

**Disclosure Scotland
DS Board – Skype Call
Tuesday 8 December 2020
10:00 to 13:00
MINUTES**

Present: Gerard Hart (Interim Chief Executive, Chair)
Alan Eastwood (Director of Corporate Services)
Neill Kemp (Director of Digital and Service Owner)
Lynne McMinn (Director of Policy and Communications)
Laura McCluskey (Director of Operations and Business Continuity)
Stuart Smith (Non-Executive Board Member)
Christopher Wroath (Non-Executive Board Member)
Keith Rosser (Non-Executive Board Member)
Kavita Chetty (Non-Executive Board Member)

Attending: Michael Chalmers (Director of Children and Families)

Observers: None

Apologies: Douglas Hutchens (Non-Executive Board Member)
[Redacted] (Senior Communications Manager)

Secretariat: Fiona Price (Senior Governance Manager)

Welcome and Introductions

1. The Interim Chief Executive (CE) welcomed everyone to the meeting and introductions were made.

Declaration of Interests

2. None.

Previous Actions

3. It was agreed that all actions, apart from the following could be closed:
 - **Action/04/Oct:** Deep dive on Future of DS and communications to staff;
 - **Action/05/Jun:** Chair of CDAP open conversation with Police Scotland CDAP member around DS only having access to Police system access through accredited sites;

- **Action/04/Sep:** Senior Governance Manager develop appraisal process for NXBM; and
- **Action/02/Oct:** Director of Operations and Business Continuity to analyse and quantify the impact of Covid on performance.

Chief Executive Update

4. The Chief Executive provided an update on the following:

- we are currently managing to decrease the processing time of applications and the majority are now within SLA. There are lessons to be learned from our experience of this year's peak period and this is one challenge statement that will be given to the Business Improvement Change Group. MC provided positive comments on how Ds had continued to serve the public during the pandemic, especially clearing tens of thousands of keyworkers very quickly, and stated this is a credit to the organisation;
- PVG online is progressing well, this is a testimony to how focussed and collaborative working has expedited our digital goals. User research has been running in parallel with the Private Beta, with the feedback strongly supporting the product. The Board shared their gratification for the real spirit of enterprise and courage to move forward with PVG Online. The assertive campaign to on board customers to PVG Online is now underway;
- the implementation of Management of Offenders (Scotland) Act and the Age of Criminal Responsibility (Scotland) Act were both completed on time. The Board thanked all involved for the delivery of critical milestones; and
- the establishment of the new governance structure is moving forward with the independent panels and change groups being set up. Challenge statements will be given to the change groups and this will inform their work programme.

5. SS posed the question of the Disclosure and Barring Service (DBS) equivalent of PVG online. GH noted DBS don't have a PVG Scheme, although they do have similar technical challenges and are working on a digital strategy. The Director of Digital and Service Owner keeps in regular contact with DBS.

Horizon Scanning

6. The Board noted application volumes might increase depending on how the economy responds post-Covid.
7. AE informed that financial scenario planning has been completed for SG for 21/22. Furthermore, as volunteering starts again there will be additional pressure of increased PVG applications.

8. SS noted the EU negotiations and asked if there are any issues or risks to consider. LMCM confirmed DS are in regular contact with the Home Office regarding the access of EU Criminal History data to determine a suitable way forward.

Feedback from the Audit and Risk Committee (ARC)

9. The Director of Corporate Services, on behalf of the chair of the ARC, provided a brief update. The Board were informed that the Annual Report and Accounts (ARA) would be laid in the Scottish Parliament on 17 December 2020.
10. GH questioned if there is appetite for the ARC to look at other issues, including PASS. KR supported this view and agreed it should be the next ARC deep dive. NK advised that the CDAP have been considering technical risks which might link with the work of the ARC. NK agreed to liaise with ARC Chair regarding this.

Feedback from the Governance Forums and Change Groups

Change Delivery Advisory Panel (CDAP)

11. The Chair of CDAP provided the following update, in line with the minutes presented:
 - the meeting went well with discussion around scenario planning to address how to deliver the right outcomes for the organisation; and
 - the platform re-engineering paper was discussed, which was shared with the Amazon Web Services (AWS) team at NHS Education for Scotland (NES), who commented it was a valuable piece of work. The paper will be shared with LT week ending 11 December 2020.
12. MC raised a query around external support. CW commented the last piece of external support was a specific and targeted piece of work which was not related to the programme. NK confirmed there is currently an appropriate level of external support.

Digital Change Group

13. Establishment of the group is in progress with the ToR being drafted.

Legislation Implementation Advisory Panel (LIAP)

14. The chair of LIAP provided an update on the following:
 - an introductory meeting was held on 19 October 2020, which involved a high level status overview of the Act;
 - the panel members are getting a more in-depth understanding of implementation plan today (8 December 2020); and
 - the next meeting is scheduled and will cover the ToR and highlight report.

Act Delivery and Social Mission Change Group

15. Establishment of the group in progress and all Scottish Statutory Instrument (SSI) have been laid.

Stakeholder Engagement Advisory Panel (SEAP)

16. The chair of the SEAP provided an update on the following:

- the panel haven't yet met however have had useful dialogue. The panel are considering re-engineering the scope of how DS work with stakeholders in readiness for PVG online;
- discussions around ambition and national recruitment lead to thinking about recruiting a panel member from SG for expertise in the macro recruitment environment in Scotland; and
- meeting scheduled for 15 December 2020.

Stakeholder Engagement Change Group

17. The Chair of the group has drafted the ToR and is looking at how this can evolve.

Business Innovation Advisory Panel (BIAP)

18. The chair of the BIAP provided an update on the following:

- good progress is being made and the panel has 2 new members with relevant expertise; and
- panel meeting will be on 7 January 2021.

Business Operational Delivery Improvement Change Group

19. Establishment of the group is in progress with a meeting next week to review the challenge statements.

Strategic Finance Advisory Panel (SFAP)

20. The chair of the SFAP provided an update on the following:

- the first meeting of the SFAP took place on 13/11/20; and
- key discussions were around the deliverables and outcomes of the panel, the definition of success and key themes contained within the Strategic Financial Plan and how DS intend to deliver against these with support offered by panel members.

Strategic Finance and Savings Change Group

21. AE provided an update. Chris McCrone is delivery lead for the group, who had their first meeting on 30 November 2020. The meeting was around introductions and scene setting along with the background of the Strategic Finance Plan and the key themes contained within.
22. The Board confirmed that they are content with the new governance arrangements and their shared appreciation for the progress made.

Strategic Finance Update

23. The Director of Corporate Services provided an update on the following:
 - DS has advised a pressure of £6.6 million to the SG for an expected income shortfall; and
 - DS have undertaken a review of the annual leave balances that our permanent employees are likely to have as at 31/03/21. Given the prevailing environment, this is predicted to be higher than prior year. As we are required to include this movement within our resource estimate, the pressure has been increased by £0.5 million. Therefore, £7.1 million is the figure that we will advise SG for Spring Budget Revision purposes.

Digital Update

24. The Director of Digital and Service Owner provided an update on the following:
 - the performance issues that were reported at the last Board meeting have now been resolved. A fix to a database query was implemented and an immediate and significant performance increase was observed. We have been monitoring this since implementation and the performance gains have been maintained over that time. We plan to take further action which should prevent recurrence;
 - we have now seen over a thousand applications commenced through PVG Online and that number is growing steadily. Of the initial 77 organisations that we have targeted for on boarding, 44 organisations are now submitting applications. Anecdotally feedback has been positive. We continue to try and increase usage as much as possible, although we expect some challenges on boarding our umbrella bodies; and
 - the digital team are being encouraged to take holidays over the festive period.
25. KR raised a question around the challenges with on boarding for umbrella bodies. NK noted the PVG online process doesn't map to their current service therefore on boarding is difficult. GH noted we have been liaising with them to provide support, laying the foundations for a more modernised sector.
26. SM asked if the deletion of data has improved performance. NK noted the increase in performance is minimal and stated a need for an efficient archiving

strategy to ensure required information is filed appropriately and erroneous information is deleted.

Corporate Risk

27. The Director of Operations and Business Continuity provided an update on the following:

- the new governing groups are being formed and will contribute to the creation of the new Risk Strategy;
- the Change Teams will focus on the challenge statements and part of the remit when addressing the challenges will be to establish a risk process. These will then feed into our corporate risk profile where appropriate;
- our corporate risks will start to organically align with our strategic aims. Work is ongoing to improve how we present risks and the DS Corporate Risk Review Group (CRRG) is looking at the risk themes to ensure they accurately reflect the risk landscape;
- One new risk has been added in line with the accessing and sharing of the PVG online product. Taking into account the impact on the wider sector, we are engaging and communicating responsibilities with Countersignatories, in addition to our routine compliance work; and
- the current position recommended by the CRRG is Amber.

28. The Board noted their agreement with the Amber status, due to the impact of mitigations and controls. Furthermore, the Board shared their support in the shift in external focus, broadening our profile of risk.

Mid-Year Business Plan Review

29. The Director of Corporate Services presented a paper to provide assurance to the Board of the progress against the objectives and intended outcomes as detailed in our 2020/21 Business Plan.

30. The Board agreed the paper provided assurance. It was suggested that additional information on the measures would be beneficial. AE noted the measures are tracked on the Performance Framework which will be provided to the Board as a Below the Line (BTL) paper for additional assurance.

Action/01/Dec: Senior Governance Manager to provide Performance Framework as a BTL paper with next Business Plan review.

31. KR enquired about the General Data Protection Regulations (GDPR) compliance and audit plan. AE noted the plan is a framework for providing assurances and mitigating actions on areas identified by DS as presenting risk, and laid out a number of objectives until 31st March 2023. KR requested the plan is shared with ARC members.

Action/02/Dec: Senior Governance Manager share Compliance and Audit Plan with the ARC members.

Review Terms of Reference

32. The Senior Governance manager presented the current Terms of Reference with proposed changes to reflect the new strategic landscape and the governance needed in a changed environment. The Board endorsed the proposed changes.

AOB

33. None

Next Meeting Wednesday 27 January 2021

Actions	Responsible	Due by	Status
<p>Action/04/Oct: Deep dive on Future of DS and communications to staff.</p>	<p>CEO</p>	<p>May 2020</p>	<p>10/03/20: Added to April away day agenda.</p> <p>23/06/20: April away day cancelled due to Covid. Deep dive postponed.</p> <p>01/09/20: Postponed. The Future of DS will link in with the Corporate planning which will begin at the end of the year. The Recovery Group are looking into future requirements and smarter working.</p>
<p>Action/04/Jun: Director of Operations and Business Continuity present paper on what DS Customer Service will look like in future.</p>	<p>Director of Operations and Business Continuity</p>	<p>Board on 8 December 2020</p>	<p>18/08/20: Currently in progress will be presented to the Board at the meeting on 8 December 2020.</p> <p>03/12/2020: This action has been superseded by the advent of the Change Teams and governance approach.</p> <p>The challenge statements will be sub categorised by the Executive leads to include both service provision in terms of efficiency but also around how we transform our support and advisory services alongside our Act implementation, digital transformation and insights from customer feedback.</p> <p>Progress will be fed back to the Board in relation to our customer service suite through the Change Teams and Advisory Panel Chairs as per the change governance structure.</p> <p>Action Closed</p>
<p>Action/05/Jun: Chair of CDAP open conversation with Police Scotland CDAP member around DS only having access to Police system access through accredited sites.</p>	<p>Chair of CDAP</p>	<p>28 August 2020</p>	<p>01/09/20: awaiting updated from Chair or CDAP.</p> <p>08/09/20: Chair of CDAP speaking with Police Scotland member at the end of the week (w/e 11 September).</p>

			<p>27/09/20: Brief discussion took place, more in depth discussion will be had at the CDAP on 28 October.</p> <p>08/12/2020: a further detailed discussion is required in preparation for COP26.</p>
<p>Action/04/Sep: Senior Governance Manager develop appraisal process for NXBM.</p>	<p>Senior Governance Manager</p>	<p>30 September 2020</p>	<p>27/09/20: on-going</p> <p>07/12/2020: Due to competing priorities this action is still in progress. Draft guidance and template currently being developed and will be available for CE sign off by 29 January 2021.</p>
<p>Action/01/Oct: Director of Operations and Business Continuity to review process for predicting sector requirements, to allow effective mapping of workflow.</p>	<p>Director of Operations and Business Continuity</p>	<p>30 December 2020</p>	<p>03/12/2020: The CET and Operations Covid team continue the proactive programme of outreach to predict and forecast volumes and priorities. This has worked well and will form the basis of our intentions to improve our volume insights into the future.</p> <p>It should be noted that this month we have used this approach to contribute to vaccine staff planning and requirement scoping.</p> <p>Action closed</p>
<p>Action/02/Oct: Director of Operations and Business Continuity to analyse and quantify the impact of Covid on performance.</p>	<p>Director of Operations and Business Continuity</p>	<p>30 December 2020</p>	<p>03/12/2020: On-going – stats are currently working on service predictions and establishing monitoring reports to improve service levels sustainably. The next action will be to consider the impact of the covid priority service on our BAU service levels.</p>

<p>Action/03/Oct: Chair of CDAP to provide summary of technical paper to the Board.</p>	<p>Chair of CDAP</p>	<p>4 December 2020</p>	<p>08/12/2020: Summary provided at last Board meeting on 27 November 2020. Action Closed.</p>
<p>Action/01/Dec: Senior Governance Manager to provide Performance Framework as a BTL paper with next Business Plan review.</p>	<p>Senior Governance Manager</p>	<p>Board on 10 March 2021</p>	<p>Performance Framework will be shared at the Board on 10 March 2021.</p>
<p>Action/02/Dec: Senior Governance Manager share Compliance and Audit Plan with the ARC members.</p>	<p>Senior Governance Manager</p>	<p>31 December 2020</p>	<p>Plan shared with ARC members. Action Closed</p>