

The Supreme Court of the United Kingdom Management Board

Minutes of the meeting held on 28 November 2016

Attending: Mark Ormerod (Chair)

William Arnold
Louise di Mambro
Paul Brigland
Chris Maile
Olufemi Oguntunde
Ben Wilson
Stephen Barrett (Non-Executive Director)
Kenneth Ludlam (Non-Executive Director)

Paul Sandles (Secretary)

1. Apologies for absence and introduction.

1.1 No apologies were received.

2. Approval of the minutes of the meeting of 26 September 2016.

2.1 The minutes were approved, subject to one addition.

3. Matters arising not covered elsewhere on the agenda.

3.1 Following Martin Thompson's retirement in September, there had been changes to senior management roles. PB had absorbed the accommodation role to create a new position of Head of Office and Building Services and Departmental Records Officer.

4. Declaration of conflicts of interests.

4.1 No declarations of conflicts of interest were made.

5. Chief Executive's Overview.

5.1 The Board noted the contents of paper MB16/44, and in particular the following points –

- The initial meeting of the first Appointments Commission would take place on 5 December 2016. Lord Neuberger had announced his forthcoming retirement, as well as that of Lord Clarke, in a speech on 21 November.
- Administrative planning for the arrival of new Justices was underway.
- In order to provide more effective forecasting of fee income, the Court would change the way Management Information was collected and presented.
- It would remain an objective to hold Court hearings in the other constituent jurisdictions of the United Kingdom.

5.2 SB suggested that all information necessary for potential applicants be placed on a single page on the website.

6. Management Information Dashboard.

6.1 The Board noted the contents of paper MB16/45, and in particular the following points –

- Outstanding Registry statistics from the previous meeting were presented. Applications for permission to appeal from litigants in person were all unsuccessful.
- There had been a rise in FOI requests in October.
- BW explained that written complaints related to the delivery of some of the Friday tours. The issue had been addressed with additional training for the member of staff concerned.

7. Risk Register.

7.1 The Board noted paper MB16/46, and in particular the following points –

Risk 1 (*Disruption from breach of physical security*) – The Board noted the successful tests of both the Business Continuity Plan and the evacuation procedure. The invacuation exercise, originally scheduled for November, would be deferred until the New Year. Responsibility for this risk area would now rest with WA.

Risk 2 (*Loss of / decline in infrastructure performance*) – The Board noted the scheduled roll-out for the new telephone system in December.

Risk 3 (*Damage to Reputation*) – The Board noted that recent news stories with the potential to undermine the perception of impartiality in the Court had proven challenging to handle.

Risk 4 (*Financial Challenge*) – Lower than anticipated fee income provided a continuing challenge.

Risk 6 (*Workload Movement*) - The Board noted the results of a referendum in Grenada on acceding to the jurisdiction of the Caribbean Court of Justice.

7.2 The Board received updates about the legal administration, communications, infrastructure, and security preparations for the ‘Brexit’ case. SB acknowledged the impact the case was having on a relatively small staff and offered praise for the tone and clarity of the Court’s communications regarding the administration of the case. SB advised setting aside ‘business as usual’ work for key staff during the hearing to enable swift responses where necessary and so that as many potential issues as possible could be anticipated.

8. Finance and fees.

8.1 The Board considered paper MB16/47 and noted the following points -

- Figures for October had been in line with budget estimates. There had been a small under spend of £50k, or 1% of the profiled budget.

- All contributions due had been received from the jurisdictions for the first three quarters. The possibility that Northern Ireland may begin baseline transfers was discussed.
- There was discussion of fee income trends using data from September and October 2016. The reduction in income had been more pronounced in these two months and the Board discussed mitigation actions for this financial year.
- In collaboration with the Registry and ICT teams, the Finance team would be leading on a cross-functional project that would lead to better understanding of expected fee income and how well cases are flowing through their respective stages within the Court.

Action point: OO to present results of the project mentioned above at the next meeting.

9. Press and communications.

9.1 The Board noted the contents of paper MB16/48, and the following points –

- Recent exhibitions on the Lower Ground Floor had demonstrated that the space was more flexible than previously thought and could be used again in future.
- Evening tours had been introduced successfully in November. The tours boosted WMI income and sold out quickly. Further sessions would be offered in February 2017 with a view towards making them more regular thereafter.
- The Board took note of the statistics on visitor numbers to the building as well as the web traffic reports.

10. Human Resources.

10.1 The Board noted the contents of papers MB16/49, MB16/51 (Staff Survey) and MB 16/52 (Equality and Diversity) and in particular the following points –

- The Court had been successful in in the accreditation application for the Healthy Workplace Charter.
- The results from the Staff Survey had been extremely positive and revealed a very high engagement score of 85%, the highest recorded in the Court’s history. The 100% response rate was also exceptional. SB observed that the Court might like to explore visual symbols of team working.
- SB noted that the degree of ‘inclusivity’ within an organisation was becoming a preferred term across other organisations.

11. Parliamentary Questions and Freedom of Information.

- 11.1 The Board noted that 3 FOI requests had been received in September and 12 in October.
- 11.2 1 PQ had been received regarding the responsibilities of the Lord Chancellor towards judicial conduct.

12. Case update.

- 12.1 There was nothing additional to report beyond the discussion regarding the ‘Brexit’ case already referenced.

13. Performance against the Business Plan 2016-17.

- 13.1 The Board noted the contents of paper MB16/50, which presented specific commitments in the Business Plan and the progress to date in meeting those objectives.

14. Review of Terms of Reference.

- 14.1 The Board reviewed the Terms of Reference and made the following amendments –
- The members list would be revised to remove the Building Manager and to merge this role with the Head of ICT and Departmental Records Officer.

- The frequency of meetings would be bi-monthly rather than monthly.
- The Audit Committee would now be the Audit and Risk Committee.
- Standing items on the agenda would be listed clearly.
- With the creation of the Strategic Advisory Board, the reference to the Strategic Plans in paragraph 1 would no longer be necessary.

15. Building Services contract

15.1 The Board noted the contents of paper MB16/53, and the following points –

- The contract with M J Ferguson Ltd would expire in April 2018. Options for its replacement would be discussed by the Board before any decisions are taken.
- The merits of having a clear figure above which quotes would be routinely obtained was discussed. There was discussion as to the advantages of carrying out all works on a quotation-and-supply basis instead of maintaining a service contract for hard facilities management.
- Some non-essential building works had been deferred until the new financial year, including the solution for the noisy floorboards in the lobby area outside Courtroom 1.

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