeting

21 May 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 (point 1 to 28)
Ms Heather Irving, Head of Delivery (point 6 to 14)
Ms Beckie Emmett, Risk Practice Lead (point 6 to 14)

Welcome

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

Apologies

2. There were no apologies.

Declarations of Interest

3. Mr Keoghan declared an interest in the agenda item on staff pay remit. It was agreed Mr Keoghan would leave the meeting while that item was discussed.

Approval of Previous Minutes

4. The minutes from the Board meeting held on the 16th of April 2018 were approved.

Matters Arising

5. The Chair advised that a revised submission regarding the Chief Executive's remuneration has been provided to the Pay Policy Unit, and a response is now awaited. In terms of the new appointments, the process is moving forward with an advert anticipated to be issued in June, followed by interviews in early August. It has been communicated that the RMA is seeking new members that possess skillsets similar to those held by previous member's Dr Russell and Prof. Kemshall. The Chair suggested that current members make any suitable colleagues aware that these positions will be advertised shortly.
6. Ms Irving and Ms Emmett joined the meeting.

RMP and AIR Business

Quality Assurance Risk Management Plan Approval Case 085 – Board Paper 691

7. The Head of Delivery provided an overview of the approval process for Case 085, and advised that a lot of discussion had taken place between relevant staff and the Chief Executive to reach a decision on points of guidance and feedback. The Board commented on the layers of evaluation, noting that the initial staff evaluation identified points for feedback, which were then reviewed by the Head of Delivery, who in turn felt that some of those points merited being termed as guidance. The Board appreciated that the new approval process was still very much at a learning stage and suggested that future Board papers should clearly illustrate each stage of the approval process, to demonstrate a suitable decision-making audit trail; and make clear where guidance relates to the current plan or to plans for the future.
8. The Board were advised that the new process has not altered the workload for OLR Caseworker staff, but as anticipated has generated more work for the Head of Delivery, Risk Practice Lead and Chief Executive. It was also noted that staff often provide a significant level of support and advice to Lead Authority Case Managers prior to any final submission of an RMP for approval, sometimes lasting weeks / months, hence staff were working on best ways to capture those levels of interaction and engagement.
9. The Board picked out a sentence in the staff evaluation that read “no standards and guidelines have been obviously disregarded” and requested that the wording be changed to something clearer and unambiguous, such as “all standards and guidelines appear to have been observed.”

Quality Assurance Risk Management Plan Approval Case 169 – Board Paper 692

10. The Head of Delivery advised that this had been a challenging case, which involved a short punishment part. When the review of the case was conducted by the Chief Executive, she identified the need for some amendments to the plan to address some concerns. It was highlighted that this case demonstrated the benefits of the layered approval process, with the Board recommending that it was important to record the dialogue and efforts at each stage; to demonstrate the interactions between staff, and record the scrutiny and challenge applied at each juncture.

OLR Performance Report – Board Paper 689

11. The Director of Business Performance introduced the first OLR Performance Report of the financial year, highlighting that there were now 167 OLRs, with 162 managed by SPS, 2 by Local Authorities and 3 by the NHS. The number of OLR offenders whose punishment part has expired currently sits at 105 (63%). There are currently 2 RAOs in progress. In terms of AIRs, there are 9 current reviews and 8 that are 1 month overdue. There are a further 47 AIRs due over the next 4 months.
12. The Head of Delivery provided an update on the AIR that was 3 months + overdue, advising that it had been provided on time in October, at which point staff had identified a discrepancy caused by an updated risk assessment and recent diagnosis of learning disability not being reflected in the RMP. It was confirmed that support provided by the RMA had now resulted in a clear plan being put in place and therefore the AIR had been taken off the overdue list. It was highlighted that staff often provide a high level of support to Lead Authorities, which in the past had caused plans to

appear overdue on the list, when in fact staff had completed their review and were now awaiting a response from the Lead Authority. As such, the performance measure for AIR reviews has now been changed, to be the point when the staff evaluation has been completed. The Board acknowledged the marked improvement in managing AIRs and thanked staff for their efforts.

13. The Board provided suggestions for the format of the OLR Performance Report, requesting that it would be helpful to have a breakdown of the current status (e.g. stats on Lead Authorities, numbers in open estate and NTE). Staff advised that the format of the report was being reviewed, with a view to presenting this type of information in the future (using graphics wherever possible).
14. Ms Irving and Ms Emmett left the meeting.

Data Analysis on OLR to Community – Board Paper 694

15. The Chief Executive introduced this paper, which provided a review of OLR data and projections for when some OLR cases may return to community settings. A number of variables were identified within the dataset used to produce the report, including punishment part expiry, progression status, risk as currently estimated and tribunal dates, as well as personal judgements. The Board were advised that the report provided staff's projections and best estimates for the next two year period, as periods beyond that included too many imponderables to merit further study.
16. The report conclusions suggested that the RMA was well placed to support courses of action that served releases into the community, with current engagement with local authorities working well. However in terms of opportunities, it was recognised that plans for the future should be made that utilise the established relationships with local authorities, and enhance those engagement levels commensurate with the projections contained within the report.
17. The Board welcomed this paper and thanked the Chief Executive for producing a helpful and informative report. The Board appreciated that local authorities will require dedicated RMA support regarding the additional legislative requirements placed upon them by the OLR sentence. The Board also suggested that it would be useful for the report to be developed further to include data on the geographical locations / local authority areas, the ages of those OLR offenders projected to be released within two years; and the provision of services in the community. They also suggested that it may be useful to compare life sentence data as a comparator, if this was available. The Chief Executive confirmed that consideration would be given to these points, along with a review of the dataset. Feedback will be provided to the Board on the report's further development.

Action Point: CE

18. The Board highlighted that the RMA has a duty to provide advice to Ministers and that this type of report could be of benefit – while there have been only two releases into the community recorded thus far, this report's projections suggested the possibility of several releases over the next two years, which would form a significant change. A meeting is scheduled with the Head of the Justice Department next month, hence it was suggested that the meeting may present an opportunity to raise the report's interim findings, leading to consideration of a complete paper for Ministers sometime in the autumn.

Accreditation Governance

19. There were no matters to report.

Policy and Research

20. There were no matters to report.

Standards and Guidelines

21. There were no matters to report.

Training

22. There were no matters to report.

Corporate Business

Appeals Committee Terms of Reference – Board Paper 695

23. The Board reviewed the Appeals Committee Terms of Reference, which were last updated in 2013. A small number of changes were identified to bring the Terms of Reference up to date, which were approved.

Business Continuity Plan – Board Paper 696

24. The Business Continuity Plan was reviewed by Internal Audit as part of the 2013/14 audit plan and last reviewed by the Board on 19 June 2017. No changes were proposed as part of this review. The Board were advised that over the next year staff will seek to append scenarios to the Business Continuity Plan. Appendix 1 of the plan will be updated to remove ex-Board members. The Board were content with the plan.

Corporate Risk Management Strategy – Board Paper 697

25. The Board were advised that the Audit Committee reviewed the Corporate Risk Management Strategy on 16 October 2017, with no changes proposed. The Board noted the strategy.

Fraud Policy – Board Paper 698

26. The Board were advised that the Audit Committee last reviewed the Fraud Policy on 16 October 2017, with no changes recommended. The Policy complies with the standard Policy as set by Scottish Government. The Board noted the Policy.

27. Mr Paul Keoghan left the meeting.

Staff Pay Remit – Board Paper 699

28. The Board reviewed and approved the staff pay remit proposal presented by the Chief Executive. The Board requested a change in the statement supporting table 7 of the Business case be amended. The wording to change is “offset by recurring costs of £30,900” to “offset by recurring costs up to £30,900”.

Action: CE

Committee Minutes

29. There were no matters to report.

Any Other Business

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

Date of Next Meeting – 18 June 2018