

**Disclosure Scotland
DS Board
Tuesday 23 June 2020
10:00 to 13:00
MINUTES**

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

Attending: [redacted] (Senior Communications Manager)

Apologies: Lynne McMinn (Director of Policy and Communications)

Observer(s): [redacted] (Modern Apprentice, Application Processing Officer)

Secretariat: [redacted] (Senior Governance Manager)

Welcome and Introductions

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

Declaration of Interests

2. None.

Previous Minutes and Actions 10 March 2020 and 20 April 2020

3. The minutes were agreed as an accurate, true reflection of the meeting. It was noted that the actions should be updated before the meeting and the 'due by'

column should always have a date and avoid the use of 'ASAP'. 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/04/Dec:** Director of Protection Unit and Policy organise Scott-Moncrieff risk appetite session for February 2020;
- **Action/03/Jan** – Distribute content and date for agile training to Board members;
- **Action/01/Mar:** Director of Disclosure Services develop a paper mapping out compliance pre and post PASS for the ARC;
- **Action/04/Mar:** Service Owner and chair of CDAP present Board paper on PASS re-architecture; and
- **Action/06/Mar:** Senior Governance Manager revise Business Plan 20/21.

Risk Register Update

4. The Director of Operations and Business Continuity and Chair of the Corporate Risk Review Group (CRRG) provided an update on the following:
 - in response to coronavirus (COVID-19), a new Coronavirus Register was created to run alongside the DS Corporate Risk Register. This register was implemented at the Corporate Risk Review Group meeting on 15 May;
 - it was agreed by DS Board and ARC that whilst under BCP conditions, the Corporate Risk Register would essentially be paused and reviewed once the post continuity landscape of DS was defined;
 - although some risks on the Corporate Register are linked directly to the coronavirus activities and have effectively been paused at this time, there are three risks that remain pertinent under the BC landscape;
 - there were nine new coronavirus related risks identified when the new Coronavirus Register was created. DS will be cautious about how things develop throughout the year;
 - discussion around the intended approach for review of our Corporate risk profile that reflects our Corporate landscape and high level time line; and
 - the review also presents an opportunity to re-frame our appetite for risk and management approach as we also re-establish our corporate goals.
5. SS noted the layout of the Coronavirus Risk Register was useful and noted it would be useful if the Corporate risk register followed the same format. SS also noted Internal Audit (IA) issued two checklists on risk. LM noted they were beneficial for an additional level of assurance and aligning the register with the wider government. LM will cross reference both at next CRRG meeting and bring the outcomes back to the Board, along with the two checklists for Board comparison.

Action/01/Jun: Director of Operations and Business Continuity cross reference checklists from IA against Coronavirus Risk Register and present outcomes at next Board.

6. DH noted caution around the finance risk on the Coronavirus Register and having a separate one on the Corporate Register. DH also noted the ARC find articulation and translation of the risk register challenging.
7. GH commented DS have an opportunity to improve risk management, resetting and reformatting risks while accompanying the recovery plan. The workshop will be the start of this process.

Action/02/Jun: Chair of the ARC and Director of Operations and Business Continuity discuss intended purpose of risk workshop.

Action/03/Jun: Director of Operations and Business Continuity schedule risk workshop for end of July.

Disclosure (Scotland) Bill Update

8. The Interim Chief Executive provided an update on the following:
 - the Bill passed Stage 3 on 10 June. Law Officers now have four weeks to challenge. After this period, if there is no challenge, the Presiding Officer submits the bill to The Queen for Royal Assent. Once the bill receives Royal Assent, it becomes an Act of the Scottish Parliament and is part of the law of Scotland;
 - implementation of the new Act will be a gradual process. There will be further stakeholder engagement on some areas and laying of secondary legislation which governing these;
 - stakeholder feedback has been incredibly positive and the minister noted her thanks to everyone at DS who made this possible; and
 - the Board will be part of the iterative journey through to implementation, the Board agreed this approach.
9. The Board noted this was a very positive result for DS and shared thanks to all staff.

Feedback from the Audit and Risk Committee (ARC)

10. The Chair of the ARC shared there was significant discussion around the risk workshop and some matters around Internal Audit (IA) arose. ARC members met virtually with IA to resolve. SS noted the Board can be reassured by the ARC members being in discussion with IA.
11. AE commented he had a productive session with IA which resulted in a more agile approach to audit. GH noted the audit plan will be agile and the items audited will be areas we need assurance on, as we progress through the year.

Finance Update

12. The Director of Corporate Services provided an update on the following:

- to assist with BC recovery we are considering bringing some finance staff back into the office, numbers will be kept to a minimum;
- DS is presently finalising the year-end position against the funding provided at the Spring Budget Revision;
- DS officials have had a number of conversations with Scott-Moncrieff (SM) about the final statutory audit of the Annual Report and Accounts. SM will conduct the audit remotely, week commencing 17 August 2020;
- DS have reported a £4 million funding pressure to SG. The need is for the anticipated loss of income, over the first quarter of the FY, as our business as usual service has been re-designed to ensure that Disclosure Scotland can meet its public safeguarding duty for coronavirus. This will be kept under review and the Centre will be informed on any movements against million pressure reported;
- DS commenced taking paid for disclosure applications for Basics on 9 June and will review trends and similarly when we introduce PVG, Standard and Enhanced towards end of June; and
- the Centre have been advised that DS will absorb some of the lost income with the Leadership Team taking a proactive approach to identifying efficiencies and realising subsequent cost reductions over the year. A detailed strategic finance paper is being progressed to advise the ARC and the Board of how we intended to achieve this over the longer-term.

13. SS asked if DS will be linking in with SG prospective on the National Outcomes. AE stated that discussions are on-going. LM noted that when discussing efficiencies at LT, it is not just financial savings but supporting the National Outcomes and how can we better demonstrate or increase impact of driving these forward.

14. SS asked about the impact of the decrease in English and Welsh applications. AE confirmed last year they were 30% of total applications now they are 23-24%, which results in a pressure around £0.4 million. This is continually monitored on a weekly basis, with effort made to offset this pressure with efficiencies.

15. DH noted his content and increased confidence levels with the work around efficiencies and shared a reminder that Non-Execs are here to provide support. GH noted the Strategic Finance paper will be shared for Board to challenge/advise.

Transformation Update – Paperless Application Progress

16. The Director of Digital and Service Owner provided an update on the following:

- with the onset of coronavirus the priorities for the Digital team have changed significantly, with the road map being suspended;

- the Digital Team was set the challenge to reduce the amount of paper being processed by early June;
- the release on 8 June to reintroduced paid for Basics was successful;
- a paperless service is possible however, we need to provide an alternative offline (assisted digital) service to ensure our services are available and inclusive to all;
- PVG rollout will follow SG best practice with a private Beta to a small number of CSGs before opening up to a public beta; and
- progress against paid for PVG applications being re-introduced on 26 June remains on course, with an external security assessment currently ongoing. There are some challenges around this release which effect card payments. Confidence around invoice payment remains high and we are still on target for release with integrated payment in July.

17. SS raised the issue of [redacted], which was detailed in the previous minutes, and asked if we have managed to retain key staff. NK confirmed key staff have been retained and while [redacted] is something that needs to be addressed this won't be till quarter 4.
18. KR asked about assurance around the road map, and if this comes from CDAP. NK confirmed the road map is on hold and will required to be reviewed as a result of the realisations during coronavirus. GH noted once we are in a positon, the road map will need reviewed in a wider context. The target operating model, recovery plan, new risk register and Corporate plan will be prepared then the road map will be reviewed.
19. KR raised issues around PASS architecture which have previously been discussed. NK stated DS took tactical action on the issues at start of year and have had no issues since however, there are underlying issues which will need to be addressed and there will be technical resources assigned to this at the end of year to ensure we maintain a stable platform.
20. Keith noted the feedback externally has been good and shared congratulations to the team.
21. DH raised concern about increasing inequalities and possible stigmatisation using a paperless approach. GH confirmed there will be equality impact assessments carried out and an assisted digital service. LM recognised that there are elements of service delivery where paper is most appropriate and it is more about digital first as appose to the redaction of paper. DS will look at what service is appropriate to ensure excellent customer service.

Action/04/Jun: Director of Operations and Business Continuity present paper on what DS Customer Service will look like in future.

Feedback from Change Delivery Advisory Panel (CDAP) and Evaluation of CDAP

22. The Chair of the CDAP provided an update on the following:

- two new members have joined the CDAP ([redacted] from SG Finance and [redacted] from Police Scotland) with their first meeting on 15 June. Their contribution has already made a significant difference;
- some time was spent on the road map and how this was constructed however, it is recognised it needs to be reviewed;
- part of the CDAP's role is to ensure DS plan with care and detail therefore, the panel need more sight of LT decisions and the digital team's response. The chair of CDAP will look into this; and
- the digital team work incredibly hard and need to be commended for their work. The Board agreed and shared thanks.

People Resilience and Support Update

23. The Director of Corporate Services provided an update on the following:

- there have been a number of key achievements to date including the People Hub, Let's Keep Connected call, home working Health and Safety questionnaire, personal development handbook and the People Resilience and Support Service;
- DS took part in a Civil Service wide COVID-19 Pulse Survey in May. A total of 214 staff completed the survey. The insight provides assurance that the majority of respondents are feeling supported by their managers and highlights areas that we could target, especially in our recovery plans. Clear outcomes have been developed with weekly reporting to the LT; and
- DS recognises the emerging culture and how the new 'normal' working environment is shaping our practices while using an agile approach to people in a rapid changing environment.

24. GH noted that there will be another all staff call which the Board members will be invited.

Draft Annual Report and Accounts (ARA) 2019/20

25. The Director of Corporate Services presented the draft ARA and thanked the Corporate Services team for working hard together to produce a draft in unprecedented circumstances. The draft is presented early than usual to ensure the Board are involved early in the journey. The Board were asked for comment.

26. DH commented on information missing pertaining to the ARC.

27. SS noted there should be links to Fraser Figure and there is some duplication of information. SS noted p 12 makes reference to savings moving off of BT platform, this should be maximised. SS asked if information can be included up to the date of signing. AE confirmed this is the case, it provides a bridge to next year's report.
28. The Board agree any further comment should be emailed to Director of Corporate Services and Senior Governance Manager and noted their thanks and well done to staff involved.

BCP Recovery Planning

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

- our approach slightly different from 'normal' BC recovery. For DS it is about the practical reinstatement of key pieces of work to balance strategic requirements and laying foundations for key activities to progress to the new 'normal'; and
- a key part of BCP is Corporate Planning (CP) and interplaying corporate artefacts, re-framing the Business Plan 2020/21 in line for the new CP next year.

30. DH noted lessons learned play an important part and should be included in the recovery plan. LM advised it is a living document and this will be added.

31. CW highlighted DS only having access to Police systems through accredited sites, when most BCP is based around denial of premises. CW will open a conversation around this with CDAP Police Scotland member, including an evaluation of what accredited site means in a pandemic.

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.

32. SS asked about the relationship and role of recovery and BC. LM proposed to establish a recovery group, where LT will steer and provide insight and the heads of departments will manage and report on deliverables. The recovery group will be a proportion of members of the Performance Team. The Board agreed this approach.

AOB

33. GH initiated discussions around the weekly Non-Executive call. It was agreed these should continue and will be reviewed on an on-going basis.

Next Meeting Tuesday 8 September 2020.

Actions	Responsible	Due by	Status
Action/04/Oct: Deep dive on Future of DS and communications to staff.		May 2020	<p>10/03/20: Added to April away day agenda.</p> <p>23/06/20: April away day cancelled due to coronavirus. Deep dive postponed.</p>
Action/04/Dec: Director of Protection Unit and Policy organise Scott-Moncrieff risk appetite session for February 2020.	Director of Operations and Customer Engagement.	February 2020	<p>10/12/19: Senior Governance Manager to timetable extraordinary meeting for February 2020.</p> <p>29/01/20: Postponed until new CE has been appointed.</p> <p>10/03/20: No further update.</p> <p>23/06/20: Risk session will be organised for end of July.</p>
Action/03/Jan – Distribute content and date for agile training to Board members	Senior Governance Manager	July 2020	<p>10/03/20: Ongoing. Christopher and Joy have offered to delivery training. They will work on this with the AO on this.</p> <p>23/06/20: Christopher and Gerard arrange discussion around delivery of agile training.</p>
Action/01/Mar: Director of Disclosure Services develop a paper mapping out compliance pre and post PASS for the ARC.	Director of Disclosure Services	September Board Meeting	<p>23/06/20: Paper will be presented at the September Board Meeting.</p>
Action/02/Mar: Senior Governance Manager add Strategic finance paper to Board calendar of events.	Senior Governance Manager	ASAP	<p>22/06/20: Added to Calendar of events for September.</p> <p>23/06/20: Paper will be distributed shortly for Board sight and comment.</p> <p>Action closed.</p>

<p>Action/03/Mar: Senior Governance Manager add review of Risk Register and updates to CRRG agenda.</p>	<p>Senior Governance Manager</p>	<p>ASAP</p>	<p>22/06/2020: Alan Eastwood working on this.</p> <p>23/06/20: Risk session will be organised for end of July by Laura.</p> <p>Action Closed (link to Action/04/Dec)</p>
<p>Action/04/Mar: Service Owner and chair of CDAP present Board paper on PASS re-architecture.</p>	<p>Service Owner and Chair of CDAP</p>	<p>Board on 20 April</p>	<p>23/06/20: Currently on hold to focus on coronavirus response. Will be covered as part of future road map. Work underway on technical strategy which will be brought to the Board.</p>
<p>Action/05/Mar: Director of Corporate Services ensure more descriptive around income</p>	<p>Director of Corporate Services</p>	<p>ASAP</p>	<p>23/06/20: Strategic finance paper will be distributed shortly for Board sight and comment.</p> <p>Action Closed.</p>
<p>Action/06/Mar: Senior Governance Manager revise Business Plan 20/21.</p>	<p>Senior Governance Manager</p>	<p>July 2020</p>	<p>12/06/2020: Meeting arranged with LT to review on 8 July 2020.</p>
<p>Action/01/Jun: Director of Operations and Business Continuity cross reference checklists from IA against Coronavirus Risk Register and present outcomes at next Board.</p>	<p>Director of Operations and Business Continuity</p>	<p>Board on 8 September 2020</p>	

<p>Action/02/Jun: Chair of the ARC and Director of Operations and Business Continuity discuss intended purpose of risk workshop.</p>	<p>Director of Operations and Business Continuity and Chair of ARC</p>	<p>24 July 2020</p>	
<p>Action/03/Jun: Director of Operations and Business Continuity schedule risk workshop for end of July.</p>	<p>Director of Operations and Business Continuity</p>	<p>17 July 2020</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 September 2020</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>	

