

**The Supreme Court of the United Kingdom Management Board
Minutes of the meeting held on 17 August 2009**

Attending: Jenny Rowe (Chair)
William Arnold
Louise di Mambro
Sian Lewis
Sue McKenzie (item 5)
Caroline Smith
Martin Thompson
Ann Achow (Secretary)

Philip Robinson (Observer)
Alex Jablonowski (Observer)

Apologies: Olufemi Oguntunde

1. Introductions

1.1 JR introduced Philip Robinson and Alex Jablonowski who were attending the meeting as observers pending the completion of the formalities of their appointments as Non-Executive Directors. Philip will Chair the Audit Committee with Alex as a Committee member. Both will be Management Board members.

2. Approval of the minutes of the Management Board meeting held on 22 July 2009

2.1 The minutes were approved.

3. Matters arising not covered elsewhere on the agenda

Strategic Plan and Objectives

3.1 The Board considered the draft Strategic Objectives which had been prepared by WA. The following points were agreed:

- there should be a short over-arching mission statement as a preamble to the SOs
- it should be made clear that the Strategic Plan, SOs and Business Plan cover the administrative functions of the UKSC, not its judicial function
- changes to the ordering of the first three SOs
- SO3 should include a reference to the availability of forms and other materials in other languages including Welsh
- CS to find out whether a diversity SO was mandatory
- sustainability, diversity and similar topics should be incorporated into one SO dealing with corporate responsibility
- an objective should be included concerning the provision of an efficient administration to enable the Court to secure the effective and just determination of justice

- further thought to be given to the wording of the SO dealing with the building and its art collection
- SO 8 to be removed as it is more appropriate for the Business Plan.

Action: CS to check whether a diversity objective is mandatory. WA to redraft.

Interim Business plan

3.2 The Board discussed the draft interim Business Plan. The Plan should be more specific and include an action that we would be consulting on the full Strategic and Business Plans. AJ had suggestions for governance and scorecard issues which he would send to WA for circulation. The interim Business plan should be on the website by 1 October.

Action: AA to circulate the interim Business Plan containing all contributions as well as AJ's e mail on governance issues

3.3 JR reported that she had been invited to provide information for a forthcoming meeting between Rowena Collins-Rice and Dominic Grieve. A robust defence of our budgetary needs may have to be prepared for Rowena's use. JR was considering this further.

4. Gateway Review benefits realisation

4.1 The Board discussed the difficulties around base-lining for the purposes of tracking benefits realisation, including the lack of existing reliable data. Suggestions included holding a consumer omnibus survey to baseline public awareness of the Appellate Committee with regular follow up surveys to assess progress. The planned staff survey in 2010 would provide a baseline for 'a place where people want to work'. The Users Committee should also provide useful information. Their first meeting will take place in late November with preliminary sessions scheduled for week beginning 7 September. JR requested that each Board member be allocated one of the seven topics to consider in more detail.

Action: AA to agree the allocation of benefit topics with JR and circulate members.

5. Arrangements for the official opening of the UKSC on Friday 16 October

5.1 Sue McKenzie updated the Board on the plans for the official opening. Guests will assemble at the QEII Conference Centre before being escorted to the building in readiness for the arrival of the Royal Party at 11am. There will be 170 guests located in groups in various rooms across the building. Staff will be asked to volunteer with a number of tasks including escorting visitors.

5.2 State trumpeters will be in attendance and a variety of proposals to animate the tour were being considered including music from a local school, interactive displays in the exhibition area etc.

6. Process for upgrading the listed status of the building

6.1 JR had met officials from English Heritage last week who advised that as the listing system for historic buildings was under review there would be little point in applying to upgrade the building to Grade 1 status. The Board agreed to accept this advice and take no further action.

7. Draft FOI Publication Scheme Paper MB 09/06

7.1 The Board considered paper MB09/06 from AA and LdiM's circulated comments which dealt with FOI and DPA requests for data in the Court's records. The following points were agreed:

- a clearer distinction should be made between those records which fell within the FOI regime and Court records which were covered by an absolute exemption
- as much information as possible should be routinely available on the website eg internal audit reports, the expenses policy and the Justices' expenses payments
- FOI requests which exceeded the costs limit of £600/24 hours staff time would not be actioned although assistance and advice to refine requests below that limit would be given as required by the FOI Act
- reasonable photocopying costs would be charged. An assessment of copy costs was needed before a price per sheet could be quoted
- the website would be available in Welsh as would Court forms. An update on MoJ's progress with their Welsh Language Scheme (WLS) consultation was required before work could begin on our own WLS as well as research on HMCS's language coverage
- requests for access to or provision of the Court's records including DPA Subject Access Requests (SARs) fell under Rule 39 of the Court's Rules. Such requests would attract a fee of £350 with additional photocopying charges. Section 34 of DPA provides for refusal of SARs provided that the information is available under any other enactment ie Rule 39. This interpretation mirrored that used by the Court of Appeal and means that Justices would not have to sign off SARs as envisaged under recent guidance issued to the rest of the judiciary
- the position on Crown copyright would be researched.

Action: AA to take forward the various actions arising

8. Finance and fees

8.1 Prior to the meeting OO had agreed with JR that an August finance paper would not be required as there had been no change since the previous meeting.

9. Risk

9.1 A risk workshop was planned for JR, PR, AJ and others to attend.

Action: JR to set a date for the workshop.

10. Health and safety

10.1 MT reported that oral briefings on the Welcome Pack including health and safety matters had taken place. Justices will receive their version of the Welcome Pack when they arrive. MT said that the biggest health and safety risk was from slips and trips, one incident having been reported already. Other live issues were the closure of one fire exit due to the pavement bollard works and DSE assessments for all staff which were scheduled to take place in the next 4 to 6 weeks. MoJ had given a dispensation for the fire exit to be closed. The library designer was attending a meeting on 24 August to explain the use of the library ladders.

10.2 MT advised that the first meeting of the Health and Safety Committee would take place in late October.

11. Human resources.

11.1 CS reported that a meeting with MoJ HR was due later in the week to discuss the SLA. There were a number of recruitment activities underway. Other current issues included updating Chrimson (MoJ's HR IT records system) and the preparation of UKSC transactional services letters.

12. Press and communications

12.1 SL reported a number of significant upcoming events – the website was due to go live on Wednesday and a tour of the building for architectural and building media was to take place on 24 August. The tender specification for handling broadcasting from the courts had been issued with tender presentations planned for 8 September.

12.2 JR advised that MoJ had compiled a booklet covering the media coverage of the UKSC so far which SL would circulate to members.

Action: SL to circulate MoJ's media coverage booklet.

13. Case statistics

13.1 LdiM gave the Board the figures for cases heard by the Appellate Committee in 2008 and to the end of July 2009. In 2008 there had been 212 petitions for leave resulting in 73 appeals. The figures for 2009 amounted to 117 petitions resulting in 46 appeals. Whilst these figures showed an increase in the percentage of petitions leading to appeals she felt the figures could not be relied upon as some element of double counting may have occurred. The new case management system meant that in future statistics would be more accurate. JCPC case figures had not increased.

Action: LdiM to send statistics for the Appellate committee and JCPC to WA.

14. Any other business

14.1. JR drew members' attention to the guidance on Annual Party Conferences which AA had circulated.

14.2 JR and MoJ were still discussing the detail of the MoU covering the services which the UKSC will provide to the JCPC.

14.3 The Board discussed setting the forward programme for MB meetings. These should dovetail as much as possible with the production of the monthly financial paper. Audit Committee dates would be set once the MB dates were firm.

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