

**Judicial Appointments Board for Scotland
Board Meeting Monday 16 December 2019, Thistle House, Edinburgh**

MINUTES

Present

Mrs Nicola Gordon, Chairing Member	Mrs Alison Mitchell
Ms Neelam Bakshi	Ms Morag Ross, QC (part-time, by phone)
Mrs Liz Burnley, CBE	Professor Stephen Tierney
Mrs Deirdre Fulton	The Hon. Lady Wise, QC
Sheriff Michael O'Grady, QC (by phone)	The Hon. Lord Minginish, QC
Ms Eilidh Wiseman	

Apologies

Sheriff Principal Marysia Lewis

In Attendance

Mr John Craig, Chief Executive
Head of the Business Management Unit
Board Secretary

1. Welcome & Apologies / Declarations of Interest

- 1.1. The Chairing Member (the Chair) welcomed all attendees to the meeting. There was one declaration of interest from Ms Bakshi in relation to tribunals as she is a reserved tribunal member.

2. Minutes of the Previous Meeting & Action Tracker Update

- 2.1. The minutes of the November Board Meeting were approved by the Board subject to one amendment to item 5.2. The Board reviewed the Board Action Tracker and noted a minor amendment for Action 28.

BMU Task (1): Amend November Board Meeting Minutes & Update Board Action Tracker Action 28.

3. General Updates

- 3.1. The Chair gave an oral update to the Board:

- In November the Chair attended two Ministerial Round Table Discussions on behalf of JABS, run by the Minister for Community Safety, Ms Denham MSP in respect of encouraging further diversity in the legal profession.
- The Chair will meet with the Cabinet Secretary in February 2020.
- The Chair and CE met with our Scottish Government (SG) Sponsor Unit Deputy Director on 4 December for a mutual strategic update.

3.2. The Chief Executive (CE) gave an oral update to the Board:

- A new Appointments Administrator will join the BMU on 17 December.
- The CE assisted Judicial Institute with a Ukrainian delegation visit on 29 November and provided the standard briefing on the role of JABS.
- The CE is working with the Law Society of Scotland (LSS) for a Shrieval Information Event on 28 January 2020 with a view to raising awareness of the upcoming vacancies and attracting a wide range of applicants. The Chair and Sheriff Principal Lewis will attend the event with the support of the BMU.
- A meeting was held with SG on 10 December to discuss the proposed JABS Budget for 2020/2021 and the upcoming Social Security tribunal recruitment.
- The CE visited the SCTS Tribunal Centre in Glasgow to observe a tribunal and then met with the SCTS Head of Operations and Project Manager for the transfer of social security tribunals from HMCTS to SCTS.

4. JABS Budget Proposal 2020/2021

4.1 The Board reviewed the JABS Budget proposal for 2020/2021. The Chair thanked the CE and the Business Support Officer for their work. The budget proposal was approved by the Board.

5. Policy Update

5.1. Communications & Engagement Strategy - The Board welcomed the Communications and Engagement Strategy. The Strategy was approved by the Board subject to some minor amendments. It was agreed that the Survey Monkey online survey questions would be trialled with the next recruitment round and will then be reviewed by the Board.

5.2. Criminal Convictions Policy - The Board discussed the current JABS Criminal Convictions Policy and requested a BMU update at their January meeting.

BMU Task (2): Update the JABS Criminal Convictions Policy at the January Board Meeting.

6. Appointment Rounds Updates

6.1. Sheriff Principal - Professor Tierney provided the Board with an update on the current Sheriff Principal Recruitment round. The application period closed on 10 December and there were eight applications received including one ineligible applicant. The sift period has begun and a mock interview is scheduled for 28 January. The Chair thanked the BMU for their work on the implementation of the new recruitment IT system.

6.2. Lay Assistants - Mrs Burnley provided an update to the Board on the upcoming Lay Assistant recruitment. The Panel met on 9 December and plan to advertise on 7 January 2020. The CE has contacted SG Public Appointments to arrange to advertise the posts on their website. Confirmation should be received later this week.

6.3. Parallel Competitions 2020 Schedule - The Parallel Competitions schedule for 2020 has now been finalised and the Chair thanked the Head of BMU for her work on the scheduling. The timetable for 2020 was agreed. The Board agreed that the 2021 schedule should be created soon to help members plan their diaries.

7. Quality Assurance

7.1. Skills & Qualities

7.1.1. Personal & Judicial Qualities - Mrs Burnley provided the Board with the updated Personal and Judicial Qualities as agreed at the Board Workshop in November. These are the specification of somebody doing the job well. The Board discussed the update and agreed some minor amendments to the wording would be useful in the interest of consistency. Mrs Burnley will circulate a further update to the Board by the end of December and the BMU will update the JABS website thereafter.

7.1.2. Tribunal Qualities - The Board reviewed Tribunal Qualities and it was agreed to conclude the discussion at the next Board meeting. Mrs Burnley will amend the Tribunal Qualities to ensure that the wording is consistent with the Personal and Judicial Qualities.

Action Point (1): Mrs Burnley to make minor amendments to Personal and Judicial Qualities and circulate to the Board/BMU by the end of December.

BMU Task (3): Update Personal and Judicial qualities on the JABS website.

Action Point (2): Mrs Burnley to amend the Tribunal Qualities for the January Board Meeting.

7.2. Feedback to candidates - Professor Tierney presented the Board with a proposal to standardise the JABS Feedback procedures. The Board agreed that:

- At shortlisting all applicants will receive feedback from a selection of letters that point to the areas where they did not meet the criteria (Legal, J&P, both and whether the field was particularly strong).
- Senator applicants will receive tailored feedback at shortlisting.
- Additional feedback will not be provided to Sheriff or Summary Sheriff applicants.
- If applicants for Senator, Sheriff Principal or Tribunal President request further feedback, they will be offered a face to face meeting with one Legal / Judicial Member and one Lay Member of the panel.
- After interview, applicants will be provided with feedback based on the panel's summary of the interview.
- Feedback will not be provided to successful candidates unless they request it. In these circumstances, feedback will be provided in writing.
- The Chief Executive should sign all letters on behalf of the Board.
- Professor Tierney will support the Head of BMU to draft a standard process.

Action Point (3): Professor Tierney to support the Head of BMU to draft a standardised process to be brought to the Board at the January Board Meeting.

7.3. Document Standardisation update - The Chair updated the Board on the Document Standardisation working group. Professor Tierney, Ms Ross and the Chair have held two meetings with the BMU to standardise JABS documents. The working group are close to having a standard set of documents. The Board discussed how changes should be dealt with, and it was agreed that any amendments to the standard documents should be logged in lessons identified for a recruitment round and discussed at Board level to agree if substantive amendments are required.

8. Any Other Business

8.1. The Chair and CE mentioned changes in relation to the way in which HMRC Expenses will be calculated and paid. The BMU will provide Board Members with a link to the HMRC guidance on this change.

8.2. The Head of BMU provided a JABS Process Map for information as an action from the Shrieval Lessons Learned.

BMU Task (4): Provide Board Members with link to HMRC website guidance.

8.3. Social Security Tribunals Recruitment - The Board agreed a pragmatic and proportional approach to ensure timely recommendations for Social Security Tribunals in line with SG request of 13 December 2019 and earlier requests. Mrs Mitchell will draft questions for any consultation with HMCTS and the CE will bring forward a draft process proposal to the January Board Meeting.

Action Point (4): Mrs Mitchell to draft questions for the consultation with HMCTS for the January Board Meeting.

BMU Task (5): CE to draft a proposal on Social Security Tribunals Recruitment for the January Board Meeting.

9. Board Meeting closed 1230 hours.