

# **The Supreme Court of the United Kingdom**

## **Management Board**

### **Minutes of the meeting held on 26 September 2016**

Attending: Mark Ormerod (Chair)

William Arnold  
Louise di Mambro  
Paul Brigland  
Chris Maile  
Olufemi Oguntunde  
Martin Thompson  
Ben Wilson  
Stephen Barrett (Non-Executive Director)  
Kenneth Ludlam (Non-Executive Director)

Paul Sandles (Secretary)  
Jackie Sears

#### **1. Apologies for absence and introduction**

- 1.1 No apologies were received.
- 1.2 MO introduced JS to the Board and explained that JS was shadowing MO's role.

#### **2. Approval of the minutes of the meeting of 25 July 2016**

- 2.1 The minutes were approved, subject to one minor amendment.

#### **3. Matters arising not covered elsewhere on the agenda**

- 3.1 The action point at para 12.2 of the July 2016 minutes would be carried forward to November's meeting. The Building and Facilities Contracts Manager had only recently started in post and time for a handover of responsibilities was necessary.

#### **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 MB16/34, and in particular the following points –

- A number of judicial appointments to the Court would be required in the near future. To provide additional support for the administration of the appointments process, MO has increased the number of Court staff who will be involved. A date for the initial meeting of the first Appointments Commission had been arranged although its composition was not yet confirmed.
- PB reviewed the operation of the Judicial Support team over the summer. Improvements to the business model in light of this review would be considered as vacancies arose.
- Further work would be necessary to identify what management information is necessary, and how best to present it, to assist the Board in identifying any significant trends that might require a response.
- A review of staff cover arrangements during recess periods would take place.

5.2 SB observed that appointments would best be considered with succession planning needs in mind to ensure that the Court retains the broadest range of expertise possible.

#### **6. Management Information Dashboard**

6.1 The Board noted the contents of paper MB16/35, and in particular the following points –

- Registry statistics regarding the number of judgments outstanding and the progress of appeal hearings were incomplete. This would be rectified and the updated information presented to the next Board meeting in November.

- LdiM provided justification as to why 2 applications for permission to appeal had not been determined within the 12 weeks' target period.
- Workload management for permission to appeal panels was discussed.
- KL queried whether enquiries had been received regarding the percentage of permission to appeal applications that were refused. This information was included in the Annual Report.

**Action point: PS in consultation with LdiM to update the registry statistics at the November MB meeting.**

## 7. Risk Register

7.1 The Board noted paper MB16/36, and in particular the following points –

Risk 1 (*Disruption from breach of physical security*) – The Board noted the forthcoming test of the Business Continuity Plan. A future test would involve the Justices. A test of the lock down system had taken place in September and provided useful experience. The Board noted that an invacuation exercise would occur in November.

Risk 2 (*Loss of / decline in infrastructure performance*) – The Board noted the disruption to the air conditioning system in September. The issue had been resolved within 2 days.

Rollout of Windows 10 software would be delayed pending further testing. Options for the new telephony system would be presented to MO, WA and OO.

Risk 3 (*Damage to Reputation*) – The Board noted the success of the summer exhibition and successful mitigation of other ongoing risks.

Risk 6 (*Workload Movement*) - The Board noted the issues anticipated in the 'Brexit' case.

## 8. Finance and fees

8.1 The Board considered paper MB16/37 and noted the following points -

- Figures for August had been in line with budget estimates. There had been a small under spend of £80k, or 1% of the profiled budget.
- All contributions due had been received from the jurisdictions for the first two quarters.
- Initial discussions with the National Audit Office regarding the timing of the 2017 audit had taken place.
- OO presented an analysis of fee income from April 2014 to date. Clear patterns were difficult to determine although a reduction in total fee income year-on-year was observable. The potential negative impact on fee income caused by recent procedural changes in the courts below was discussed.

**Action point: OO to include in future reports the projected outturn for the end of the financial year.**

## 9. Press and communications

9.1 The Board noted the contents of paper MB16/38, and the following points –

- There had been significant coverage, in both July and August, of the judgment in the appeal regarding the ‘named person’ scheme in Scotland.
- Significant preparatory work by the Communications team and the Registrar had been necessary for the case involving the National Executive Committee of the Labour Party. An appeal was not lodged, but testing whether a case could be prepared at short notice during a recess period was informative. The exercise showed, however, that the Court was able to list a high profile appeal even during the legal vacation. Issues regarding broadcasting arrangements were highlighted and these would be addressed.

- Visitor numbers had decreased slightly, although reports from the Open House Weekend in September suggested that the shortfall would be largely made up. A record number of paid guided tours had provided a boost to WMI income in August.
- The analysis of the results of user feedback responses was considered. Potential improvements in the café would be taken up with the contractors.

9.2 An increase in enquiries for venue hire and been observed following the Court's appearance in a recent well-publicised film.

## **10. Human Resources**

10.1 The Board noted the contents of paper MB16/31, and in particular the following points –

- A permanent appointment to the Building and Facilities Contracts Manager position had taken place.
- Two Diary Secretaries had been offered fixed-term positions in the Judicial Support team until July 2017, pending pre-employment checks.
- Further consideration would be necessary regarding the future of the Deputy Departmental Records Officer position as the previous short term contract had ended.
- The Court had applied for accreditation for the Healthy Workplace Charter via Westminster City Council. The accreditation assessment day would be on 27 September. The Board considered the Wellbeing Strategy covering 2016 - 2020.

## **11. Parliamentary Questions and Freedom of Information**

11.1 The Board noted that 5 FOI requests had been received in July and 8 in August.

11.2 The Court was being included in more 'Round Robin' enquiries to all public bodies.

11.3 No PQs had been received.

## **12. Case update**

12.1 The Board noted the contents of paper MB16/40 outlining significant cases to be heard in the coming Michaelmas Term.

## **13. JCPC jurisdictions**

13.1 The Board noted the contents of paper MB16/41, and in particular the following points –

- The referendum on joining the jurisdiction of the Caribbean Court of Justice (CCJ) in Antigua and Barbuda would take place in 2017.
- MO reported that Lord Hughes met Sir Dennis Byron, President of the CCJ, for a cordial discussion during the summer.

## **14. Health and Safety Report**

14.1 The Board noted the contents of paper MB16/42, and in particular the following points –

- The Health and Safety Committee postponed the biennial update of the health and safety policy due in July until the Building and Facilities Contracts Manager was in post.
- A biennial schedule for independent health and safety audits was discussed.

## **15. Energy and Water Consumption Report**

15.1 The Board noted the contents of paper MB16/43, and in particular the following points –

- The Court had received a consistent ‘D’ rating for the Display Energy Certificate in the last five years.

- Further action to reduce energy consumption still further might require disproportionate cost or unacceptable changes to working conditions.

## **16. Accommodation Report**

16.1 MT provided an oral update regarding the following points –

- Improvements to the lighting in Courtroom 3 had been completed on time and appeared to offer significant improvement. External redecoration of the building, lasting 8-10 weeks, would begin imminently.

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