

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

**Minutes of the meeting held on 20 April 2011**

Attending: Jenny Rowe (Chair)

William Arnold

Alex Jablonowski (Non-Executive Director)

Sian Lewis

Louise di Mambro (item 3 onwards)

Olufemi Oguntunde

Philip Robinson (Non-Executive Director) via telephone conference call

Caroline Smith

Martin Thompson

Ann Achow (Secretary)

**1. Apologies for absence**

1.1 There were no apologies for absence.

**2. Approval of the minutes of the MB meeting held on 28 March 2011**

2.1 The minutes were approved subject to an amendment to paragraph 8.1 to include the exact number of applications received (179) for the judicial assistant recruitment campaign.

**3. Matters arising not covered elsewhere in the minutes**

3.1 JR had circulated the note of her visit to Scotland to AJ and PR. She told members that Lord Wallace, the Advocate General for Scotland had visited the Court recently. He had meetings with Lord Hope, JR, WA and LdiM. It was agreed that he would be kept in touch with Scottish cases coming before the Court.

**4. Review of the Information Security Policy.**

4.1 AA introduced paper MB11/19 which contained the current Information Security Policy. The policy falls for review by the Board annually in April. The paper proposed a minor amendment to reflect the exact review dates for two IT system Risk Management Accreditation Document Sets. After a general discussion about the management of information assets the Board approved the policy, including the minor amendment, for a further year.

**5. Scorecard report**

5.1 The Board considered paper MB11/20 which contained scorecard figures up to the end of the 2010/11 financial year. The Board felt that the scorecard was a useful tool for monitoring headline performance. Points to note were:

- the percentage rate of applications granted had increased in the last quarter of the year so that the figure for the full year stood at 40%, an increase from the past norm which was in the region of 33%
- the average number of training or developmental activities stood at 5 for each member of staff. This figure included mandatory e learning on information assurance and diversity
- the sickness absence rate was very low at just over a day per member of staff, compared with the civil service annual target of 7.5 days
- the 'letters of praise' section would be re-named 'positive feedback'.

## **6. Revised scorecard layout including JCPC**

6.1 Paper MB11/21 proposed a revised scorecard layout for the 2011/12 financial year including case statistics for the JCPC. The Board approved the new layout.

6.2 There was a query raised about the application of the Freedom of Information Act to the JCPC's court papers. AA would make enquiries.

**Action: AA to investigate the application of the FOI Act to JCPC court records.**

## **7. Risk**

7.1 The Board considered paper MB11/22 which comprised the current risk register. The detailed discussion focused mainly on financial issues including fees. Following the Audit Committee's discussions of the previous day JR would consider lowering the impact mark for risk 6 which dealt with fees increases. Consideration would also be given to consolidating risks 1 and 3 which dealt with contributions from the jurisdictions and the reputational risk of a real or perceived lack of independence.

7.2 A new risk dealing with selection commission matters would be considered provided that there were steps which could be taken to mitigate the risk. It was agreed that the purpose of the risk register was to identify actions to reduce or control risks, not to include risks which were outside the Board's control or where it was not possible to identify mitigating actions.

**Action: JR to consider changes to the risk register to reflect the Board's discussion.**

## **8. Finance and fees**

8.1 OO presented paper MB11/23 which contained a full financial information pack to the end of the financial year.

8.2 The key points for the Board to note were as follows:

- the end year expenditure against budget stood at an underspend of £315k or 2% of gross budget. The underspend had reduced due to increased spend on repairs and maintenance, the implementation of the new financial management system and recent confirmation of the Modified Historical Cost Accounting (MHAC) charge

- the change in the control regime for 2011/12 as a result of HM Treasury's introduction of new administration controls which required reductions year on year. The paper identified expenditure items which would be included in this new control
- from 2011/12 there was likely to be some flexibility to allow for the end year retention of a percentage of any increased income from fees or wider market initiatives
- the detailed profiled budget for 2011/12 was included in the paper. The budget would be managed centrally as in previous years.

8.3 Now that the Court was entering its second full financial year, it was important to look at past expenditure to assist forward planning. Trend figures comparing current expenditure with the same quarter in the previous financial year would be included in future finance information packs at quarterly intervals.

8.4 OO invited any further comments from members on the format or content of the monthly finance report.

#### **Actions**

- (1) OO to include quarterly expenditure trend information in future finance information packs**
- (2) UKSC members to approach OO for clarification of any queries relating to their team's budget for 2011/12.**
- (3) Members to let OO have any comments about the format or content of the monthly finance report.**

### **9. Press and communications**

9.1 SL presented her communications update (paper MB11/24) which highlighted case coverage, visitor and website visitor numbers. The number of individual visitors to the Court had risen again in March reaching 7,939, an increase of nearly 2,000 compared with the previous month. The number of school/student groups (65) was the highest since the Court opened, increasing from the previous month's all time high of 52. In addition twelve tours were held for non-educational groups. Congratulations were due to all members of the Communications Team.

9.2 The number of website visitors increased to 32,313 in March compared with 31,588 the previous month.

### **10. Human resources**

10.1 CS presented paper MB11/25 which gave the quarterly progress update on the 2010/11 Equality and Diversity Strategy and Action Plan. Progress on actions had been updated with some new actions added.

10.2 The Board discussed plans for compliance with the new Equality Duty including information which could be published on the website. Topics which could be put on the website included the headline results from last year's staff survey and the RNIB accessibility

report with appropriate commentary explaining actions taken and why, in some circumstances, recommendations could not be actioned. The UKSC User Group was the main consultation body for equality and diversity issues although work was also planned on customer satisfaction surveys.

10.3 CS updated the Board on other HR issues. Lord Hope, WA and LdiM had completed the sift of applicants for the judicial assistants recruitment campaign. Seventeen out of a total of 179 applicants were to be invited to attend interviews in June. Two staff were leaving under the voluntary early departure scheme at the end of April. CS would be attending the Senior Stakeholders Group dealing with the next phase of the new MoJ HR, IT and finance shared services implementation which was due to go live in 2012.

## **11. Parliamentary Questions monthly report**

11.1 There had been no PQs for answer in March. All FOI requests had been answered within the statutory 20 day deadline.

## **12. Case update**

12.1 LdiM reported that the registry continued to be very busy.

12.2 The Court was to consider for the first time a reference by a law officer under the devolution jurisdiction in relation to the Northern Ireland Assembly's Damages (Asbestos related Conditions) Bill. *Post meeting note – The reference was subsequently withdrawn.*

## **13. Any other business**

13.1 MT circulated a GANTT chart for the security contract procurement exercise. The advert seeking expressions of interest would be published on 21 April. PR asked whether the Non Executive Directors (NEDs) should be involved in the procurement process. JR would give this suggestion some thought.

### **Action: JR to consider whether NEDs should play a part in the procurement process**

13.2 MT notified members of a leak which had been found when the works to install access equipment in the lightwells was underway. It was likely that this would impact on the planned date for removal of the internal scaffolds. MoJ had been informed of the leak as it was likely to be a latent defect.

These minutes were approved by the Management Board on 29 June 2011.