

MINUTES

SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD MEETING: Monday 27 January 2025, Parliament House, Edinburgh

- Present:** Lord Carloway, Lord President (Chair)
Dr David Caddick MBE
Maggie Craig
Steven Dickson
Lady Dorrian, Lord Justice Clerk
Dr Sophie Flemig
Malcolm Graham
Ruth Innes, KC
Sheriff Olga Pasportnikov
Anne Scott
Lynsey Walker
Lady Wise
- Attended:** Lord Pentland, Lord President elect
Noel Rehfisch, Deputy Chief Executive, SCTS
Karen Lawrie, Head of Secretariat, SCTS
- Apologies:** Sheriff Principal Anwar, KC
Sheriff Jillian Martin-Brown

1. Minutes of the SCTS Board Meeting on 25 November 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. Finance Report

3.1 The Board considered a report on financial performance to the end of December 2024. The total 2024-25 budget was £204.1m. This included the anticipated in-year funding transfers from the Scottish Government provided through Budget revisions. Full year expenditure was currently forecast to be £0.3m above the approved budget level. This would be managed closely through the remainder of the financial year and would be offset by a rates rebate that had recently been received. Measures were in place both to monitor expenditure and to ensure that the budget was utilised effectively, with any underspends directed towards priorities identified by the Executive. Permission had been secured from the Scottish Government to incur an agreed revenue overspend in order to support the introduction of the Office of the Public Guardian case management project.

3.2 The Board highlighted the importance of utilising the budget to ensure that planned projects could be implemented. They acknowledged the robust forecasting and monitoring that was in place in order to deliver a balanced budget, whilst continuing to invest in improvements in key areas.

4. 2025-26 Budget Update

4.1 The Scottish budget for 2025-26 had been published on 4 December. The Executive provided an overview of the settlement received. This had been the result of intensive negotiations during which the pressures faced by organisation were outlined. Revenue and capital budgets had been increased, although the revenue settlement fell short of the level requested by around £8m. Funding had been secured to maintain the court recovery programme and associated activities in the coming year. The detailed budget would be developed in tandem with the 2025-26 Business Plan. This would be presented for approval at the next meeting.

4.2 The Board welcomed the settlement, whilst acknowledging the pressures on the resource budget and the need to plan carefully to support both core operations and reform. The additional costs associated with the recently announced changes to employers' national insurance rates was discussed. This may present a further pressure on the SCTS budget as the level of financial support that will be provided from the Scottish Government to meet those costs was yet to be confirmed.

5. Draft SCTS Business Plan 2025-26

5.1 The Board reviewed a developing draft of the 2025-26 SCTS Business Plan. The draft plan set out the proposed key outcomes for the coming year under the four SCTS reform areas (Criminal, Civil, Tribunals & the OPG and Corporate). The final plan would incorporate the overall budget for the coming year. A number of comments had been received from Board members and the draft outcomes were discussed. The proposed changes and comments would be incorporated into the final draft. The final draft would be presented to the Board for consideration at their meeting on 24 March.

6. People Survey Results 2024

6.1 The results of the 2024 People Survey were reviewed. The SCTS' overall engagement score had risen to 65%. Completion levels had also increased. These results continued to place the SCTS among the top performers in Scotland for both completion rate and engagement score.

6.2 The Board acknowledged the positive results and improved completion rates. The Executive reported that good progress had been made with a two-year action plan, for the years 2024 and 2025, which had been developed in response to the 2023 People Survey Results. The plan focused on: (i) leadership and managing change; and (ii) SCTS values and behaviours. Implementation of the 35hr working week on 1 October, following the conclusion of the well-being hour pilot and year 2 of a competitive Pay Award, had led to the positive increase in category "Pay and Benefits", which had increased by 12 percentage points.

6.3 The Board agreed that detailed analysis of the results and follow-up activity should be conducted by the People Committee. Findings would be presented to a future Board meeting.

7. SCTS Committees

Audit and Risk Committee

7.1 The Chair of the Committee updated the Board on discussions at the January meeting. The Committee had discussed the key developments following the launch on the Oracle Fusion Cloud Accounting system on 1 October. They acknowledged that, whilst some workstreams were working well, manual workarounds were still required in significant areas including Purchase to Pay and end to end accounting. Difficulties were being experienced in understanding the role-based access of users and reconfiguring this where required. The Committee supported the escalation of these issues to Scottish Government Officials by the Chief Executive.

7.2 The Committee had also endorsed the Internal Audit Plan for 2025-26 and reviewed the SCTS Annual Whistleblowing Report.

8. Any Other Business

8.1 The Board were informed that Eric McQueen, former SCTS Chief Executive, would be giving evidence to the Scottish Covid Inquiry in February, on behalf of the SCTS. Noel Rehfisch, Deputy Chief Executive, would also be participating in the evidence session.

8.2 The Executive advised the Board that the Scottish Government had published their Public Sector Pay Policy in December. Pay negotiations would shortly commence with the PCS Union Officials.

9. Papers for Scrutiny/Exception Reporting Only

9.1 The following papers had been circulated for scrutiny:

- the SCTS Decision Tracker
- Customer Service Excellence Accreditation 2024

No matters were raised by exception.

10. Date of the Next Meeting

10.1 The next meeting would be on Monday 24 March 2025 in Edinburgh.

11. Joint Board and Committee Risk Workshop

11.1 Following the meeting, the Board held its annual workshop session with members from the three Committees (People, Estates and Audit & Risk). The workshop allowed Board and Committee members to review the proposed objectives in the draft SCTS Business Plan 2025-26 across its four key reform areas: Criminal Justice; Civil Justice; Tribunals & OPG; and Corporate.

11.2 The proposed objectives were discussed in more detail in small groups. They suggested some changes to the objectives which would be considered by the Executive Directors prior the finalisation of the Business Plan. They also considered the risks contained in the Corporate Risk Register and agreed that they continued to reflect the significant risks faced by the organisation.

11.3 The opportunity for Board and Committee members, to come together to discuss the proposed objectives from their varying perspectives was welcomed.

11.4 Following the workshop, tributes were paid to the Lord President (Lord Carloway) and the Lord Justice Clerk (Lady Dorrian) in recognition of their significant achievements over the decade in which they led the SCTS Board. This was their final Board meeting ahead of their retirement on 3 February. Members thanked the Lord President and Lord Justice Clerk for their leadership, friendship and support and wished them well for a long and happy retirement.

Scottish Courts and Tribunals Service
January 2025