



The Supreme Court of the United Kingdom
Management Board

Minutes of the meeting held on 24th November 2020

Attending: Vicky Fox (Chair)
Sam Clark
Louise di Mambro
Paul Brigland
Chris Maile
Sanjeet Bhumber
Sophia Linehan Biggs
Janet Coull-Trisic
Ian Sewell
Vicky Marwood (Board Secretary)

Kathryn Cearns (Non-Executive Board Member)
Tim Slater (Non-Executive Board Member)

1. Apologies for absence.

1.1 There were no apologies for absence.

2. Approval of the minutes of the meetings of 7th October 2020.

2.1 The minutes were approved with minor grammatical changes.

3. Action log and matters arising not covered elsewhere on the agenda.

3.1 Progress against each of the actions was considered and those closed noted. Further engagement with the Non-Executive Board members was agreed.

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 discussed the overview provided by the Chief Executive and noted the following:

- The Court had continued to deliver its objectives and strategic priorities despite the current situation with the pandemic. Teams were working efficiently and effectively and had responded very well to the changing work demands as a result of working from home
- The Justices were continuing to be supported to deliver hearings and judgments remotely.
- The Spending Review outcome was expected and would likely focus resources for the current pandemic. The Board acknowledged the work put in by everyone to get the bid in such a good place and noted the positive feedback from HM Treasury on the Court's bid recognising how clear and transparent it was.

6. Management Information Dashboard.

6.1 The Board noted the contents of the dashboard and case management paper and made the following points:

- The grant rate was discussed and the Board noted the changes to the grant rate and number of Permission to Appeals received could impact the work of the Registry team and the Court more broadly.
- The Board were pleased that two concurrent Web-Ex hearings were now able to occur at the same time.
- The rate of sickness absence across the Court had decreased. There was ongoing engagement across the Court to support all managers in addressing sick absence and ensuring that when people were unwell, they didn't continue to work unnecessarily.
- The number of Freedom of Information Requests and Subject Access Requests remained broadly consistent and deadlines were being met.

7. Risk Register.

7.1 The Board noted the risk register and cover paper. The following points were discussed:

- The highest risk to the UKSC continued to be Risk 7 (the UKSC does not manage high profile service delivery failure). It was noted that two concurrent Web-Ex hearings could now take place which supported an increase in capacity, but also presented resource challenges, particularly for the IT team who were currently supporting the hearings. Consideration was being given to how the future operation of the Court could be developed. The Board noted that members of the Registry staff were being trained as virtual ushers to support the delivery of remote hearings which was increasing resilience and day-to-day support for the hearings. It was suggested that future recruitment criteria include a minimum of digital skills. The Board agreed with the importance of minimum level technical competence amongst staff.
- Risk 2 (Security and Safety) was discussed. It was noted that the closure of the building has mitigated this risk slightly.
- Risk 6 (Performance) continued to be monitored.

- It was noted that although Risk 8 (The UKSC does not effectively manage/adhere to its plans to achieve compliance with the GDPR) was still live and current, this risk was being mitigated with the appointment of Information, Governance and Complaints Officer. It was anticipated there would be positive movement in this area.

8. Finance

8.1 The Board considered the finance report and noted the following points:

- The resource budget was showing an £70k underspend. Savings had been achieved this financial year. This forecast was being reviewed.
- The capital budget was showing an £100k underspend. This forecast was being reviewed.
- The Board was informed that due to the current pandemic, HM Treasury had decided to conduct a one-year spending round (SR20) which would set departmental resource and capital budgets for 2021-22 only, a switch from the multi-year settlement approach.
- The Spending Review 20 would be published on the 25th November.
- The one-year settlements would not include discretionary increases in funding and would focus on essential operational needs only.

9. Press and Communications

9.1 The Board noted the contents of the Press and Communications paper, in particular the following points:

- The Board noted the development of a stakeholder engagement plan as a means of raising awareness of the function of the Supreme Court. It was agreed by the Board that a potential risk may occur were there to be differing opinions on issues. It was noted that implementing guidance around policy procedures and information sharing may help to mitigate this risk.

9.2. The Board noted that the web accessibility audit was completed on schedule. It was noted that guidance and processes had been created in order for the Court to be compliant with recommendations made in the audit. It was agreed by the Board that accessibility was a key element of the audit, and that security and potential risk of reputational damage should be kept in mind when publishing documents moving forward.

10. Human Resources

10.1 The Board noted the update from HR and in particular the following points:

- Successful recruitment for a number of posts had taken place.
- It was noted that the Diversity and Inclusion meeting was well attended and that the Policy and approach was being developed.
- Staff survey was completed with a 93% response rate and the Board would be provided with a more substantial report at the next meeting.

11. Case Update

11.1 The Board noted the update from the Registrar.

12. IT Update

- 12.1 The Board noted the contents of the IT Update and in particular the following points:
- The continued use and resource pressures by using Web-Ex. Concerns remained about the impact of other aspects of the team's work which was due to be undertaken by the end of the financial year. However, it was noted that the Team were confident that the work could be completed and how additional support could be provided was currently being investigated.
 - The Board noted the audio upgrade to the Courtrooms to enable potential socially distanced hearings was due to commence in December. This would facilitate in person hearings in the Court building at the appropriate time and when it was safe to do so.

13. Remuneration Committee update

- 13.1 The Board noted the oral update provided by the Chair of Committee.

14. Progress against the Business Plan 2020-21

- 14.1 The Board noted the update and in particular the following points:
- Key activities had been broadly delivered including the spending review bid and introduction of the delegated authority framework. It was agreed that the planned sitting outside of London (in Guernsey and Manchester) would be removed from the Plan this year as a direct result of the pandemic.
 - The Transformation Project continued albeit in a reduced form as a result of the uncertainty around future funding. Quick wins and activities picked up by the Staff Engagement Groups had been delivered over the course of the year. Going forward, other activities identified as possible low-cost improvements would be developed.

15. Smarter Working Policies and alignment.

- 15.1 The Board thanked Chris for his paper and the progress that had been made to develop a Smarter Working Policy. In particular, the Board discussed and noted the following:
- A brief background was delivered to the Board, noting that the first assessments had been undertaken and the second assessment was due in two weeks. The Board noted that the policy sought to achieve a "mature" assurance rating.
 - The Board noted the policy should make specific references to the Justices within the document as, currently, only some parts were relevant to their processes.
 - It was suggested by the Board that the policy could be made more concise and dynamic with specific references to the Court workforce. It was agreed that the policy would be reviewed and updated for further consideration by the Board.

16. Any Other Business

- 16.1 It was raised with the Board whether cyber-reporting would be of relevance to the Board.

16.2 The Business Continuity Group were undertaking a lessons learned exercise and how the Court responded to the COVID pandemic and how that could be taken forward in the future.

UKSC
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