

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

Minutes of the meeting held on 25 September 2017

Attending: Mark Ormerod (Chair)

William Arnold
Louise di Mambro
Paul Brigland
Chris Maile
Joyti Mackintosh
Sophia Linehan-Biggs
Kenneth Ludlam (Non-Executive Director)
Stephen Barrett (Non-Executive Director)
Paul Sandles (Secretary)

1. Apologies for absence and introduction.

1.1 No apologies were received.

2. Approval of the minutes of the meeting of 24 July 2017.

2.1 The minutes were approved.

3. Matters arising not covered elsewhere on the agenda.

3.1 As per the action point at 13.2 from the July minutes, CM confirmed that the new Justices had received letters confirming their appointments.

4. Declaration of conflicts of interests.

4.1 No declarations of conflicts of interest were made.

5. Chief Executive's Overview.

5.1 The Board noted the contents of paper MB17/38, and in particular the following points –

- The Court had experienced an unprecedented period of change in senior appointments, both judicial and administrative. Means of ensuring as smooth a transition as possible had been employed although it was conceivable that changes of approach would occur. The Court would need to be able to respond to these as they arose.
- A large amount of planning had been put into the swearing-in ceremony scheduled for 2 October 2017.
- A further appointments process would be necessary to replace the three Justices retiring during the course of 2018 and work on this would begin shortly.
- Preparatory work for the Court sitting in Belfast in April 2018 had been advancing and remained on track.
- There had been instances of IT disruption over the summer. Measures to address these issues were in progress.
- The next meeting of the advisory group looking at the technical implications of withdrawal from the EU would meet on 9 October. A meeting of the internal working group would take place later the same day.

6. Management Information Dashboard.

6.1 The Board noted the contents of papers MB17/39, 39a, b and c, and in particular the following points –

- A high number of cases failed to meet the 12 week target for resolving permission to appeal applications in July and the Registrar provided justification. In part, this was because no panels had met over the summer, unlike the situation in previous years. The Registrar noted that this trend might continue in the short term as there would be applications where the newly-appointed Justices would be unable to determine permission applications as they would have been involved in the courts below.
- The number of cases with judgments outstanding for longer than 6 months had reduced.

- JM provided an update on the Case Volumes and Movements Project which would provide more accurate forecasting tools to determine future fee income as well as ensure accuracy in the statistical information provided to the Board. SB commented that table 1d (showing which stage a case had reached within the Court's process) would benefit from 'traffic light' markers to indicate whether backlogs were developing. The Board would also need to see any proposed statistical presentation before adoption.
- Fee income in July and August had, again, been higher than anticipated by the budget forecasts.
- Sickness absence had remained high in July but had returned to normal levels in August.
- 3 FOI enquiries had been received in July and 5 in August. There had been a ruling from the Information Commissioner in July. There were no PQs received.

7. Risk Register.

7.1 The Board noted paper MB17/40, and in particular the following points –

Risk 1 (*Disruption from breach of physical security*) – Testing of IT connectivity and a review of physical security arrangements at the secondary business continuity site would take place in October 2017. The security around the service to mark the opening of the legal year would be managed by the Metropolitan Police and would include visible presence for the Justices' procession. The commencement date for the security guarding contract would be 1 December 2017.

SB queried whether the Court was connected to 'deterrent posture' methods of risk reduction. PB would investigate this further.

Risk 2 (*Loss of / decline in infrastructure performance*) – A new automated Dashboard had been introduced to keep under review any ICT risks and any remedial action that needed to be taken. A new ICT apprentice would take up his post in October.

SB observed that the introduction of e-bundle filing and fee payment via the Court's website would require a thorough appraisal of the cyber security implications. PB confirmed that this would be the case.

Risk 3 (*Damage to Reputation*) – Further work to ensure that Justices run speeches past the Communications team before they are delivered would be advisable.

8. Finance and fees.

8.1 The Board considered papers MB17/41 and 41a, and noted the following points –

- Fee income had, again, been higher than the projection and so the excess of income over expenditure for April to August 2017 was £226k, or 12% of the profiled budget.
- The full year forecast for the Resources budget predicted an underspend of £83k. The equivalent forecast for the Capital budget projected an overall underspend of £67k.
- Income from Wider Market Initiatives had been £35k for the year to date, which was £10k above the budget forecast. Venue hire had produced the majority (71%) of this income.
- A significant variance in the figure for Justices' pay would not be a cause for concern as the variance had been offset elsewhere in the budget. The variance had been caused by a re-categorisation of existing spend.
- The budget management process would be updated by the introduction of month-end accounts statements to aid reporting to the Chief Executive as well as increased dialogue with senior managers to determine future spending requirements.

9. Press and communications.

9.1 The Board noted the contents of paper MB17/42, and the following points –

- There had been significant media interest in the announcement of Lady Hale’s appointment as President of the Court. There had also been comment on the lecture given in Belfast focussing in particular on the suggestion that consideration might be given to the involvement of politicians in the judicial appointments process.
- The decline in visitor numbers continued throughout August, although July numbers were consistent with 2016. There had been a reduction in the number of people attending paid-for tours. Comparative benchmarking against other local attractions had been undertaken and the Communications team would be looking at ways to ensure that more visitors to the local area are aware that the Court is open to visitors.

10. Human Resources.

10.1 The Board noted the contents of paper MB17/43 and in particular the following points –

- The new Judicial Assistants had taken up their posts on 11 September and the new Head of Communication began her role on 18 September. Interviews for a new Non-Executive Director would be held on 27 September.
- The annual Staff Survey would be launched after the All Staff Meeting on 20 October.

11. Case update.

11.1 The Board noted the contents of paper MB17/44 and in particular the following points –

- The Northern Ireland abortion case listed for 24-26 October had received many intervention applications and would be likely to generate considerable attention.

12. ICT update.

12.1 The Board noted the contents of paper MB17/45 and in particular the following points –

- The independent review of cyber-security had given the Court a clean bill of health although it had flagged some areas that required regular review. A dashboard to monitor progress in these areas had been supplied.
- A test of software to monitor ICT systems for unusual activity and potential threats had been arranged.
- Reasons for recent ICT outages over the summer recess period had been identified and interim solutions put in place. A programme of remedial work to ensure that there would be no repetition had been devised. The ICT team would be invited to give a short presentation updating the Board on progress in this area to the next meeting in November.
- New hardware to replace printers and desktop units would be deployed over the winter months. Input from the Communications team would be sought so that all Justices and staff would be aware in advance of any impact.

13. Review of the Terms of Reference

13.1 The Board noted the contents of paper MB17/46 and in particular the following points -

- Any reporting arrangements for each of the sub-committees of the Board would need to be added to the Terms of Reference
- The wording of the Board's purpose required amendment to clarify that the Board's role was to advise and support the Chief Executive in fulfilment of his obligations.

Action: PS to supply revised wording for discussion at the next meeting in November.

14. Performance Management system

14.1 The Board received a short presentation demonstrating an online performance management recording system.

14.2 The Board noted that there would not be sufficient time to introduce the system in the current reporting year, but that a further demonstration should be offered to the All Staff Meeting in October with a view to its potential introduction in April 2018.

15. Vote of thanks

15.1 This was the final meeting of the Board to be attended by Stephen Barrett. The Board offered its thanks to for his contributions.

UKSC
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