



SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD MEETING: Monday 5 August 2024, Parliament House

Present: Lord Carloway, Lord President (Chair)
Sheriff Principal Anwar
Dr David Caddick MBE
Maggie Craig
Steven Dickson
Malcolm Graham
Ruth Innes, KC
Sheriff Jillian Martin-Brown
Sheriff Olga Paspornikov
Anne Scott
Lynsey Walker

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

Apologies: Lady Dorrian, Lord Justice Clerk
Dr Sophie Flemig
Lady Wise

1. Minutes of the SCTS Board Meeting on 10 June 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.

2.2 The Chair welcomed Malcolm Graham to the meeting. Malcolm had been appointed as Chief Executive of the SCTS on 29 July.

3. Finance Report

3.1 The Board considered a report on financial performance to the end of June 2024. The total 2024-25 budget was £206m. This included the anticipated in-year funding transfers from the Scottish Government. Full year expenditure was currently forecast to be 0.4% above this level. Steps would be taken to ensure that a balanced budget would be delivered. Fee income was slightly ahead of forecasted levels and would continue to be closely monitored.

3.2 The Board discussed the importance of utilising the full budget to ensure that the planned projects could be fully implemented. They acknowledged the robust forecasting and budget monitoring that was in place that would identify emerging underspend which would be fully utilised.

4. Spending Review and Medium Term Financial Strategy

4.1 The Board reviewed the draft SCTS Medium Term Financial Strategy. The strategy was produced in response to a recommendation from Audit Scotland. It had been developed to outline the financial position of the SCTS, explaining the costs of operation, future financial requirements to maintain service delivery and examples of reform initiatives which demonstrated that resources were used effectively.

4.2 The Board approved the draft strategy for publication. The strategy would be used alongside other data sources to inform the Government of the resource requirements for current and future funding discussions. The UK Government would publish the 2025-26 budget at the end of October. Development of the Scottish budget would follow that process.

5. SCTS Audit and Risk Committee

5.1 The Chair of the Audit and Risk Committee provided a summary of the matters discussed at its last meeting. The Committee had welcomed two new members to their meeting. An update was received regarding implementation of the Oracle Fusion Shared Services Programme. The Committee were reassured by the robust work being undertaken by the Finance Team. They noted a number of outstanding risks and dependencies where SCTS was dependent on good progress being made by the Scottish Government. External Audit had commended the Finance team on the high quality of the draft annual report and accounts, on which they had provided an unqualified opinion.

5.2 The Chair presented the Committee's Annual report. This reflected the work of the Committee during the 2023-24 audit year. It set out the priorities for the coming year. These included: providing direction and oversight of internal audit reviews; detailed consideration of corporate risks (including an annual workshop session with the Board and other committees); and a programme of deep dive sessions, which would allow the Committee to explore areas of particular interest in more detail with the Executive.

5.3 Based on its scrutiny and the assurances provided by the Executive, External Audit and Internal Audit, the Committee recommended approval of the SCTS Annual Report and Accounts for 2023-24. The final version of the Report and Audited Accounts was presented for approval.

5.4 Having considered the Committee's Report and its recommendation, **the Board approved the Scottish Courts and Tribunals Service Annual Report and Accounts for 2023-24**. The SCTS Accountable Officer would now sign the Governance Statement. Arrangements would be put in place for the Annual Report and Accounts to be published and laid before the Scottish Parliament, following clearance from Audit Scotland.

6. Review of Service Standards for Victims and Witnesses

6.1 The annual report on the operation of shared standards of service for victims and witnesses was reviewed. The report provided a summary of how the standards, which had been agreed between the SCTS, Police Scotland, COPFS, the Scottish Prison Service and the Parole Board for Scotland, had operated over the last 12 months. The Board acknowledged that, overall, the standards had been effectively achieved. The standards of service would continue to be reviewed in collaboration with other justice organisations.

6.2 The Board acknowledged the improvement activities underway in relation to trauma-informed practice. They welcomed the development of new facilities, such as the Dundee Justice Hub, which had the potential to improve service standards further. The Board approved the annual service standards report for 2023-24.

7. Quarterly Performance Review and SCTS Board Scorecard

7.1 The Board carried out its quarterly performance review. Current progress on the delivery of the outcomes in the 2024-25 Business Plan and the Board Scorecard were scrutinised.

7.2 The Board acknowledged the inclusion of a new measure relating to the Office of the Public Guardian in the Scorecard. This measure was similar to other operational measures with targets monitored to provide assurance of service delivery.

7.3 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.

8. SCTS Framework Document

8.1 The SCTS had agreed a [Framework Document](#) with the Scottish Ministers in 2015. The purpose of the document was to detail arrangements in relation to a number of governance, financing and practical matters which were not covered in the SCTS founding legislation - The Judiciary and Courts (Scotland) Act 2008.

8.2 The current version of the Framework was in need revision. Following detailed discussions with the Scottish Government, a revised version had been developed and was presented to the Board for approval. The draft was based on a new model framework document which had been developed by the Scottish Government. It was tailored appropriately to reflect the needs and circumstances of the SCTS.

8.3 The Board approved the draft document and agreed that it should be submitted to the Scottish Ministers for approval. It would supersede the current version.

9. SCTS Committees

Remuneration

9.1 The Remuneration Committee had met on 10 July. In accordance with the Scottish Government's Public Sector Pay Strategy for 2024-25, the Committee agreed to recommend a £4 (1.2%) increase in the daily fees for those members of the SCTS Board and its Committees who were not already in receipt of remuneration from public funds. This was approved by the Board.

9.2 The Committee had ensured that the proposed increase was in-line with the Scottish Government policy, which reflected the constraints on public finances. In supporting the increase, the Board agreed that the value and experience brought by the external members was an essential part of its operation.

Estates Committee

9.3 The Chair reported that the meeting on 15 July had been held in Aberdeen Sheriff Court. The Committee had received a tour of the Sheriff Court, the Civil Annexe and the Evidence by Commissioner suite.

9.4 The Committee were updated on the ongoing remedial works at Airdrie Sheriff Court where Reinforced Autoclaved Aerated Concrete had been identified. It was anticipated that the remedial works would be finished by the end of September.

9.5 An update on development of the Dundee Justice Hub was presented. The hub had become operational in June with two civil courtrooms, office accommodation, live link facilities and Evidence by Commission facilities. The building was officially opened on 2 August by the Lord President, Cabinet Secretary, Angela Constance, and Sheriff Principal Wade.

10. Any Other Business

10.1 None

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 7 October 2024 in Hamilton.

13. Deep Dive Session – 35 hour Working Week Implementation

13.1 Lisa Sellars, Director Human Resources, and Paul McKinlay, Director Operations Delivery, (Sheriff & JP Courts), were welcomed to the meeting. They gave a presentation on the steps that had been taken to ensure that the SCTS was well-prepared to manage the transition to a 35-hour working week. SCTS would move to a 35 hour working week from 1 October, in line with the pay award negotiated in 2023.

13.2 The benefits and challenges of making the move were discussed. The opportunity to improve everyone's wellbeing, building on the progress made through the pilot of the wellbeing hour, was recognised. The change would help to make the SCTS an attractive employer, whilst encouraging staff to focus on efficiencies and flexibility. Challenges included achieving these goals without impacting on service levels and productivity. Extensive preparations had been made to ensure that the change would be a success. These had been led by an organisational working group and involved wide-scale consultation across the organisation.

13.3 The Board discussed the preparations, benefits and potential challenges presented. These had been previously scrutinised by the People Committee. They agreed that the organisation was well placed to manage the change. Engagement would continue during the transition and beyond. A range of measures would be kept under review to evaluate the impact of the change on both our services and staff wellbeing.

13.4 The Board thanked Lisa and Paul for the presentation and commended the work carried out to prepare for the transition to a 35 hour working week. The Board and People Committee would monitor the impact of the change following its implementation.