

The Supreme Court of the United Kingdom

Management Board

Minutes of the meeting held on 23 November 2015

Attending: Mark Ormerod (Chair)

William Arnold
Louise di Mambro
Chris Maile
Olufemi Oguntunde
Martin Thompson
Ben Wilson
Kenneth Ludlam (Non-Executive Director)

Paul Brigland (Secretary)

1. Apologies for absence

1.1 Apologies were received from Stephen Barrett.

2. Approval of the minutes of the meeting of 22 October 2015

2.1 The minutes were approved, subject to some minor amendments.

3. Matters arising not covered elsewhere on the agenda

3.1 BW said that he would ensure that KL and SB were on the circulation list for press summaries and press releases. He would also notify the NEDs of any issues to be aware of by email.

4. Declaration of conflicts of interests

4.1 No declarations of conflicts of interest were made.

5. Monthly Information Dashboard

- 5.1 MO said that he would be reviewing the dashboard in the New Year and considering what information it records and how it displays it.
- 5.2 The Board noted the contents of paper MB15/62, and in particular the following points –
- There had been a delay in receiving supplementary papers from the parties in 3 JCPC cases.
 - The figure for sick absence was up on the previous month, but not significantly so, and there was no one on long term sick leave. The number of training days had also risen.
 - The number of FOI requests received continued to be higher than average.
 - The average number of visitors per day was up on the figure for the previous year.
 - The number of calls logged with the ICT helpdesk was higher than usual (this was the second month in a row that the number was higher). There was no trend and the majority of calls were straightforward problems that had been easy to resolve. PB said that he could provide a quarterly analysis of ICT helpdesk figures in future if this was considered helpful.

Action point: PB to provide quarterly analysis of ICT figures.

6. Risk Register

- 6.1 The Board noted that the Risk Register had been amended and now focused on 7 main risks. PB circulated the comments that had been received from Audit & Risk Committee members on the new format.
- 6.2 KL commented that he thought that we had got the content right but might need to consider how we scored the risks and the subsequent RAG status.
- 6.3 The Board noted paper MB15/63, and in particular the following points –

Risk 1 (*Disruption from breach of physical security*) – MO pointed out that the text for this had been written prior to the Paris attacks. In light of those events a review was being undertaken

of our security arrangements and procedures. It was planned that a test of our lock-down procedure would be carried out and staff would be briefed in teams. PB reported that he had been investigating potential relocation sites in the event that the BCP was invoked and the most likely site identified so far was on the parliamentary estate at Millbank. He would be meeting with the Director of Facilities at the House of Lords early in the New Year to visit the site and firm up arrangements. MO and MT also reported on the testing of the lock down bolts which had been carried out on the previous Friday. This testing would be carried out on a weekly basis in future.

Risk 2 (*Loss of/ decline in infrastructure performance*) – PB had already updated on the search for a potential alternative location site.

Risk 3 (*Damage to reputation*) – This was a new entry and was, inevitably, ongoing. It was anticipated that the proposed Strategic Advisory Board would make it easier to raise issues with the Justices that could affect this risk. There had been a couple of issues when the risk had been scored that had influenced the score and made the status ‘amber’. BW said that the score could now be reduced and would now be ‘green’.

Risk 4 (*Financial challenge*) – OO reported that following receipt of the contribution from MoJ and the SR2015 settlement this risk had reduced. The Board noted that following a positive meeting with MoJ about the contribution it was less likely to be an issue in future.

Risk 5 (*Staff resilience*) – CM said that he had noted the comments from the Audit & Risk Committee. As a small organisation this would always be a risk. Work was ongoing to mitigate where possible, but a lot had already been done. CM said that he did not see the need to split the risk into ‘Performance’ and ‘Competence’.

Risk 6 (*Workload movement*) – the board noted that this risk had been substantially re-written. It was also noted that, following delays in the Court of Appeal, we had received a number of urgent applications in legally aided family cases. Counsel were acting on a pro-bono basis and we had met the cost of

producing the bundles; however, this was exceptional and something we would only do occasionally.

Risk 7 (*Breakdown of relationships with either the Executive or Parliament*) – MO said he had tried to define what would be the impact if we had a bad relationship with the MoJ, the Executive or Parliament and the subsequent impact this could have on finances. Ultimately it could lead to questions over our constitutional position. MO had visited Scotland and Northern Ireland, and would be visiting the ECJ and the ECHR. There was the possibility of a visit by the House of Lords Constitution Committee in the New Year.

7. Finance and fees

7.1 The Board considered paper MB15/64 and noted the following points -

- The SR2015 had produced a ‘flat line’ settlement. It gave some assurance for income and budgets over the next 4 years. The Board thanked OO for his efforts and agreed that this was a good outcome.
- The Board noted that there was a predicted underspend of around £150-160k. MT said that he was looking at the possibility of bringing forward the lighting upgrade projects to be completed in the current financial year and had set provisional start dates for these. There was discussion around whether this would have any impact on sittings and WMI (tours, events etc.). The replacement of carpets in the public areas would also be completed within the current financial year.
- OO asked for details of any other justifiable projects that could be brought forward.

Action point: Department Heads to consider any vfm projects that could be done in year and pass details to OO.

8. Press and communications

8.1 The Board noted the contents of paper MB15/65, and the following points –

- There had been two judgments delivered in October that had attracted coverage; the linked divorce and non-disclosure of assets cases and the segregation in Scottish prisons case.
- The Climate Change Symposium event continued to generate FOI requests.
- The average number of visitors over the year was up on the previous year, despite a slight dip in October.
- As part of the WMI a booking had been taken from a film company to use the building as a location. This had generated an income of £8k.
- The website had received a record number of visitors, largely owing to interest in the divorce cases and on-line viewing of the joint enterprise case.
- The temporary exhibition was good, but any future similar exhibition would need to be easier and quicker to move.

9. Human Resources

9.1 The Board noted the contents of paper MB15/66 and the following points –

- There were no unfilled vacancies at present.
- The recruitment campaign for next year's JAs would be launched in January.
- A team building event had been held on 20 November. 18 members of staff had taken part in three teams.
- 1-1 IT training on the use of Excel and Word had been arranged for 25 November for those staff that wanted it.
- CM was organising pensions sessions for 2016 covering the various schemes of which staff were members.
- Pension statements should be with CM for checking by the end of the year.
- There had been a rise in the number of enquiries from staff about training and development courses.
- This year's staff engagement score was 83%, which was up 6% on the previous year. A full report on the results of the survey would be presented to the December meeting.

10. Parliamentary Questions and Freedom of Information

- 10.1 The Board noted that 11 FOI requests had been received in October. This continued the recent trend for a higher than average number of FOI requests being received. No PQs had been tabled.

11. Case update

- 11.1 LdiM reported that the JCPC would be considering a contested Baronetcy case, and it would be the first that involved evidence based on DNA testing and advising whether DNA evidence should be used.

12. Update on alternative BCP displacement sites

- 12.1 This had been covered at item 6.3.

13. Collecting visitor feedback

- 13.1 The Board noted the contents of paper MB15/67.
- 13.2 The Board discussed the proposed scoring of questions on the visitor survey and also the location of the questionnaires.
- 13.3 It was agreed that the use of the survey questionnaires should go ahead.

14. UKSC/JCPC Management Board – Governance

- 14.1 The Board noted paper MB15/68. MO said that the paper had been shown to the President and Deputy President and they had given him their comments.
- 14.2 Following discussion of what topics would be considered by the proposed Strategic Advisory Board it was agreed that the proposals set out in the paper should go ahead.

UKSC
15 December 2015