

**The Supreme Court of the United Kingdom
Management Board**

Minutes of the meeting held on 23 February 2010

Attending: Jenny Rowe (Chair)

William Arnold
Sian Lewis
Sue McKenzie (agenda item 6)
Louise di Mambro (except agenda item 6)
Olufemi Oguntunde
Philip Robinson (Non-Executive Director)
Caroline Smith
Martin Thompson
Alex Jablonowski (Non-Executive Director attended by telephone)

Ann Achow (Secretary)

1. Apologies for absence

1.1 There were no apologies.

2. Approval of the minutes of the MB meeting held on 26 January 2010

2.1 The minutes were approved.

3. Matters arising not covered elsewhere in the minutes

3.1 JR had not received a reply from John Pennells of the Middlesex Art Collection Trust for clarification of the value of the collection and of the trustees' arrangements (if any) with regards to insurance. She would pursue the matter. This issue had also been raised by the auditors.

Action: JR to contact John Pennells again.

3.2 MT had contacted the RCJ to set up a meeting to discuss fall back accommodation in connection with the Business Continuity Plan and was waiting for a reply. It was agreed that testing the BCP was a priority, since it was a high item on the risk register. Every effort should be made to expedite matters.

Action: MT to expedite testing of BCP.

3.3 JR had sent a note to the President and Deputy President about the events policy and was planning to speak to them.

4. Scorecard report

4.1 The Board considered paper MB 10/11 which contained scorecard figures up to and including January 2010. In connection with the target for invoices OO reported that the BIS target was for invoices to be paid within 10 working days of receipt. We were,

however, constrained by the operating procedures of the MoJ contractor who dealt with our payments. It was agreed that, taking this into account, a target of 70% of invoices paid within 10 working days would be appropriate.

4.2 There were items on the scorecard, for example on diversity and equality and sustainability, where it was proving difficult either to set targets or to provide data. There were also items which we should capture in more detail such as the fast turnaround of urgent cases, devolution cases, volume of tours etc. The Board discussed the possibility of making amendments to the scorecard now, but decided that no changes would be made until a six month review was carried out at the April MB meeting.

Action: A formal review of the scorecard will take place at the April MB meeting.

4.3 The quarterly report to the jurisdictions was due. The scorecard would form the basis for this and for subsequent quarterly reports alongside a contextual commentary.

Action: AA to commission contributions for the quarterly report for the jurisdictions from those who provided contributions to the scorecard. The quarterly report would be produced as soon as possible.

5. 2010/11 Business plan update

5.1 WA had circulated the second draft to team managers. He would incorporate any further comments with a view to circulating a further draft out of committee to all MB members by 26 February. The next step would then be to circulate the more finished article to the President and Deputy President and the jurisdictions.

Action: WA to circulate the revised draft Business Plan for MB comments.

6. Corporate events update

6.1 SMcK updated the Board on recent decisions concerning the events strategy. She had been appointed to take this work forward as a dedicated resource for six months from 1 April 2010, in addition to taking over responsibility for the gift shop. Work in progress included the production of a client questionnaire and a photo shoot for the brochure and website.

6.2 PR asked whether the cost of the dedicated resource had been factored into the previous costings. It had not, but JR said that it was planned that the events hire should break even in 2010/11. It was appreciated that it should not impact financially on the Court's core business.

6.3 CS would revise the hospitality and gifts policy to make it clear that it excluded the events function.

Action: CS to revise the hospitality and gifts policy accordingly.

7. Finance and fees

7.1 OO presented paper MB 10/12 which contained a full financial information pack.

7.2 The key points for the Board to note on the accounts were as follows:

- Year to date spend to the end of January stood at £4.1m against a budget of £4.2m which represented an under-spend of 3%.
- The 2009/10 end year budget profile showed a forecast under-spend of £250k. There were two factors which could significantly affect the end year position. One was the possible revaluation of the building even though it was valued in August 2009, backdated to April 2009. As this could have an impact on the balance sheet it would be discussed at the next Audit Committee meeting. In the meantime OO was asked to raise this with NAO at his forthcoming meeting with them and request a written explanation.
- The second issue was connected with modified historical cost accounting and the impact this would have on the materiality threshold of fixed assets.
- Fee income in January had fallen in comparison with previous months
- The profit from the gift shop stood at £7,300 representing a gross profit of 40%.
- The Spring Supplementary Estimate had been finalised.
- The difference between the value of the building and the lease payment would be included in the Operating Cost Statement and HMT were content with this.

7.3 Discussions with MoJ about the 2010/11 budget were ongoing. JR was expecting to know the final figure by 26 February.

7.4 NAO had just completed their interim audit with no major issues raised.

8. Risk

8.1 The Board considered paper MB10/13 which was the risk register containing two additional risks suggested by the Audit Committee. These covered reputational risks arising from real or perceived lack of independence and perceived reduced regularity and propriety. These entries would be populated by JR. The Board felt that it had an important role to provide advice as appropriate on these matters.

8.2 All risk owners would review and update their risk entries in time for the next MB meeting. It was agreed that the risk register would continue to be presented to the Board monthly with a formal review at quarterly interviews beginning at the March MB meeting. Risk owners would continue to monitor and manage their risks regularly as part of the core management function.

Action: AA to issue a calling note for updates to the current risk register and to include formal quarterly reviews on MB agendas beginning with the March meeting.

9 Health and safety

9.1 There had been no health and safety incidents reported in the past month.

9.2 MT asked whether health and safety should continue as a monthly standing item on the agenda. It was agreed that, once the Health and Safety Policy was considered at the next MB meeting, health and safety should appear on the agenda at quarterly intervals.

Action: The Health and Safety Policy to be included on the March MB agenda. Health and Safety to be removed from the monthly standing items list with effect from the April meeting.

10. Human resources

10.1 Lord Phillips had spoken at the well attended quarterly staff meeting on 12 February.

10.2 CS updated the Board on HR issues. She was working on a draft Equality and Diversity Strategy which she would present at the March MB meeting. The Judicial Assistants recruitment campaign would be launched on 8 March via the contracted recruitment agency's website. CS and OO were due to attend the first MoJ shared services meeting later that week. JR was considering how to take this forward with the use of some limited outside advice.

Action: The Equality and Diversity Strategy to be included on the March MB agenda.

11. Press and communications

11.1 SL's communications update (paper MB 10/14) highlighted case coverage and commentary in the media. The terrorism assets case had received international coverage and the lifting of anonymity orders for the case was widely supported in the media.

11.2 Visitors to the court had reduced in the first three weeks of January, but the number of organised tours was rising. The January distinct 'web hits' figure of 34,000 was very high, compared with the figure of 5,000 for December. The Board discussed the possibility of extracting more detailed information from the web data, subject to any privacy considerations.

12. Parliamentary Questions monthly report

12.1 There had been no new PQs received since the last meeting. The flow of FOI enquiries was steady. All had been answered within the 20 day deadline.

13. Case statistics

13.1 LdiM reported that January's lower figures reflected the fact that most solicitors closed for two weeks over Christmas. Urgent cases were being dealt with quickly, in some instances within a month. Listings had been completed for Trinity term and was under way for the Michaelmas term 2010.

14. Any other business

14.1 PR asked about the rules surrounding government departments in the run up to an election. JR advised that the Cabinet Secretary had already advised departments that they might wish to talk to the opposition parties. There was nothing to prevent us giving factual briefing such as had been provided for Henry Bellingham's visit.

14.2 JR asked MT for advice on the flying of flags from government buildings in connection with St David's Day on 1 March.

Action: MT to provide advice to JR on flag flying for UK countries' national days.

14.3 Baroness Neuberger's report on diversity in the judiciary was due to be published on 24 February. JR was expecting an advance copy from MoJ as it could impact on the membership of Justices' selection committees.

14.4 AA reported that she had received information from MoJ about a proposed Welsh Language Measure due to be announced at the beginning of March by the Welsh Assembly Government. It was too early to say whether this would have a significant impact on us but would be likely to affect our plans to start work on a draft Welsh Language Scheme.

The Management Board approved these minutes on 23 March 2010 .