**Judicial Appointments Board for Scotland**

**Meeting: 15 April 2019 from 9:00am, Thistle House, Edinburgh**

**MINUTES**

**Present**

Mrs Nicola Gordon, Chairing Member

Mrs Alison Mitchell

Mrs Liz Burnley, CBE

Professor Stephen Tierney

Mrs Deirdre Fulton

The Hon Lady Wise

The Hon Lord Minginish, QC

Sheriff Principal Marysia Lewis

Sheriff Michael O’Grady, QC

Ms Morag Ross, QC

Ms Eilidh Wiseman

**Apologies**

Ms Neelam Bakshi

**In Attendance**

Mr John Craig, Chief Executive

Mrs Angela Simpson, Head of BMU

Ms Olga McPherson, Business Support Officer

Miss Katy Mitchell, Appointments Administrator

Ms Aimee Law, Court Appointments Manager and Board Secretary

# Welcome and Apologies

## The Chairing Member welcomed all attendees to the meeting. A special welcome was given to Ms Law who will be joining the BMU on 29th April. It was noted that apologies had been received from Ms Bakshi for this meeting and until 10th May.

# Minutes of the Previous Meeting, Matters Arising & Action Tracker

## The Board agreed that the minutes should reflect the governance discussion at the last meeting in more detail. It was agreed that the Chief Executive would make suggested amendments and recirculate this to the Board for comments and approval.

## The Board discussed their responsibilities for governance/risk management and asked the Chief Executive to seek guidance from their Scottish Government Sponsor Division on the governance proposals in paper JABS 19/19 and in particular that a separate Audit and Risk Committee was not necessary for the work of JABS.

## The Board discussed the need of clarity for the proposals with revised Terms of Reference and asked the Chief Executive to draft Terms of Reference that reflect these proposals, and the need for proportional governance/risk management, for consideration by the Board.

## ***Action Point (1):*** *The Chief Executive to seek guidance from our Scottish Government Sponsor Division on the proposals in paper JABS19/19 and provide more detail on future governance/assurance work of the Board including draft* *Terms of Reference.*

## The Board agreed that it would trial the proposed new format for managing governance and noted it would undertake to review this later in the year. In essence the board will devote part of a board meeting each quarter to review governance matters, with the first governance meeting taking place immediately following this item. A similar approach should be adopted to cover reviewing competitions, with board time dedicated to reviewing procedures and processes regularly and in a structured way.

## The Board noted the current updates in the Action Tracker.

**Part 1 – Trial Governance Meeting**

# Assurance of Operational Delivery

## The Board noted the updates for the JABS Annual Operational Plan for 2019-2020, Budget for 2019-2020 and Risk Management Dashboard at as 15 April 2019. The Board discussed Action 4 in the Annual Operational Plan to review the online JABS application system and noted the update. The Chief Executive confirmed that: although the target date for final delivery was Q4 the BMU would have to make a funding bid in Q2 to Scottish Government; the BMU would visit NIJAC in Q1 to start the scoping of options; the Chief Executive will update the Board further at the next Governance meeting.

***Action Point (2):*** *Chief Executive to update the next Board Governance meeting on BMU work to review the online JABS application system.*

# Assurance of Financial Activity

## The Board noted the draft financial position for JABS at the close of financial year 2018/19.

# Assurance of Governance

## The Board welcomed new format for an Assurance of Governance provided by the Chief Executive. The Board required no additional assurance from the Chief Executive and noted the report.

# Policy Update

## The Board noted the JABS Policy Update. The Head of BMU highlighted that a few policies were slightly overdue for renewal and that these will be reviewed at the next governance meeting. The Board discussed if policies overdue for renewal should be added to the JABS Risk Register; the Chief Executive assured the Board that these were low risks and that they would be escalated to the Board if they scored more than 40 out of 250 as in the current JABS Risk Dashboard Report; in the meantime the overdue policies were in the Annual Operational Plan (Action #12) and BMU Task Tracker (Action #38) as reported to Board governance meetings. No additional BMU action was required by the Board.

# Strategic Risks/Opportunities

## The Board agreed that a workspace should be created within Huddle which allows all Members to access the Strategic and Operational Plans for the consideration of Strategic Risks/Opportunities at future meetings.

# AOB

## The Board agreed that the next quarterly Board Governance meetings would be on 15 Jul 19; 21 Oct 19 and 20 Jan 20.

## The Board agreed that draft Terms of Reference for quarterly Board Governance meetings, including Risk Management, would be considered by the Board as under Action Point (2).

## The Board welcomed the new trial format for Board Governance Meetings; the new Assurance of Governance and Risk Management Dashboard provided by the Chief Executive.

# The Board Governance Meeting Closed at 10:45am.

**Part 2 – General Board Business**

1. General Summary – Oral Updates

## The Chairing Member had no further updates to provide.

## The Chief Executive updated the Board on the planning of Scottish Government’s Women in Law 100th Anniversary Event on 10th June 2019. Planning is still underway, and the Chief Executive will discuss with the Chairing Member to what extent members can be involved with Summary Sheriff interviews on that date. The Chief Executive updated the Board that the BMU had taken advice from Scottish Government IT and would purchase a highly capable and good quality video conferencing system for future JABS use through Scottish Government procurement from within existing JABS budget resources.

1. Recommendations for Appointments

## 11.2 The Board considered a letter to the Chairing Member from the First Minister dated 22nd March 2019 regarding the JABS recommendation for a candidate to the office of Summary Sheriff. The Board agreed that it would inform Scottish Government that it would adhere to its original recommendation of the candidate to the office of summary sheriff.

***Action Point (3):*** *Chairing Member write to the First Minister and the candidate to confirm that the Board will adhere to its original recommendation of a candidate for the office of summary sheriff.*

1. Current Recruitment Update

## The panel chairs of the Sheriff and Summary Sheriff panels provided an update on ongoing work. The sift process for sheriff is well underway. The Chairing Member and Panel Chair are undertaking contingency planning for member support to the Summary Sheriff round. A combined shrieval planning meeting is scheduled after the Board meeting has concluded.

1. Future Recruitment Planning

## The Board were provided with the finalised Senator timetable. It was noted that the Mock Interview date will change due to panel member availability. The Chief Executive notified the Board that although the formal request from Scottish Government had not yet been received, the BMU and Panel members would continue with planning preparations. Lady Wise updated the Board on the Senator Information Event at Parliament Hall on 2nd May 2019 and extended an invitation to all Board Members and the Chief Executive.

## The Chairing Member gave an update to the Board following her recent trip to Northern Ireland to observe the NIJAC interview process, with particular focus on their role playing exercise. She noted that this was a helpful tool which could be revisited when the Board reviews its current recruitment process later in the year.

## Mrs Burnley and Ms Wiseman presented the Board with their findings after looking into the current consultation process. It was agreed that the consultation process would be amended by inviting Sheriffs Principal for Shrieval rounds and the Lord President for Senator rounds, to comment on candidates selected for interview, with the caveat that their views would be shared with candidates on the day of interview. Sheriffs Principal and the Lord President may be provided with more details of the candidates, with the aim to more easily identify the individual under consultation. It was agreed by the Board that the Chairing Member and Sheriff Principal Lewis would have a conversation about this offline to solidify thinking and circulate a proposed consultation question ahead of the May Board Meeting.

***Action Point (4):*** *Chairing Member and Sheriff Principal Lewis to discuss thoughts on consultation processes and report findings to the May Board Meeting.*

1. AOB

## The Board noted that the next Board meeting will be on 20 May 2019 and that Mrs Fulton will act as Chair as both the Chairing Member and Mrs Burnley will be joining by video conferencing. Ms Ross has sent her apologies for this meeting.

## The Board noted the verbal update by the BMU on arrangements for the JABS 10th Anniversary event on 30 May 2019. The Board approved the invitation list for the 10th Anniversary event and asked that invitations should be sent out.

## It was reported that the Diversity Steering Group due to be held that afternoon would be rescheduled due to a number of apologies. The Board noted that the BMU are working with Chair of the Diversity Steering Group to seek an alternative suitable date.

1. The General Board Business Meeting Closed at 12:30pm