



SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD MEETING: Monday 10 June 2024, Aberdeen Sheriff Court

Present: Lord Carloway, Lord President (Chair)
Sheriff Principal Anwar
Dr David Caddick MBE
Maggie Craig
Steven Dickson
Lady Dorrian, Lord Justice Clerk
Dr Sophie Flemig
Ruth Innes, KC
Sheriff Jillian Martin-Brown
Eric McQueen
Sheriff Olga Paspornikov
Lynsey Walker
Lady Wise

Attended: Noel Rehfisch, Deputy Chief Executive, SCTS
Karen Lawrie, Head of Secretariat, SCTS

Apologies: Anne Scott

1. Minutes of the SCTS Board Meeting on 25 March 2024

1.1 The Minutes of the last meeting were approved.

2. Declarations of Interest and Matters Arising

2.1 There were no declarations of interest.

3. Observations from Visit

3.1 Ahead of the formal meeting, the Board had split into three groups to visit courts in Aberdeen, Banff and Peterhead. Board members met with staff and local judiciary, who gave an insight into the workings of their court. The Board were impressed with the engagement and enthusiasm displayed by the staff in all the courts visited and the strong working relationships between staff and the judiciary.

3.2 The Board reported on matters that had been brought to their attention by staff and judiciary during the visits. The main matters identified would be shared with the Executive Team for consideration of any follow-up that may be required. The Board acknowledged the operational and travel challenges facing both the organisation and those attending rural courts.

3.3 The Board agreed that the visits were informative and beneficial to their understanding of the workings of the SCTS.

4. Finance Report

4.1 The Board considered a report on financial performance for the 2023-24 financial year. The provisional end-year outturn was projected at 99.4% of the allocated budget.

4.2 Fee income from personal injury cases and power of attorney registrations had continued to exceed projections throughout the year. The additional income had been directed towards financial pressures such as the pay award and accelerated investment in both the estate and digital infrastructure. Analysis to understand the drivers behind the increased fee levels and to assess whether they would continue had commenced.

4.3 The Board acknowledged the end-year financial position. They commended the staff involved in both the management of the budgets and the production of the reports and accounts across the organisation.

5. Quarterly Performance Review and SCTS Board Scorecard

5.1 The Board carried out its quarterly performance review. The current position on the delivery of the outcomes in the 2024-25 Business Plan and the Board Scorecard were scrutinised. Work had commenced across all outcomes set out in the Plan.

5.2 The Board discussed the development, by the Scottish Government, of a new Public Sector finance system for SCTS (Oracle Fusion) as a successor to the current SEAS system. Delivery timescales for the initiative were under pressure. The Executive had raised a number of issues and concerns that remained outstanding with the Scottish Government. Progress updates would continue to be provided to the Audit and Risk Committee.

5.3 Following the last meeting, the Executive had offered feedback to Scottish Government colleagues on aspects of the Safer Communities and Justice Statistics Monthly Data Report, based on observations made by the Board.

6. Annual Review of Standing Orders

6.1 The Board conducted its annual review of the SCTS Standing Orders and the powers and responsibilities that were delegated from the Board to its Committees and the wider organisation.

6.2 The revised SCTS Standing Orders were approved for publication in July, superseding the current version.

7. Office of the Public Guardian – Business Case

7.1 The Board considered a detailed business case that set out the plan and budget for the second and third phases of system transformation to support the work of the Office of the Public Guardian. Good progress had been made on the development of phase one, which would allow both the records and processing work relating to Powers of Attorney to be migrated from the end-of-life SIGMA system. The scope of phase one had been reviewed and would now include additional functionality that was previously planned for completion in phases 2 and 3.

7.2 In order to migrate fully from current system, SIGMA, funding was required to support phases 2 and 3. The new system would process Guardianship business (phase 2) and the various duties of the Accountant of Court (phase 3).

7.3 The Board agreed that migrating from SIGMA remained a priority. This would provide the opportunity to introduce an enhanced case management system, improvements to system stability, and the opportunity to re-design and improve the level and types of service that OPG would be able to offer to its customers. This would support the continued growth in POA and Guardianship applications.

7.4 The Board approved the Business Case and agreed that discussions to secure funding for the delivery of phases 2 and 3 should be taken forward with the Scottish Government.

8. Audio Recording Data Update

8.1 In early March the Scottish Government launched a pilot, which provided complainers in rape trials in the High Court with transcriptions of trial proceedings. In respect of one application, the audio recording data was only partially available. An account of the trial was compiled using the available audio data and alternative sources to support the application so far as possible.

8.2 The Board were informed that work to assess the root cause of the issue had been completed, identifying its extent and potential implications. A full report had been submitted to the Information Commissioner's Office in view of the fact that personal data had become unavailable as a result of lost recordings. The ICO had considered the report and closed the issue without further investigation.

8.3 The Board commended the work of the teams involved in considering the cause of the data loss and potential mitigations, should there be any impact in relation to future data requests.

9. SCTS Committees

Audit and Risk Committee

9.1 The Chair of the Audit and Risk Committee outlined the discussions at their last meeting. They had received an update on the implementation of the Oracle Fusion Cloud Accounting system which would go live on 1 October. They commended the Finance Team on the significant testing and robust challenge to the Scottish Government during the development of the system.

9.2 The appointment of two non-executive members of the Committee was welcomed. The new members would attend an induction session ahead of their first meeting on 29 July.

People Committee

9.3 The Chair of the Committee updated the Board on the discussions at their last meeting. The Committee had received an update on the steps SCTS was taking as it worked towards becoming a trauma informed organisation. An overview of the plans to support the move to a 35-hour working week on 1 October was also provided. The Committee had held two deep dive sessions. The first was on the SCTS approach to Strategic Workforce Planning and Succession Planning. The second considered the development of a new programme to supplement the talent pipeline of future senior managers and to assist in creating a culture of inclusive leadership.

9.4 Recruitment to appoint a new non-executive member would commence shortly.

Estates Committee

9.5 An update was provided from the Chair of the Estates Committee on the discussions at their last meeting. The Committee had reviewed the Property and Services Unit Business Plan 2024-25 which had a focus on sustainability, maintaining the estate and the delivery of projects in support of the key outcomes in the overall SCTS Business Plan 2024-25.

9.6 The re-tendering and procurement process for the Facilities Management Contract had concluded. The contract had been awarded to OCS Group and would commence on 1 July 2024.

9.7 The Committee had received an update on the progress of the ongoing remedial work at Airdrie Sheriff Court. Contingency arrangements remained in place. High quality modular accommodation was now in place to accommodate staff. It was anticipated that all remedial works would be completed in September, supporting the full return of all business types to the court.

10. Any Other Business

10.1 The Chair advised that this was Eric McQueen's last meeting as Chief Executive as he would be retiring in August after 43 years as a civil servant. He would demit office on 29 July after 13 years as Chief Executive. The Board thanked Eric for his invaluable insight and strong leadership of the organisation during his tenure and wished him well in his retirement.

10.2 Malcolm Graham had been appointed as the new Chief Executive and would take up the role on 29 July.

11. Papers for Scrutiny/Exception Reporting Only

11.1 The following papers had been circulated for scrutiny:

- the SCTS Decision Tracker

No matters were raised by exception.

12. Date of the Next Meeting

12.1 The next meeting would be on Monday 5 August 2024 in Edinburgh.

Scottish Courts and Tribunals Service
June 2024