

The Supreme Court of the United Kingdom

Management Board

Minutes of the meeting held on 21 March 2016

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 25 January 2016

2.1 The minutes were approved subject to two textual amendments.

3. Matters arising not covered elsewhere on the agenda

3.1 There were no matters arising.

4. Declaration of conflicts of interests

4.1 No declarations of conflicts of interest were made.

5. Monthly Information Dashboard

5.1 The Board noted the contents of paper MB16/08, and in particular the following points –

- The ‘prompt payment’ figure had been affected by an issue with the back-up of the finance system, but this had now been resolved.
- The figure for average number of sick days taken of less than 2 days was good and compared favourably with other departments.
- The figure for average number of training days was on target. Although it was just below the 5 days’ average, it was expected this would pick up by the end of the reporting year.
- The number of FOI requests received in the current reporting year was now more than double the figure for the previous year.
- A new statistical report covering PTA statistics had been developed and was being used. It was designed to show how work was moving through the court and MO expected to be able to report further on this at the May Management Board.

5.2 The Board considered the number of possible sitting days (91) against the number of actual sitting days (72). LdiM explained that we had worked hard to achieve that. She asked Board members to bear in mind that a number of term days had to be kept clear for reading of case papers, preparing judgments etc. MO said further analysis of the actual v potential number of sitting days was needed. He said he was confident we had a good story to tell, but we needed better statistics to support this.

5.3 BW said it might help if we changed the language and suggested we use the term ‘Total Term Days’ rather than ‘Possible Sitting Days’.

Action: MO and LdiM to work further on developing better statistics.

6. Risk Register

6.1 The Board noted paper MB16/09, and in particular the following points –

Risk 1 (*Disruption from Breach of Physical Security*) - MT updated the Board on the work carried out following the security lock down exercise.

Risk 2 (*Loss of/ decline in infrastructure performance*) – PB updated on the possible BCP relocation site at Millbank. A visit to the site by the President, Deputy President and Chief Executive was being arranged before any arrangements were finalised.

Risk 3 (*Damage to Reputation*) – BW had kept the score at medium for this risk. He also provided an update on how the media coverage of the joint enterprise case had been managed.

Risk 4 (*Financial Challenge*) – The score for this had been amended to reflect the outcome of the Spending Review. The main area of focus now was the contributions from the jurisdictions. The figures for 2016 had been agreed but not those for 2017. The Board discussed the possible basis and mechanism for future contributions.

Risk 5 (*Staff Resilience*) – CM reported that this was on track, but work would be done to improve resilience surrounding the Registrar role.

Risk 6 (*Workload Movement*) – Nothing to report.

Risk 7 (*Breakdown of Relationships with either Parliament or the Executive*) – the Board noted that work was ongoing to develop a relationship with the parliamentary Constitutional Affairs Committee.

7. Finance and fees

7.1 The Board considered paper MB16/10 and noted the following points -

- The Board noted that there was an underspend of around 2% predicted for the end of the financial year based on current figures.
- All contributions due had been received from the jurisdictions.
- Fees income continued to be above the projected figure.

- £94k had been raised to date as part of the WMI. This was well above the figure for the previous year. A realistic target would now be set for the following year
- The Board noted the revised figures following the Supplementary Estimate round.
- The SR settlement gave us an overall budget for the next four years. OO was now working on estimated budgets and spend figures for the 2016/17 financial year.

7.2 The Board considered how funds should be allocated to cover the cost of Justices (based on numbers retiring and the timetable for recruiting new Justices). There might be a period where the Court would operate with 11 Justices and would have to rely on the Supplementary Panel. This would have an impact on spend. KL queried if this should be included on the Risk Register.

Action: MO/OO to consider if this should be included on the Risk Register.

7.3 OO reported on the temporary loss of the finance system following a problem with the off-site back-up arrangements. This had now been restored and all data recovered. A fuller report would be provided to the next Audit & Risk Committee.

7.4 OO was considering the structure of financial reports to be submitted to future MB meetings. The Board discussed what information it found helpful and would like to see in any amended reports. OO would be holding discussions with department heads throughout the year to identify what information should be included. The financial report would be circulated to Management Team members for consideration at their monthly meeting.

8. Press and communications

8.1 The Board noted the contents of paper MB16/11, and the following points –

- BW would pare back the media commentary section in future reports to the MB, but could email a more detailed summary to any member that wanted it.
- There had been significant coverage of *R v Jogee* and *The Queen v Ruddock* joint enterprise cases.

- The death of Justice Scalia in the US had generated commentary in the UK media which included pointing out that if a UKSC Justice died it would not generate the same level of coverage and debate over the appointments process or level of political scrutiny.
- It had been a busy month for educational tours.
- The new ‘Events at the Supreme Court’ website had been launched that day.
- 84,000 people had visited the UKSC website during February – this was a record number.

9. Human Resources

9.1 The Board noted the contents of paper MB16/12, and in particular the following points –

- The Deputy Librarian’s application for the Librarian post had been successful. We would now need to recruit a new Deputy Librarian. A temporary replacement would be appointed until a permanent replacement was found later in the year.
- The two Registry Support Officer posts had been filled.
- The recruitment campaign for next year’s JAs was going well, with 100 applications so far. It was expected that we would have around 150 applications by the end of the campaign.
- CM had visited Scotland and taken part in a JA recruitment event with two former Scottish JAs.
- CM had visited the MyCSP offices in Liverpool. A pensions consultant had visited the UKSC to talk on a 1-to-1 basis to those staff who wanted this about their annual pension statements.
- Members were reminded that end of year appraisals were due to be completed by the end of April. CM was currently considering an on-line appraisal system, but further investigation was needed.

10. Parliamentary Questions and Freedom of Information

10.1 The Board noted that 3 FOI requests had been received in February and 2 so far in March. This brought the total for the reporting year to over 70, which was more than double the figure for the previous reporting year. This, along with the sustained high level of other

correspondence, meant an increasing amount of staff time had to be devoted to handling it.

11. Case update

11.1 There was nothing significant to report for this item.

12. Review of Information Security Policy

12.1 The Board noted paper MB16/13 and the policy was approved with no amendments.

13. Health & Safety report

13.1 The Board noted the contents of paper MB16/14

14. Proposed Health and Safety Corporate Plan for 2016/17

14.1 The Board noted the paper MB16/15 and agreed the proposals it contained.

15. IoD/HSE Publication “Leading H&S at Work”

15.1 MT reminded the Board that this was an annual exercise and set out questions for Board members to consider and points to agree.

15.2 The existing H&S policy would need to be reviewed in July.

15.3 An independent H&S audit had been carried out in 2013 and it had been agreed that this should be done every 2-3 years. This meant that one would be due in Autumn 2016.

15.4 KL asked if the figures should be included on the Dashboard. MT said that the old Dashboard had space for a textual report.

15.5 The Board noted the contents of the paper and agreed it.

16 Equality and Diversity Report

16.1 The Board noted the contents of paper MB16/17. It was proposed that a new four-year plan would be drawn up, based on the existing one but updated.

16.2 The Board approved this strategy.

UKSC
April 2016