

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

Minutes of the meeting held on 22 January 2018

Attending: Mark Ormerod (Chair)

William Arnold
Louise di Mambro
Paul Brigland
Chris Maile
Joyti Mackintosh
Sophia Linehan-Biggs
Kathryn Cearn (Non-Executive Director)
Kenneth Ludlam (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 27 November 2017.

2.1 The minutes were approved.

3. Matters arising not covered elsewhere on the agenda.

3.1 The Chief Executive had written to all bodies who no longer received quarterly updates (para. 12.1 of the November minutes). None of the bodies that had responded to date had presented any objection.

3.2 The request to assist in the administration of the Court of Appeal of the Falkland Islands, South Georgia and the South Sandwich Islands had been discussed at a recent Justices' meeting. It had been decided that the Court would decline the request.

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 MB18/1, and in particular the following points –

- A letter discussing the working relationship between the Court and the Supreme Court Arts Trust had been sent to the Trust Chair.
- The appointments round to replace Justices retiring during 2018 had commenced. The intention would be to have the new appointments announced before the current Deputy President retired at the beginning of June 2018.
- The Court had received official requests to outline potential funding implications generated by the UK's withdrawal from the EU. No additional expenditure would be needed for 2018-19. If workload unexpectedly rose, a request might be necessary for 2019-20.
- A report on the telephone system had been received. Further discussions would take place to address the issues identified.
- A useful meeting regarding coordination of the programme for international engagement had been held with judges and officials from the Royal Courts of Justice.

6. Management Information Dashboard.

6.1 The Board noted the contents of papers MB18/2, and 2a, and in particular the following points –

- Figures for the number of appeals with 'other result' and for those that had been referred to the CJEU as well as the 'workload movement' table showing what stage applications had reached within the Court's internal process, had not been supplied. The Registrar would ensure this was addressed before the next meeting.
- Fee income in November had been significantly higher than the budget forecast.
- The grant rate for Permission to Appeal applications would need to be shown on the relevant CVM charts as an annual average figure.

7. Risk Register.

7.1 The Board noted paper MB18/3, 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 had once again been deferred. PB reported that the wi-fi upgrade at the RCJ had been completed and a date for testing would be scheduled as soon as possible.

The security lock-down exercise for internal users as well as a fire drill test had taken place in December 2017. Changes to the internal communications system would be made in light of the test exercise although on the whole this had worked well.

Risk 2 (*Loss of / decline in infrastructure performance*) – Of the eleven tasks previously identified as necessary to ensure greater resilience in the IT infrastructure, five had been completed. The remaining six would be completed by March.

Most of the Justices' laptops had been replaced. New laptops and desktops would be issued to all IT users by the end of March.

The IT manager would continue to return once a week until the end of March to continue spreading specialist knowledge throughout the IT team.

Risk 3 (*Damage to Reputation*) – The Communications and Outreach Manager would be leaving his post in March 2018.

Risk 4 (*Financial Challenge*) – The original text of the risk description had been restored.

Risk 5 (*Staff resilience*) – One member of staff due to leave the Court in January had experienced a delay in moving to her new role. This had permitted a period of job shadowing with her replacement. The new manager for the Judicial Support team had settled well.

Risk 7 (*Breakdown of relationships*) – There were no immediate plans to host a reception for interested MPs in the House of Commons although a future event remained a possibility.

8. Finance and fees.

8.1 The Board considered paper MB18/4, and noted the following points –

- Fee income had been greater than the previous financial year, for the same period, by a total of £141k. Income in December had been lower than in recent months although still above the conservative budget forecasts.
- The full year forecast for the Resources budget predicted an underspend of £62k. The equivalent figure for the Capital budget revealed a £7k underspend. The forecasts for both budgets included a contingency sum of £20k in each. Plans were in place to enable some of the underspend to be utilised.
- The variance recorded against Justices' pay presented no 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 between voted and non-voted allocations.

9. Press and communications.

9.1 The Board noted the contents of paper MB18/5, and the following points –

- There had been media interest in the announcements that the Court would sit in Belfast in April 2018 and in the commencement of the next round of judicial vacancies. Videos of Lady Hale introducing these announcements had been particularly well received. Similar future videos would include a mention of the Judicial Assistants' recruitment campaign if the timing was suitable.
- Several interviews with Lady Hale had been facilitated by the Communications Team in November and December.
- The significant impact of the Article 50 case hearing in December 2016 had revealed itself in the comparative figures for visitors, website traffic and group tours observed in December 2017.
- An exhibition, curated by the Supreme Court Arts Trust, *Law and Nationhood: South Asia at 70*, had opened on 12 December. A special evening tour scheduled for 24 January, showcasing the Court and including a Curator-led overview of the exhibition, had been fully booked.
- Thought would be given to how the Court might engage with wider efforts to commemorate the passage of the Representation of the People Act 1918.

10. Human Resources.

10.1 The Board noted the contents of paper MB18/6 and in particular the following points –

- The campaign to recruit seven new Judicial Assistants for September 2018 had been launched.
- The Communications and Outreach Manager would be leaving in March 2018. The Communications team structure had been reviewed and two new HEO roles would be created; a Media and Communications Manager and an Education and Visitor Services Manager. The impact of this change on the pay budget had been accounted for although there would not be a significant difference.
- The new performance management system, Clear Review, would be launched in April 2018.
- A working group had been looking at the impact on the Court of the coming into force of the General Data Protection Regulation in May 2018. The appointment of a Data Protection Officer would be necessary and policies and documentation used to evidence compliance would require review.
- The action plan developed by the Results Into Action team to respond to the Staff Survey would be shared at an All-Staff Meeting in February. Specific measures that addressed particular comments expressed in the survey would be highlighted.

11. Case update.

11.1 The Board noted the oral update from the Registrar.

12. Equality and diversity.

12.1 The Board considered the contents of paper MB18/7.

Action: CM to prepare a briefing note on the gender pay gap evidence.

13. Health and safety

13.1 The Board considered the contents of paper MB18/8, and noted in particular the following points –

- The Health and Safety Committee had met on 23 November 2017 and had noted that no accidents or incidents had been recorded in the four months since the last meeting.
- The Health and Safety Corporate Plan for 2018-19 would be approved by the Board.
- The Audit Committee had determined that Health and Safety audits should occur every two years.
- The whistleblowing policy would be updated to ensure correct email addresses for the Non-Executive Directors were displayed.

Action: CM to forward the Court’s whistleblowing policy to the Non-Executive Directors.

UKSC
January 2018