

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

**Minutes of the meeting held on 29 September 2011**

Attending: Jenny Rowe (Chair)

William Arnold  
Louise di Mambro  
Sian Lewis  
Olufemi Oguntunde  
Martin Thompson  
Chris Maile  
Philip Robinson (Non-Executive Director)  
Alex Jablonowski (Non-Executive Director)

Ben Wilson (Acting Secretary)

**1. Apologies for absence**

- 1.1 Apologies for absence were received from Paul Brigland.
- 1.2 Chris Maile, HR Manager, was welcomed at his first Management Board meeting. Ben Wilson was welcomed as Acting Secretary in PB's absence.

**2. Approval of amended minutes of the Management Board Meeting of 29 June 2011**

- 2.1 JR noted that an amendment was needed to point 13.1 of the minutes, as circulated, and this was approved.
- 2.2 OO noted additionally that point 4.4 should refer to plans for the 2012 Annual Report.

**3. Approval of the minutes of the Management Board meeting of 25 July 2011**

- 3.1 The minutes were approved.

**4. Matters arising not covered elsewhere on the agenda**

- 4.1 JR reported that the final report of the McCluskey Committee, examining the relationship between the High Court of Justiciary and the UKSC in criminal cases, had been published on 14 September. It endorsed a continuing role for the UKSC in human rights issues, where a point of law was certified by the High Court, and suggested that such jurisdiction might even be extended as necessary

- 4.2 JR reported that a further meeting to discuss UKSC funding had taken place with MoJ officials and that she was awaiting further updates. JR had written to MoJ copying in HM Treasury on related matters.
- 4.3 JR reported that a Risk Register and Strategic Plan Workshop had been arranged for 4 November.
- 4.4 JR informed the Board that the application window for the two judicial vacancies had closed on 19 September, and that she had written to the statutory consultees on Lord Phillips' behalf.
- 4.5 JR reported that the briefing session on the Scottish political scene since the elections had taken place and was well received by those who attended.

## **5. Annual review of Management Board Terms of Reference**

- 5.1 JR circulated a slightly revised set of Terms of Reference, reflecting the integration of the Registries for the UKSC and JCPC. This was approved.
- 5.2 PR noted that the Audit Committee would similarly be reviewing its Terms of Reference, and then referring these to the Board for its approval, in line with NAO guidelines.

## **6. Formal review of 2011/12 Business Plan**

- 6.1 The Board took the opportunity, six months into the plan's operation, to review progress and update on performance indicators. Each section of the plan was taken in turn:

**Casework** – LDiM reported on a perception among some JCPC users that the Court could be quicker in progressing and listing cases. More work could be done through existing communication channels and the forthcoming visit of the Governors General to externalise how quickly some cases could be listed, when the parties were co-operative. AJ noted that the Board might wish to consider formalising a clearer articulation of the JCPC's vision and mission. LDiM noted positive progress against each of the performance indicators listed for casework under points 15 and 16 of the business plan. **OO suggested that selected performance indicators from points 10 and 12 of the Business Plan could be added to the balanced scorecard for future updates. Action: LdM/Secretary to discuss further**

**Public access, education and outreach** – SL reported that visitor numbers were now more than 70,000 p/a, and noted general progress in a number of areas. Enhanced services for stenographers had been considered, but technical

costs had proved prohibitive. The Open Days in August and September had been very successful, with a wider range of activities in place and stronger marketing support. Streaming live footage of cases via the Sky News website was also proving popular. SL also reported on engagement with the Parliamentary Education Unit, which had led to a continued increase in school groups and a welcome diversification into groups from further afield, including Scotland and Northern Ireland. Efforts were made to tailor school and college tours to curriculum areas, and the partnership with NCCL was due to be consolidated with their recent appointment of a full-time education officer to cover London.

**International Relations** – JR noted that the UKSC continued to receive a substantial number of requests for incoming visits. AJ suggested closer consideration of the purpose of such engagement, and JR agreed that a more strategic approach might be achieved through the development of criteria to assess incoming requests. AJ suggested that material produced by the FCO to map out the Government’s own medium term goals in international relations might prove helpful as a planning aid, in terms of aligning UKSC’s activity with wider ambassadorial efforts. PR suggested that this area might benefit from a dedicated Board discussion in the new year, with which JR agreed, and AJ added that such a process could also be informed by the emerging Constitutional Reform agenda. **Action: JR to arrange meeting**

**Corporate Services** – OO reported that each of the areas listed under **finance** (point 42 of the plan) was progressing well. Financial processing had now been moved in-house. The Finance team were committed to ensuring that all relevant accounts information would be prepared for publication before the summer Parliamentary Recess 2012 and that UKSC would continue to operate fully within HM Treasury controls. WA noted that various **risk** management systems were in place, and that a Business Continuity Exercise was scheduled for the near future, detailed feedback from which would help improve UKSC’s existing contingency planning. CM noted that significant developments in terms of UKSC’s **people** were the integration of the administration of the JCPC, and implementing the action points arising from the last Staff Survey. PR noted that he had received positive feedback about the physical accessibility of the building. JR noted that **complaints, core standards** and **information assurance** were all being managed satisfactorily. WA noted that the **Library** had undertaken significant reclassification work during the plan period so far (point 66). MT noted that work continued to identify appropriate energy conservation schemes (point 70). MT noted that the **health and safety** committee continued to meet regularly (point 71). MT noted that positive working relations continued with English Heritage over the **building**, and he further updated the Board on the major fabric works undertaken in recent months.

**Administering the JCPC** – LdM noted that the ‘back office’ registry functions had now been integrated, and that the relevant staff were continuing to coach each other on the distinct processes and systems in place within the two Courts to improve cross-co-operation.

**Performance Indicators (Annex A)** – PR suggested that all of the PIs listed on p28-30 should be closely reviewed for the next Business Plan period to ensure they remained realistic and measurable, in order to assist visibility for the Board.

## **7. Scorecard report**

- 7.1 The Board noted the figures on the scorecard paper MB11/40, and raised no issues.

## **8. Finance and fees**

- 8.1 OO presented paper MB11/41. The latest figures indicated a very slight underspend, broadly expected at this point in the year and partly due to savings from Judicial salaries.
- 8.2 Following discussion, JR requested that all executive Board members should consider what significant items of expenditure might be brought forward to this financial year to alleviate pressure next year. **Action: all**
- 8.3 The proposed timeline for the preparation, audit and publication of the financial accounts and annual report for 2011/12 was discussed. PR expressed concern that the timetable was unnecessarily ambitious, and recommended that steps were taken to secure a different audit slot that would give all relevant parties more time to edit and review the reports. **Action: OO and BW to liaise over a revised timetable, including assessing the feasibility of the current proposal and informing discussions with the NAO.**
- 8.4 JR reported that OO was to embark on a three-month placement through a civil service programme (META) designed to nurture minority ethnic talent at a senior level. Arrangements had been made for temporary cover and OO would continue to attend Audit Committee meetings and retain occasional contact with the Finance Team. **Action: PR and OO agreed to discuss handover arrangements, following the Board meeting.**

## **9. Press and communications update**

- 9.1 SL presented paper MB11/42 and its associated annexes. SL noted that the number of visitors to the building was slightly down in August compared to the same month in 2010, though the annual total was up considerably on the previous year.
- 9.2 CM suggested that greater insight into the demographics of UKSC's visitors could be gained through a survey exercise. WA suggested that this exercise could inform a review of the languages in which the visitor leaflets were offered. **Action: SL agreed to explore options with relevant colleagues.**

## **10. Human resources**

- 10.1 CM gave an oral update, noting that the cohort of Judicial Assistants had started work on 12 September and that an appointment process was underway for a

Judicial PA Support vacancy. WA and CM agreed to discuss panel composition for the latter role, following the meeting.

- 10.2 SL noted that it would be helpful for the Communications team to be informed of all vacancies prior to advertisement.
- 10.3 CM reported that the next staff survey would be launched on 17 October and would close at the end of that month, with a report provided by the external supplier by mid-November.
- 10.4 CM noted that mid-year ASPR reviews were due to be conducted by the end of October and that he would be communicating this to line managers.

## **11. Parliamentary Questions and FOI**

- 11.1 WA reported on behalf of PB. There were no PQs during the period, it being Parliamentary Recess. Four FOI requests were received during July and one in August, which were all answered within the statutory time limits. One referral to the ICO had been upheld in favour of UKSC.
- 11.2 WA and JR noted an intention to be more proactive in publishing details of Justices' overseas travel in the next Annual Report. **Further consideration would be given to regularly publishing such information online.**

## **12. Case update**

- 12.1 LdM noted that two cases due to be heard in the Michaelmas term had settled, giving the Justices more time to consider the PTA applications received during the summer.

## **13. Dates for 2012 Management Board meetings**

- 13.1 JR noted dates circulated previously by PB. **A replacement date was to be arranged for March.**

## **14. Risk paper – Quarterly review**

- 14.1 The Board considered the Risk Register (MB11/43) and noted:

Risk 1 – Retained, pending further discussions with MoJ

Risk 2 – Following discussion it was suggested the Impact of this risk should be more accurately assessed as Yellow

Risk 3 – Retained, pending the outcomes of the McCluskey review

Risk 4 – This should be carefully reviewed in the light of any decisions by the MoJ

Risk 5 – This should be removed following contract renewal

Risk 6 – This should be removed following positive work in this area

Risk 9 – This would be reviewed following the forthcoming Business Continuity exercise

Risk 11 – This should be removed following contract renewal

## **15. Any Other Business**

15.1 JR extended an invitation from the Dean and Chapter of Westminster Abbey to PR and AJ to join Justices and staff at the Abbey on 6 October for Evensong and a private tour.

15.2 WA reminded the Board that the workshop to review the Risk Register in more depth was scheduled for Friday 4 November from 9.30am – 2.00pm.

These minutes were approved by the Management Board on 21 October 2011 .

UKSC

September 2011