

**The Supreme Court of the United Kingdom  
Management Board**

**Minutes of the meeting held on 24 January 2011**

Attending: Jenny Rowe (Chair)

William Arnold  
Alex Jablonowski (Non-Executive Director)  
Sian Lewis  
Louise di Mambro  
Olufemi Oguntunde  
Philip Robinson (Non-Executive Director) (item 3 onwards)  
Caroline Smith  
Martin Thompson

Ann Achow (Secretary)

**1. Apologies for absence**

1.1 There were no apologies for absence.

**2. Approval of the minutes of the MB meeting held on 17 December 2010**

2.1 The minutes were approved.

**3. Matters arising not covered elsewhere in the minutes**

3.1 MT confirmed that there were no additional health and safety requirements for charged visitors.

3.2 Transmission dates had been announced for the two documentaries about the Court. The BBC 4 one hour programme, featured as part of their 'Justice' series, would be screened on 27 January followed by the 90 minute More 4 programme on 8 February. There were plans to show the programmes during a lunch time for any staff who miss the broadcasts or wanted to see them again.

3.3 Repairs to the leaded light windows damaged during the student protest were underway.

3.4 A number of staff had applied for voluntary early departure under the MoJ scheme. The applications had been processed and forwarded to MoJ for the next part of the approval process to begin.

**4. Scorecard report**

4.1 The Board considered paper MB 11/01 which contained scorecard figures up to and including December 2010.

4.2 OO will circulate a timetable to allow for the laying of the Annual Accounts to take place as planned at the end of June.

4.3 OO advised that HM Treasury were to roll out a government-wide scorecard and that they would be asking for the support of Non-Executive Directors to operate a challenge function to ensure that the figures were accurate. Neither PR nor AJ had had any contact from HM Treasury on this matter.

## **5. Risk**

5.1 The Board discussed paper MB11/02 which comprised the current risk register and the internal auditors' result of their preliminary review of the business continuity management arrangements.

5.2 JR had not been able to update two of the risks (risks 1 and 4) as she was waiting for updates from MoJ concerning contributions from the jurisdictions and legislation to allow for a reduction in the number of Justices.

5.3 CS gave an update on risk 9 which covered the provision of HR Services. A recent meeting with the Next Generation HR project manager had identified difficulties in terms of value for money (vfm), principally because of possible IT compatibility issues, should UKSC wish to change its shared service provider.

5.4 MT updated the Board on MoJ's planned security contract changes about which the Court had not been consulted. JR had made initial enquiries about alternative procurement.

5.5 The Board discussed whether there should be an additional risk added to reflect the Court's independent role not being understood and it being seemingly drawn into political issues. The forthcoming TV documentaries and Lord Phillips' speech on judicial independence on 8 February were felt to be suitable vehicles for explaining and promoting the Court's role.

5.6 MT advised the Board that he was working through the action points identified by the internal auditors in the review of the business continuity management arrangements. The next activity was for him to draw up a Business Impact Assessment and to make arrangements for the next BCP test which would include staff moving to the displacement site.

### **Actions:**

- (1) JR to consider including an additional risk on politicisation**
- (2) JR to circulate details of Lord Phillip's 8 February lecture and of the timing, when available, of the Deputy Prime Minister's report on constitutional reform**
- (3) The Business Continuity Plan to be included on the agenda for the 23 May Audit Committee meeting.**

## **6. Finance and fees**

6.1 OO presented paper MB 11/03 which contained a full financial information pack to the end of December.

6.2 The key points for the Board to note were as follows:

- year to date expenditure against budget was showing an underspend
- fee income was running above profile
- a move of some resource funding into capital was planned for the next Supplementary Estimate
- the transfer of the JCPC administration and budget had been postponed to 1 April 2011

6.3 The paper also contained trading account details for UKSC's Wider Market Initiative covering the sale of self-guided tour leaflets, gift items and venue hire. The net profit margin was just under 36%. The Board agreed that this was useful information which should be provided quarterly. In future the figures should also include the staff costs arising from the management of the venue hire initiative.

6.4 The Board considered OO's proposal for the purchase of a finance system so that the contract with MoJ's finance contractor could be terminated. There were significant cost and efficiency savings to be gained from running the finance system in-house.

6.5 Two finance packages had been evaluated, an 'off the shelf' package and a bespoke package. OO recommended the 'off the shelf' system as, apart from the initial saving in purchase price, the annual maintenance cost was lower than for the bespoke system.

6.6 There were a number of risks to be managed as a consequence of changing to operating the finance system in-house:

- compatibility with the current IT platform
- poor implementation
- production of year end accounts
- technical competence of the finance staff
- separation of duties and controls.

6.7 Actions were planned to remove or reduce these risks. OO was making enquiries about compatibility issues with our ICT Manager. Should there be IT issues which could not be resolved it would be feasible to run the finance system on a stand alone PC. Poor implementation would be mitigated by using one of the supplier's approved business partners. The new system would be run in parallel with the current contractor's system through to June or July so that the end year audit and production of the Annual Accounts would not be at risk. All historic data would be migrated from the current to the new system. The Director of Finance and Finance Manager had used the chosen system previously and training would be provided for the Finance Officer. Suitable safeguards were already in place to ensure as much separation of duties as possible, albeit that this was a difficult task within a small finance team.

6.8 Taking all of these issues into account, the Board approved the move to the purchase of the 'off the shelf' system to be run by the in-house Finance Team.

#### **Actions:**

- (1) WMI figures to be included in the finance report each quarter and to include the staff management cost for venue hire**
- (2) OO to proceed with the change to an in-house finance service.**

## **7. Intranet fee accounting system**

7.1 AA presented paper MB11/05 which brought to the Board's attention a new system operated by HMCS to change their money handling processes by eliminating the handling of fee payments by their court staff. UKSC had been invited to express an interest in the next roll out phase of the project. The Board approved the recommendation that the UKSC should decline the offer to express an interest. This decision was taken on the grounds of cost, value for money and the required long term tie-in to MOJ's IT and finance contractors.

## **8. Press and communications**

8.1 SL's communications update (paper MB 11/04) highlighted case coverage, commentary in the media, particularly on the publication of the reasons for the decision in R v Chaytor and others, and the impact of the decision in Cadder v HM Advocate, visitor and website visitor numbers.

8.2 The Communications Team had been heavily involved in arrangements with BBC TV 4 who were producing a series on Justice. The programme about the UKSC would focus on Lord Phillips, Lord Hope, Lady Hale and Lord Kerr.

8.3 The number of individual visitors to the Court had decreased to its lowest figure since May 2010. This fall was to be expected because of the snow at the beginning of the month and the Christmas holidays. The number of school/student groups was 29, down from 48 in November but it was the same as October's figure. Other group tours were also down compared with November with a number being cancelled due to the weather.

8.3 The number of website visitors (21,990) had shown a fall compared with November's figure of 28,569.

## **9. Parliamentary Questions monthly report**

9.1 There had been three PQs received in December, two concerning the damage to the building during the student protest and one about the UKSC's running costs. The number of FOI requests had reduced in December compared with November. All requests had been answered within the statutory 20 day deadline.

## **10. Case update**

10.1 LdiM reported that the registry continued to be very busy with a good number of cases coming in during the Christmas recess. The number of interventions was increasing. Listing for 2012 was due to start soon.

## **11. Human resources**

11.1. CS gave her quarterly update on equality and diversity. There had been an excellent return rate of questionnaires from staff for the monitoring exercise with 39 out of a possible 43 received so far. The results on staff ethnicity (21% from ethnic groups other than white) compared favourably with the benchmark 2001 census data (7.9% from ethnic groups other than white).

11.2 Following the RNIB's visit on 14 January their Access Audit report of the court rooms and public areas had been received. The report was positive with a number of recommendations which were being considered. CS would circulate the report to Board members. A conformance review of the website was also being arranged.

11.3 CS gave an update on the Public Sector Equality Duty which forms part of the Equality Act 2010. The duty comes into force on 6 April 2011 with a requirement for public sector organisations to publish information on how they will comply by July 2011. This information could be included in the Annual Report and Accounts. There was a further requirement to publish equality objectives by 6 April 2012.

11.4 At the recent Court User Group meeting there had been a query about whether we would be consulting on the equality objectives. That was the intention. A separate issue had been raised about wheelchair access to the advocates' robing rooms.

**Action: CS to circulate RNIB's access audit report to MB members.**

## **12. Any other business**

12.1 WA gave an update on the production of the Business and Strategic Plans. These were at an advanced stage and would be included on the agenda of the February Management Board meeting.

**Action: AA to include the Strategic and Business Plans on the February MB agenda.**

13.2 AJ and PR confirmed that they had undertaken the mandatory information assurance training and assessment within the past few months as part of their work with other government bodies.

13.3 Access to the building by staff on the day of the Royal Wedding was dependent on other decisions to be made about the use of the building on that day.

These minutes were approved by the Management Board on 28 February 2011.