



## SCOTTISH COURTS AND TRIBUNALS SERVICE BOARD

MEETING: Monday 28 November 2022, Parliament House, Edinburgh

**Present:** Lord Carloway, Lord President (Chair)  
Maggie Craig  
Steven Dickson  
Lady Dorrian, Lord Justice Clerk  
Dr Sophie Flemig  
Ruth Innes, KC  
Eric McQueen  
Sheriff Olga Paspornnikov  
Morna Rae, JP  
Anne Scott  
Sheriff Principal Craig Turnbull  
Lynsey Walker  
Lord Woolman

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

**Apologies:** Sheriff Jillian Martin-Brown

### 1. Minutes of the SCTS Board Meeting on 10 October 2022

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 August 2022. The total 2022-23 budget was now £184.1m. This included the anticipated in-year funding transfers from the Scottish Government. Full year expenditure was currently forecast to be over budget, due to projected cost pressures from the revised pay settlement. Confirmation had been received from the Government that appropriate financial support would be provided to ensure that the cost of the pay settlement could be met this year.

3.2 An update on the Government's Resource Spending Review was presented. The review set out the financial framework for the devolved public sector from 2023-24 to 2026-27. The review announced that all bodies in the justice sector, including SCTS, would be awarded an initial flat-cash settlement for each of the following four financial years. This would represent a significant real-terms budget cut due to inflation.

3.3 The Chief Executive had given evidence to the Criminal Justice Committee of the Scottish Parliament on 2 November. The potential impact of a flat cash settlement, expanding on the evidence submitted to the Committee, was highlighted.

3.4 The Board acknowledged the ongoing work to assess the impact of such a settlement and recognised the severe limitations to the delivery of post-pandemic recovery and reform, should budgets be restricted in this way. It was clear that a flat-cash settlement would have significant negative impacts on service delivery, affecting court and tribunal users, partners and staff.

3.5 The Board noted that the Government was due to announce its budget on 15 December. They agreed that representations should continue to be made to both the Government and the Parliament regarding the impact of budget reductions.

#### **4. Business Plan Delivery Report and Board Scorecard**

4.1 The Board carried out its quarterly performance review. The current position on the delivery of outcomes in the 2022-23 Business Plan was scrutinised.

4.2 The Board acknowledged the good progress made against the outcomes contained in the business plan for 2022-23. They reviewed the key performance indicators contained in the Board Scorecard which covered quarter 2 of 2022-23.

#### **5. SCTS Board Operation**

5.1 The Board reviewed the structure of its existing four Committees: People, Estates, Audit & Risk and Remuneration. The Committees had supported the Board in discharging their role to good effect over the past year. It was agreed that the structure would be maintained for 2023.

5.2 A schedule of workshop sessions, visits and development activities, which would coincide with each Board meeting in 2023, was considered. The Board approved the shortlist of topics for the sessions and proposed visits.

#### **6. Sustainability/Net Zero Target**

6.1 New climate change regulations introduced this year require public authorities to set a target year by which the organisation intends to achieve net zero direct emissions from its operations. The Board reviewed the progress made by SCTS in relation to sustainability. They acknowledged that emissions had reduced considerably since the establishment of SCTS as a non-ministerial office in 2010. The Board recognised that it would be a significant challenge for SCTS to achieve “net zero” due to the nature of the business conducted by the organisation and the size, distribution and nature of the estate.

6.2 The Board agreed that the SCTS approach to sustainability should be reviewed and a roadmap for future change developed. This would set out the improvements that could be made alongside the resources and support that would be required to deliver them. It was agreed that SCTS should set its target date for net zero direct emissions as 2045. This date would be subject to periodic review.

6.3 The Chair announced that Steven Dickson had been appointed as the Board Sustainability Champion. Steven would maintain oversight of the sustainability work underway and provide regular progress updates to the Board.

#### **7. SCTS Committees Update**

##### *Audit and Risk Committee*

7.1 The Committee Chair updated the Board on discussions at the November meeting. The Committee had discussed the progress of the Oracle Fusion Shared Services Programme. The SCTS High Level action plan associated with the programme had been scrutinised. The

Committee had reviewed the Assurance and Best Value Framework which provided a good overview of the assurances in place.

7.2 The Deep Dive sessions for the Committee were agreed for 2023-24.

#### *Estates Committee*

7.3 Morna Rae JP submitted the Committee's Annual Report. The report outlined the matters discussed by the Committee during the last year and their priorities for the coming year. The Committee had approved the estates budget priorities for 2022-23 and the list of "shovel ready" projects which was maintained to ensure effective use of any late release of funding from the Government.

#### *People Committee*

7.4 The Committee Chair presented the Committee's Annual Report. The report highlighted the vast number of key themes covered during 2022, which had been a challenging year for the HR and Education and Learning (ELU) teams due to recovery from the COVID pandemic and the recruitment challenges faced by both teams, and the SCTS as a whole.

7.5 The Committee's key themes for 2023 had been reduced to allow a more focused approach in key areas. The Committee would participate in a workshop with HR and ELU teams in February to identify links between the developing Corporate Plan 2023-26 and the new People Strategy.

7.6 The Chair thanked all Committee Members and staff of the SCTS who had supported their work over the last 12 months.

### **8. Any Other Business**

8.1 None

### **9. Papers for Scrutiny/Exception Reporting Only**

9.1 The following papers had been circulated for scrutiny:

- the SCTS Decision Tracker.
- Retention of Historical Court and Judicial Material

No matters were raised by exception.

### **10. Date of the Next Meeting**

10.1 The next meeting would be held on Monday 6 February 2023 and would be followed by the joint SCTS Board and Committee Risk Workshop.

### **11. SCTS Corporate Plan 2023-26 – Corporate Reforms and next steps**

11.1 Noel Rehfisch, Interim Deputy Chief Executive, and Steven D'Arcy, Interim Corporate Secretary, joined the meeting.

11.2 Every three years SCTS must produce a Corporate Plan setting out its high-level direction and outcomes for the following 3-year period. The next plan will cover 2023-26. The Board held the last in a series of detailed discussion sessions on key reform areas, focusing on corporate reforms.

11.3 The vision for corporate reform was outlined. This set out the progress that had already been made in a number of areas, including development of a new intranet, the roll-out of systems that

have supported virtual working during the pandemic and new programmes to promote leadership and development across the organisation.

11.4 In the coming Corporate Plan period the ambition would be to continue to improve core finance and HR systems; to invest in our people by providing high quality development and new ways of working; and to deliver more sustainable operations. This would build towards the long term ambition of becoming a cash free, paper free and carbon neutral organisation.

11.5 The Board welcomed the discussions and supported the proposed reforms. It was recognised that suitable levels of funding would be required to maintain progress. Draft outcomes for the corporate plan were reviewed. A full draft of the plan would be submitted to the Board for consideration at the next meeting.

Scottish Courts and Tribunals Service  
November 2022