



The Supreme Court of the United Kingdom

Management Board

Minutes of the meeting held on 27th May 2020

Attending: Mark Ormerod (Chair)

Sam Clark

Louise Di Mambro

Paul Brigland

Chris Maile

Sanjeet Bhumber

Sophia Linehan Biggs

Ian Sewell

Tim Slater (Non-Executive Director)

1. Apologies for absence.

1.1 Apologies were received from Janet Coull-Trisic and Kathryn Cearns

2. Approval of the minutes of the meetings of 25th March 2020.

2.1 The minutes were approved subject to a minor amendment.

3. Actions and matters arising not covered elsewhere on the agenda.

3.1 Progress against each of the actions was considered and the Board noted the ongoing position of the actions.

4. Declaration of conflicts of interests.

4.1 No declarations of conflicts of interest were made.

5. Chief Executive's Overview and COVID-19 – Contingency Planning.

5.1 The Board discussed the Overview provided by the Chief Executive and noted the following:

- In line with government advice all justices and staff were continuing to work at home and hearings continued to take place by video conference.
- The Court had indicated that it intended to use video conferencing to hear cases and deliver judgments until the end of Trinity Term.
- The complexity of the situation was recognised, and work had begun to consider what the next stage could be for the operations of the Court as well as what permanent changes may be required to the way the Court operated.
- A COVID-19 risk assessment had been undertaken and a plan outlining the steps required to re-enter the building was being developed.
- The Chief Executive expressed his thanks to everyone involved in ensuring the operations of the Court continued to run and this was echoed by the Board.

6. Management Information Dashboard.

6.1 The Board noted the contents of the dashboard and paper and in particular the following points were made –

- The reported incidents of sickness absence had reduced significantly since lockdown.
- There had been an increase in the amount of training being done online whilst working remotely. The Board discussed whether this was pre-planned or opportunity training as a result of the remote working arrangements and whether there would be merit in looking at organisation wide needs, including how to present statistical data.
- Case Volumes were discussed. The Board recognised that this was mainly as a result of COVID-19 and the reduction in work coming up from the lower courts.
- The ongoing expectations as a result of successfully operating remotely were discussed, for example electronic filing and the increased use of video conferencing facilities for more hearings. The Board agreed to consider this as part of the wider re-entry arrangements.

7. Finance.

7.1 The Board considered the finance report and noted the following points –

- The financial position at the end of 2019-20 was good and within budget but this was subject to final audit by the National Audit Office. The year ended with a £401k underspend which included the ringfences of depreciation (comprising £341k) and the Brexit budget. There was an underspend of £25k in the capital budget.

- Subject to a clean audit opinion, the expectation remained to lay the Annual Report and Accounts for 2019-20 before the summer recess in July (date to be agreed).
- For 2020-21, the Court was entering the year with a largely balanced budget, however, as already noted in income has slowed which could have an impact on the overall position.
- It was still anticipated that SR20 would be commissioned in the autumn.

7.2 The Board expressed its thanks to the Finance Director and the finance team for all they had done over the course of the year and for securing a solid set of accounts for 2019-20

8. Press and communications.

8.1 The Board noted the contents of the Press and Communications Update, in particular the following points –

- As a result of the building closing in March 2020, engagement with journalists, educational establishments and others had been reviewed. Particular attention had been paid to developing education and outreach programmes virtually, through digital platforms looking at Debate Days, Ask a Justice and other activities undertaken throughout the year. Additionally, enhancements had been made to the online learning resources in place for teachers, parents and students during lockdown and the virtual 360 degree tour of the Court.
- Media coverage had been steady over the last two months and the Board discussed the impact of Online Courts and how the Supreme Court could effectively engage.
- The UKSC welcomed 2,626 in March and none in April representing an 80% decrease on the same period in 2019 (March - 6,045 and April - 6,894). 13 school and college group tours were delivered in March and 54 were cancelled, compared to the 54 delivered in the same period last year. There were four international educational tours delivered with a further eight cancellations.
- In March and April, the UKSC website received 93,941 and 90,499 unique visitors respectively. The JCPC website received 10,017 unique visitors in March and 11,014 unique visitors in April. The UKSC site peaked on 1 April due to the publication of five judgments.
- Production of the 2019-20 Annual Report and Accounts continued and the refreshed website pages were due to go live shortly.

9 Human Resources.

9.1 The Board noted the update from HR and in particular the following points –

- The recruitment of the new Chief Executive and Judicial Assistants had progressed well. There was a brief discussion about the experience of the current cohort of Judicial Assistants and how their time with the Court could be celebrated.
- The Board discussed how the recruitment had adapted to the lockdown and what lessons could be learned.

- The staff reporting year had concluded on 31st March 2020 and end of year reviews had been undertaken for most staff. There were still end of year markings to be added to Clear Review and the Board requested a paper for the next meeting to discuss the end of year position

10. Case Update.

10.1 The Board noted the update from the Registrar.

11. IT Update

11.1 The Board noted the contents of IT Update and in particular the following points –

- The use of WebEx continued successfully but was recognised as being very resource intensive for a small IT Team. Feedback had been received from those who had used WebEx and that feedback had been predominantly positive, although some had noted that it was quite tiring to use it all day. Whilst WebEx was stable, alternative platforms were discussed to ensure there was a level of resilience in place.
- To support working remotely, the use of SharePoint to file all papers had been introduced and specific thanks were extended to specific staff for leading this internally and externally.
- Routine maintenance and updates continued and as a result of keeping this up to date, the ability to work on laptops remotely had been made much easier.
- Progress had been made on the team's ability to monitor more effectively phishing attacks and the findings will be included in the IT report at the next Management Board.

12. Audit and Risk Assurance Committee update.

12.1 The Board noted the oral update provided by the Director of Corporate Services and noted the following areas were discussed at the last Audit and Risk Assurance Committee meeting

- The end of year audit position and the opinions of internal and external audit.
- The delivery and contents of the Annual Report and Accounts for 209-20.
- The risk strategy for 2020-21 and the impact of COVID-19 on the spread of risk being managed across the Court.

13. Transformation Project - update.

13.1 The Board noted the update and the ongoing development of the Strategic Outline Business Case which had been impacted slightly by increased focus on planning for the impact of COVID-19.

14. Business Pan 2019-20 – End of Year Report

14.1 The Board noted the end of year position and in particular the following –

- In line with reports to the Board throughout the year, all agreed milestones were delivered within the year. Those which were not met were explained fully and the impact assessed.
- The highlights from there year were discussed as well as the lessons which could be learned in areas which were not delivered as planned.

15. Risk Strategy 2020-21 and review of the spread of risk in 2019-20.

15.1 The Board considered the Draft Risk Strategy for 2020-21 noting it had been previously considered and endorsed by the Audit and Risk Assurance Committee. The Strategy was agreed, and the Board noted the following –

- The Strategy was a continuation of that introduced in 2019-20 and supported the Court to embed risk management across all parts of the business and enable the management of risk to mature and allow for continuous improvement. Following enhancements to the Orange Book in February 2020, the Strategy had been updated to ensure it met the current requirements.

15.2 The Board considered the Risk Register and noted the overall impact of COVID-19 on the spread and management of all risks being managed. The controls were discussed and the Board noted the changes in the overall likelihood of some of the risks as a result of remote working. This was to be monitored closely over the coming months. No new risk were identified for 2020-21.

16. IT activity and forward plan

16.1 The Board noted the paper provided to address an action arising from an earlier meeting which outlined the planned IT activity to take place in 2020-21. The following was noted –

- All the works should be assessed and the impact of remote working on their deliverability determined, including ensuring a review of what could be stopped should the need arise.

UKSC

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