

DISCLOSURE SCOTLAND STRATEGIC BOARD – 2 AUG 2010

MINUTES OF MEETING

Present: Board Members

D Patel (Disclosure Scotland) – Chair
B Gorman (Disclosure Scotland)
G Hart (Disclosure Scotland)
T McIntyre (Disclosure Scotland)
R Gwyon (Non-Executive Director)
B McQueen (Non-Executive Director)

Presenting Papers: D MacMurchy (Disclosure Scotland)
J Cox (Disclosure Scotland)
S Archibald (British Telecom)

Secretary: L Maguire (Disclosure Scotland)

Apologies: M Gibb (British Telecom)

Welcome and Declaration

1. R Gwyon and G Hart reported that they had interests to declare that would require amendment to the register of interests. All other Board Members confirmed that they had no amendments to make. The Board reviewed the format of the current Register of Interests (Paper 5/2) and was content to maintain the Register on that basis.

- **Action 2010/5/1: Secretary to send Register of Interest entries to RG and GH for amendment**

Minutes of Previous Meeting and Action Points

2. There were no amendments to the minutes of the previous meeting (Paper 5/1). The Board was updated on Actions arising at that meeting as follows:

- **Action 2010/4/1: Secretary to circulate composite Register of Interests to all Board members CLOSED** – see paragraph 1
- **Action 2010/4/2: Secretary to invite J Murray and relevant DS staff to speak at the next Board meeting CLOSED** – see paragraph 22
- **Action 2010/4/3: Executive team to make all the above risk information available at the next Board meeting CLOSED** – see paragraph 17
- **Action 2010/4/4: Tracy Grant to prepare Internal Business Change paper as a standing item at each Board meeting CLOSED** – see paragraph 21

3. Action 2010/2/1: Board to consider governance arrangements in the near future – CLOSED

The Board considered whether there was a case to co-opt an individual with a Police background to serve on the Board. It was agreed that it was not the intention that the Board should be ‘representative’ of the Agency’s stakeholders. With this in mind a role specification for any position on the Board would need to clearly articulate the Board’s expectation of the candidate. If there was a case, it was agreed that ACPOS would have a role in endorsing such a proposal and that SG Justice Directorate should be consulted before an approach was made.

4. Action 2010/2/2: When the Board has ratified this work (governance arrangements see action 2010/2/1 above), the Chair will prepare a brief to Scottish Ministers to ensure consistency with ministerial expectation – ONGOING

The Chair advised any submission to Ministers about expanding membership of the Board would also include other relevant Board issues..

5. Action 2010/2/3: The Chair will consider performance assessment for individuals and potential for facilitated annual assessment of the Board as a whole – ONGOING

The Chair reported that this was under consideration and he would revert at the next meeting.

6. Action 2010/2/6: Board Members to submit comments on Audit Committee Terms of Reference Paper to the Secretary – CLOSED - see paragraph 9

7. Action 2010/3/3: Executive team to consider the performance metrics to report routinely to the Board – CLOSED – see paragraph 10

8. Action 2010/3/5: TG to provide the Board with a report showing sets of staffing structures – ONGOING – see paragraph 21

Audit Committee Terms of Reference (Paper (5/3)

9. The Board was content with the Terms of Reference subject to a final review by the Chair

Monitoring Performance: Metrics (Paper 5/4 and Annex)

10. TM gave an overview of the implications of the ‘Headcount’ policy for the Agency and the issues arising from how that data is captured on Scottish Government HR systems. It was recognised that there was a tension between how the Agency presented its information in terms of full-time equivalent (FTE) and the straightforward staff numbers shown in the ‘Headcount’. (Redacted)

- **Action 2010/5/2 – Business Analyst to explore opportunities to capture this type of information without in-depth analysis and to prepare a more in-depth report at the end of the business year**

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11. The Board considered the proposed Metrics and was of a view that there would be merit in interrogating the data further to gain insight to issues surrounding change in demographics, progression, and equality and performance management. It was also recognised that the proposed Metrics would be augmented when the Protection Unit is in operation.

- **Action 2010/5/3 – Regular performance metrics report to the Board to be revised, e.g. to include a monthly forecast of both ‘Headcount’ and FTE data in terms of actual and trend over the previous months**

Annual Report (Paper 5/5 and Annex)

12. The Chair introduced an advanced draft of the Agency’s first Annual Report and advised of audit progress. The Secretary outlined the ‘formal’ arrangements and timings to have the report laid in Parliament and published. The Board agreed that we should aim to complete this process by the end of September.

13. Audit Scotland requires assurance on one remaining issue prior to finalising its work on the accounts – this relates to the accounting treatment of the final payment in respect of harmonisation. It is not expected to cause significant concern.

- **Action 2010/5/4 – Board to forward comments on draft Annual Report to the Secretary by 31 August**

Staff Survey (Paper 5/6 and Annexes)

14. The Chair opened discussion on this paper by highlighting the different level of ‘employee engagement’ (as measured formally by reference to a composite set of scores) between operational staff and non-operational staff. Using the results of the civil service wide staff survey, the management team has worked with staff to deliver improvements in terms of engagement and communication, including through a Staff Survey Action Plan. It is noteworthy that this has been achieved without compromising productivity.

15. The Executive members outlined efforts to ensure staff were well placed to develop within the Agency and in the wider SG environment; local TRS opportunities are open to competition and decisions are made following a competency-based assessment process and seminars have been held to prepare staff for assessment centres.

16. Non-Executive members highlighted the opportunity afforded by PVG implementation, for management and staff to demonstrate best practice in change management.

Corporate Risk Register (Paper 5/7)

17. BG outlined a change in the Risk Register methodology which was introduced to illustrate granularity across the mitigation and management of individual risks. (Redacted)

18. (Redacted)

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- **Action 2010/5/5 – (Redacted)**

Draft Security Policy – D MacMurchy (DS) - (Paper 5/8)

19. In presenting this paper, D MacMurchy highlighted that the next steps would involve prioritising the gaps in existing practice. Public interest may focus on how the Agency handles the sensitive information it holds. For the Agency another concern will be physical security of staff and the building. It is aware that the decision making element of the barring function adds a new security dimension to its service.

20. The Non-Executive members were assured that as part of the induction process, staff were made aware of how to report risk and that the highest level of security vetting permissible is applied to all new staff joining the Agency.

- **Action 2010/5/6 – Information Security Officer to develop a list of priorities, discuss with the Agency’s Senior Management Team and revert to the Board at its next meeting.**

Internal Business Transaction Update – (Paper 5/9)

21. TM outlined that the transition to PVG would ultimately leave the Agency with an excess of permanent staff. Given the current rate of staff leaving the Agency to posts in Scottish Government, the expectation is that this will be manageable. (Redacted)

- **Action 2010/5/7 – Standing Paper on Internal Business Transaction to be jointly prepared in future by TM and GH. It should include a report on the position in terms of forecast excess staff, an indication of whether the various strands are on track and an Organogram showing the organisational structure before the implementation of PVG and after.**

PVG Communications and Marketing – J Cox (DS) - (Papers 5/10 and Annex)

22. The Agency’s Communications Manager advised the Board that the media communications were well advanced and journalists had been engaged throughout the development of the PVG scheme. The short booklet explaining the scheme had been well received and there may be a case for including a flowchart in future versions.

Customer Satisfaction Survey – S Archibald (British Telecom)

23. This year’s survey showed improved customer satisfaction levels on the already high level reported in the previous year. On a 10 point scale, 92% of customers reported satisfaction level of 7 or more. Customers valued the prompt replies to queries, staff helpfulness and processing times. The Board sought assurance that the results of the customer satisfaction survey and in particular the value our customers placed on staff helpfulness would be communicated to staff. Looking forward the challenge will be to maintain or build on that level of satisfaction and deliver a new scheme promoted on the basis of quicker response times.

Any Other Business

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24. None

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Action List

| MINUTE REFERENCE | ACTION | RESPONSE(S) BY |
|-------------------------|---|------------------------------|
| 2010/5/1 | Secretary to send Register of Interest entries to RG and GH for amendment | Secretary |
| 2010/5/2 | Business Analyst to explore opportunities to capture this type of information without in-depth analysis and to prepare a more in-depth report at the end of the business year | Agency Business Analyst |
| 2010/5/3 | Regular performance metrics report to the Board to be revised, e.g. to include a monthly forecast of both 'Headcount' and FTE data in terms of actual and trend over the previous months | Agency Business Analyst |
| 2010/5/4 | Board to forward comments on draft Annual Report to the Secretary by 31 August | Board Members |
| 2010/5/5 | (Redacted) | B Gorman |
| 2010/5/6 | Information Security Office to develop a list of priorities, discuss with the Agency's Senior Management Team and revert to the Board at its next meeting. | Information Security Officer |
| 2010/5/7 | Standing Paper on Internal Business Transaction to be jointly prepared in future by TM and GH. It should include a report on the position in terms of forecast excess staff, an indication of whether the various strands are on track and an Organogram showing the organisational structure before the implementation of PVG and after. | G Hart and Tracy M |

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Live Action Register

| MINUTE REFERENCE | ACTION AND UPDATE | RESPONSE(S) BY |
|-------------------------|---|-----------------------|
| 2010/2/2 | <p>When the Board has ratified this work, the Chair will prepare a brief to Scottish Ministers to ensure consistency with ministerial expectation.</p> <p>13/04/10 – this action is still ongoing.</p> <p>02/08/10 – Chair to make a single approach to Ministers on this and other issues</p> | Chair |
| 2010/2/3 | <p>The Chair will consider performance assessment for individuals and potential for facilitated annual assessment of the Board as a whole.</p> <p>ONGOING</p> | Chair |
| 2010/3/5 | <p>TG to provide the Board with a report showing sets of staffing structures.</p> <p>08/06/10 – Work ongoing. Progress report at the next meeting</p> <p>02/08/10 – Organogram demonstrating present and future structure to be prepared for next meeting</p> | T McIntyre |

Closed Actions

| MINUTE REFERENCE | ACTION AND RESOLUTION | DATE CLOSED |
|-------------------------|---|--------------------|
| 2010/2/1 | The Chair will consider working this promotional role into the Terms of Reference and amend its work programme for the next 12 months. – Proposed Terms of Reference paper presented to the Board. | 13/04/10 |
| 2010/2/4 | MG will provide the values and behaviour matrix used by British Telecom – Information sent to Chair for consideration. | 13/04/10 |
| 2010/2/5 | Board Members to submit comments on Register of Interests Paper to the Secretary – Comments sent to Secretary and points noted. | 13/04/10 |
| 2010/1/3 | Outline business plan to be discussed by the Board at an early opportunity – Business Plan discussed at meeting, points taken for consideration. | 13/04/10 |
| 2010/3/1 | The Chair will add a point on staffing to the Strategic Board’s Terms of Reference – Chair noted next stage to submit to the Minister | 08/06/10 |
| 2010/3/2 | Board members to send interests to the Board’s secretariat – new action for Secretary to compile single register | 08/06/10 |
| 2010/3/3 | Executive team to consider the performance metrics to report routinely to the Board – Format in place, may be amended as appropriate. | 08/06/10 |
| 2010/3/4 | BG to provide board with list of reasons why Disclosure Scotland need to return application forms to BT – Work continuing to reduce error rate | 08/06/10 |
| 2010/3/6 | PVG team to be invited to present on PVG risks at next | 08/06/10 |

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| | Board meeting – LF in attendance. | |
| 2010/4/1 | Secretary to circulate composite Register of Interests to all Board members – ratified by Board | 02/08/10 |
| 2010/4/2 | Jan Murray and relevant DS staff to be invited to speak at the next Board meeting – relevant SG personnel on leave DS Communications Manager attended | 02/08/10 |
| 2010/4/3 | Executive team to make all the above risk information available at the next Board meeting. – Risk Register reconfigured and expanded to meet the Board’s needs. | 02/08/10 |
| 2010/4/4 | Internal Business Change paper to be a standing item at each Board meeting – in place | 02/08/10 |
| 2010/1/2 | Board to consider governance arrangements in the near future. – Board came to a view that there may be merit in having a member from a Police background. – further action to Chair. | 02/08/10 |
| 2010/2/6 | Board Members to submit comments on Audit Committee Terms of Reference Paper to the Secretary – subject to final comments from the Chair, the terms of reference are ratified | 02/08/10 |

