

The Supreme Court of the United Kingdom

Management Board

Minutes of the meeting held on 24 July 2013

Attending: Jenny Rowe (Chair)

William Arnold
Chris Maile
Louise di Mambro
Olufemi Oguntunde
Martin Thompson
Ben Wilson
Alex Jablonowski (Non-Executive Director)
Philip Robinson (Non-Executive Director)

Paul Brigland (Secretary)

1. Apologies for absence

1.1 No apologies were received.

2. Approval of the minutes of the meeting of 23 June 2013.

2.1 The minutes were approved.

3. Matters arising not covered elsewhere on the agenda

3.1 Following Abu Qatada's return to Jordan there was no further action for the Court to consider.

4. Scorecard

4.1 The Board noted the contents of paper MB13/43. It was agreed that detailed consideration would be given to the scorecard at the Management Board workshop on 26 July.

5. Risk Register

- 5.1 The Board noted paper MB13/44. It was agreed that the Risk Register would be given detailed consideration at the Management Board workshop on 26 July.
- 5.2 PR drew the Boards attention to the Government consultation paper and the Cabinet Office statement regarding the bodies that would need to be created if the referendum in Scotland went in favour of independence. A Scottish Supreme Court had been listed as one of the possible bodies to be created.

6. Finance and fees

- 6.1 The Board noted paper MB13/45, and in particular the following points –
- Actual expenditure at the end of June 2013 had been £3.3 million, against a profile of £3.4 million. This was due in part to the savings arising from efficiency measures (for example the new cleaning and FM contracts).
 - All contributions due in the first quarter had been received. The invoices for the second quarter contributions had been issued.
 - UKSC fees for June were back at the expected levels following a dip in May. JCPC fees were above the expected level.
- 6.2 The Board considered the income generated from wider market initiatives (hiring out of rooms, events, the gift shop etc) The Board discussed the need to be more pro-active in promoting facilities. PR said that the presentation of gifts in the display cabinet should be improved.
- 6.3 OO said HM Treasury had confirmed the figures arising from the 2013 Spending Round in an e-mail, but that we had not yet received a copy of the official confirmation letter sent to the MoJ. AJ asked when we would start receiving the letters direct form HMT rather than via MoJ. JR confirmed that this was being arranged with HMT.

6.4 AJ said that we needed to know if the figures had been agreed on a conditional basis; for example were further efficiency savings expected.

7. Press and communications

7.1 The Board noted paper MB13/46.

7.2 There had been coverage of the prisoner voting rights cases, where we now awaited the judgment. Other cases that had attracted coverage included Lundy, Prest, Smith and Bank Mellatt.

7.3 Lord Hope's retirement and Lady Hale's appointment had been covered, and requests for interviews with Lady Hale had been received. A joint press event with Lord Neuberger and Lady Hale was being considered.

7.4 Lord Neuberger was to be interviewed by the Financial Times before the summer recess.

7.5 June had been a busy but steady month for visitor numbers.

7.6 Visitor numbers to the websites remained steady. The Board noted that the number of visits via mobile devices continued to increase. There had been clear peaks in numbers that corresponded to the hand down of judgment in cases that had attracted public interest or were considered to be especially significant.

8. Human Resources

8.1 The Board noted the following points –

- An offer had been made to a potential new member of staff for the Registry – this was part of the succession planning for that section.
- The new tax code arrangements for UKSC staff were now operational

9. Parliamentary Questions and Freedom of Information

- 9.1 PB reported that 2 FOI requests had been received in June. The number of more general or random queries, and requests for advice had increased. No PQs had been tabled

10. Case update

- 10.1 The Board noted that the HS2, and the case involving the gay couple who had not been allowed to stay at a B&B were coming to the UKSC from the Court of Appeal.
- 10.2 It was probable that the Nicholson case would also be coming to the UKSC, and would be listed for the next term.

11. Equality and diversity

- 11.1 The Board noted paper MB13/47.
- 11.2 PR noted that the process of feedback on request to unsuccessful candidates following recruitment campaigns, either via e-mail or telephone, must be time consuming. CM confirmed that it was, but that it was important it be done properly.

12. Health and Safety

- 12.1 The Board noted paper MB13/48, and in particular the following points –
- A representative from the new cleaning contractors attended the last H&S Committee meeting.
 - UKSC was doing better than most other departments in ensuring DSE assessments were carried out.
 - MT visited Dean's Yard, which is now the assembly point in the event of an emergency evacuation of the building, and was satisfied that it is suitable.

- Two proposals for an independent audit of the Court's H&S procedures have now been received and are being considered.
- H&S reports from both the cleaning and Hard FM contractors are now being received. To date there have been no incidents to report.

13. Energy consumption

13.1 The Board noted the contents of paper MB13/49, and in particular the following points –

- Gas consumption was running at 69% of the base year, and electricity consumption at 64%.
- Provided it stays under 75% it meets the government target of 25% reduction of carbon emissions for 2013/14, but further reduction would probably be required for 2014/15.
- Our DECC renewal had been completed and showed an improved rating.
- CRC renewal was due again.

14. IT update

14.1 The Board noted paper MB13/50. PB updated the Board on the progress of the ongoing ICT replacement project. The Board noted that suppliers of hosting and end user devices had been identified and discussions were now taking place with a view to agreeing SLAs and placing orders.

14.2 A proof of concept model of a potential replacement Case Management System had been developed and was being refined and tested, with a view to live testing commencing during September.

14.3 A comprehensive project plan and timeline was being drawn up to monitor the project over the implementation period, and to ensure that tasks were completed to deadline and the project stayed on track.

15. Pay strategy

- 15.1 The Board formally approved the creation of a Remuneration Committee. The Chair was to be PR, with AJ taking over as Chair of the Audit Committee.
- 15.2 The first meeting of the remuneration committee had taken place that morning. The Terms of Reference be agreed and the membership of the committee would include the Chief Executive (or, in her absence, the Director of Corporate Services as substitute) and the two non-Executive Directors. The Management Board was content with these arrangements.
- 15.3 The Remuneration Committee put three proposals to the MB for consideration and approval, these being –
- Consideration should be given to developing the UKSCs own pay strategy, separate from MoJ.
 - A 1% rise should be awarded to all grades
 - A £1,400 performance payment should be given to all staff who attained an Outstanding marking on their annual report
- 15.4 The MB approved these proposals.
- 15.5 The Board considered that future focus should be on performance management. The Cabinet Office was encouraging the use of performance related pay.
- 15.6 Work would be required to develop a UKSC pay strategy, and the UKSC would need to keep Liberata, MoJ and Cabinet Office informed of developments.

16. HR System

- 16.1 The Board noted paper MB13/51. CM reported that various options had been assessed, and that this had led to Octopus being identified as a suitable system. CM had received a trial version.
- 16.2 A list of current customers using Octopus had been received and the security aspects had been carefully considered. The Board noted that Liberata use Octopus and it was proposed that the UKSC have its

own direct contract with Liberata, rather than the current arrangement of going via MoJ shared services. This would then support the use of the Octopus HR system.

16.3 The Board noted that Octopus offered, amongst other things functions to monitor and record –

- performance management
- annual and sick leave
- training, learning and development

16.4 The Board was content to approve this proposal.

17. Review of fees

17.1 The Board noted paper MB13/52.

17.2 PR said he had not seen anything relevant to the UKSC in the report produced by the Judicial Working Group on Litigants in Person. PR queried whether litigants in person (LiP) coming to the UKSC would have pro-bono representation. LdiM said that in cases involving LiPs, the UKSC did most of the preparation. We assisted in getting together the bundle and other papers, and we would also waive fees. The registry would prepare the papers to go to the Justices.

18. AOB

18.1 There was no other business raised.

UKSC
September 2013