

**The Supreme Court of the United Kingdom
Management Board
Minutes of the meeting held on 24 November 2009**

Attending: Jenny Rowe (Chair)

William Arnold
Alex Jablonowski (Non-Executive Director)
Sian Lewis
Louise di Mambro (agenda items 10-13)
Olufemi Oguntunde
Philip Robinson (Non-Executive Director)
Caroline Smith

Ann Achow (Secretary)

1. Apologies for absence

1.1 Apologies were received from Martin Thompson.

2. Approval of the minutes of the MB meeting held on 19 October 2009

2.1 The minutes were approved with a correction to the figure in 6.3 to read £7,190,000.

3. Matters arising not covered elsewhere in the minutes

3.1 Updates on action points from the last meeting were as follows:

- Work to install the broadcast link to internal TVs was in hand and was expected to be completed shortly.
- The Scottish Government had nominated Elaine Noad for the Audit Committee.
- WA confirmed that the UKSC did receive all necessary security alerts and information.

4. Scorecard report

4.1 The Board considered WA's paper MB 09/16 which proposed a draft model Balanced Scorecard. The inclusion of additional items on overtime worked namely, the length of time taken to fill vacancies, invoices paid within 30 and 10 days and the number of FOI and PQ deadlines which had been met, was agreed. Where possible data should be collected from other sources, for example the number of IT defects and the time taken to resolve them could be provided by the IT service contractor. It was suggested that graphs would be useful for mapping trends.

4.2 The discussion focused on making the scorecard a useful tool by aligning it closely to the Court's strategic objectives and targets, so that the impact of emerging trends on delivery could be identified at an early stage.

4.3 The Board agreed that the current draft would be populated with November's figures in time for the December MB meeting. More thought would then be given to the format of the scorecard, especially to how best to show trends over time, at a MB Awayday early in the New Year. The 2010/11 Business Plan and post election planning would also be covered at that Awayday.

Action:

(1) Members to provide AA with November's statistical data for a scorecard to be produced for the December MB meeting.

(2) JR to identify a suitable date in January for the MB Awayday

5. Risk register

5.1 The Board considered the latest draft of the risk register (paper MB 09/18). This was still very much work in progress. It was agreed that the risks should be listed in priority order, that the risk to case throughput resulting from using larger panels of Justices should be included and that risks should be considered in relation to our business objectives. Further discussion was needed on the scoring system - in particular the use of the multiplier, but it was agreed that it was important not to turn this into a mechanistic exercise and risk missing the wood for the trees in terms of dealing with the most serious risks and being alert to new ones.

Action: JR to hold a meeting with staff MB members to continue work on the register prior to it coming back to the December MB meeting.

6. Finance and fees

6.1 OO presented paper MB 09/17 which contained a full financial information pack. OO asked that the Board consider whether the level of information provided was sufficient for its purposes and invited comments. It was suggested that graphs showing a cumulative trend line would be a useful addition to the graphs already included.

6.2 The key points for the Board to note on the resource accounts were as follows:

- The 2009/10 budget profile showed a forecast under-spend for judicial costs from the Consolidated Fund of 469k, which had to be surrendered. The under-spend had arisen largely because judicial ASLEC costs of 388k had been incorrectly attributed by MoJ to the CF budget line. This error, coupled with a predicted 77k overspend on staff pay, would result in our staff and pay budget being overspent.
- An under-spend of just over £1m on non cash was predicted and an expected over-recovery of £75k fee income.
- Areas where firm figures were not yet available were rates and catering costs, although it was not expected that the final figures would differ significantly from the current estimates.
- The Spring Supplementary would be a suitable avenue to move funding around the budget heads to deal with the under and overspends. On that basis, and

subject to the income contributions being received based on the funding agreement with MoJ (but see 6.3 and 6.4 below), OO expected that the UKSC would remain within its budget.

- The balance sheet figure showed a deficit of £7.677m being the difference between liabilities, including the capitalised value of the 30 year lease, and assets, which were derived largely from the Valuation Agency's valuation of the building. It was agreed that this would need careful explanation when it appeared in the end year accounts.

6.3 Paper MB 09/17 sought decisions from the Board on two further issues. The first concerned the fees income which the House of Lords (HOL) had received for cases which UKSC had inherited. The Board decided that no contribution should be sought from HOL, taking the following factors into account:

- there would be a considerable amount of work involved in separating those fees which were due to the UKSC from the total received by HOL,
- the UKSC had received the Law Lords library stock for free, and
- the HOL had waived repayments for annual library subscriptions which ran well beyond 1 October 2009.

6.4 The second issue for decision by the Board was whether the Middlesex Art Collection, valued at £1.02m in 2002, should be insured. The Board thought it needed to know the cost of insurance before a decision could be made.

Actions: OO to obtain an insurance quotation for the Middlesex Art Collection.

7. Risk

7.1 Matters relating to risk had been discussed under item 5 of the agenda.

8. Health and safety

8.1 The Board noted the contents of paper MB 09/20 which gave an update on health and safety matters. These included the first meeting of the Health and Safety Committee on 12 November, progress on DSE assessments and training for first aiders and fire wardens.

9. Human resources

Monthly sick absence report

9.1 CS reported that during October two members of staff had been absent on sick leave for a total of three days.

Purpose of and dates for 'All Staff' meetings

9.2 The Board agreed that regular 'all staff' meetings were an important part of team building and communication, giving staff the chance to see JR and, possibly, one or more

of the Justices. It was agreed that meetings would take place quarterly in April, July, October and January and that a more suitable area than the café should be identified, possibly the lawyer's suite on a day when the courts were not sitting. A start time of 10.30 would allow for any flexible working arrangements. Thought should also be given to the day of the week meetings would take place, as Fridays were often non working days for some staff.

9.3 Relevant topics could be the 2010/11 Business Plan in April, the Annual Report in July and the start of the legal year in October. A suitable topic for the next meeting in January might be a review from Lord Phillips of the Justices' perspective of the first few months at UKSC.

10. Press and communications

10.1 Paper MB09/21 gave an overview of activity with positive feedback from visitors. The number of visitors had remained steady and SL mentioned the need to consider the impact of a likely rise in numbers through the door when the peak tourist season began in the spring.

11. Parliamentary Questions monthly report

11.1 AA informed the Board that she was now the first point of contact for MOJ requests for contributions to PQs. There had been six written PQs since 1 October 2009 predominately covering costs and staffing levels. There had been one oral PQ and a debate on amendments to the Constitutional Reform Bill to which four of the written PQs related. 15 FOI requests had been received since 1 October.

11.2 JR said that following the debate on the Constitutional Reform Bill she had offered Dominic Grieve a factual meeting about UKSC. He had replied that she should contact Henry Bellingham.

12 Case statistics

12.1 Paper MB 09/19 gave the case statistics for October. LdiM said that there were four judgments due to be handed down in the next two weeks.

13. Any other business

13.1. PR updated the Board on the first meeting of the Audit Committee which took place on 11 November.

13.2 Two new appointees attended the meeting – Elaine Noad from the Scottish Court Service and Laurene McAlpine from the Northern Ireland Court Service. Formal letters of appointment were being prepared. NAO and the UKSC internal auditors (from the MoJ Internal Audit Service) also attended the meeting.

13.3 The Committee had discussed a number of issues including whistle blowing procedures, the auditing of the MoU with MoJ, the setting of NAO and internal audit priorities, the opening balances and changes to the capitalisation process, the risk register and insurance of the art collection.

13.4 In future, minutes of Audit Committee meetings would be sent to AA for circulation with MB papers in place of an oral update at the meeting.

Action: OO to include AA on the circulation list for final minutes of future Audit Committee meetings.

UK Supreme Court

27 November 2009