

MINUTES

OSCR BOARD MEETING

Held on 5 July 2007 @ 09.30 am

Quadrant House, Dundee

Present: John Naylor, Chair
 Frank Kirwan, Deputy Chair
 Lindsay Montgomery, Board Member
 Iris McMillan, Board Member
 Annie Gunner, Board Member

Apologies: Martin Crewe, Board Member

In attendance: Jane Ryder, Chief Executive
 Marieke Dwarshuis, Head of Charities
 Kirsty Gray, Head of Monitoring & Investigation
 Lisa McGhee, Rolling Review Project Manager

		ACTION
1	<p>Minutes from previous meeting</p> <p>It was noted that the minutes of 29/30 May had been circulated following amendment.</p> <p>The minutes of the 16 June meeting were approved as amended for Frank Kirwan' s comments previously circulated.</p>	
2	<p>Declarations of Interest</p> <p>Chair – Involvement with Scouts, a membership organisation. Trustee of Scottish Hospital Endowment Research Trust.</p> <p>Deputy Chair – Member of Audit Committee of an international charity which may require to register with OSCR, University lecturer (relevant to University pilot re. fees and possible private benefit of non publicly</p>	<p>Chief Executive and Board members</p>

	<p>funded research).</p> <p>Lindsay Montgomery – Currently paying private school fees.</p> <p>Martin Crewe – Director of a charity which charges fees for some activities and has a trading subsidiary and an employee of a “cross border” charity.</p> <p>Annie Gunner – Chief Executive of a membership organisation whose members, being charities, charge fees and a trustee of a “cross border” charity.</p> <p>Iris McMillan – Board member of Learning and Teaching Scotland, a charity subject to directions under s 7.</p>	
3	<p>Matters Arising</p> <p>Cross Border charities – The Chair confirmed that the text of the response to the Charity Commission letter of 21 May had been agreed with the Chief Executive. A meeting between the respective Chairs and Chief Executives was to be arranged shortly.</p>	
4	<p>Rolling Review: Revised Policy Statement #84</p> <p>The Board agreed the Policy Statement, subject to minor editorial changes. Given approval of the policy statement the Board therefore also confirmed the outcome of the pilot projects</p>	
5	<p>Rolling Review: Pilot Report #85</p> <p>It was agreed that:</p> <ul style="list-style-type: none"> • the report reflected that the whole Rolling Review development had been thought provoking and challenging. • reference should be made to the difficulties encountered in evidencing the disbenefit and public purse arguments. • the report, and in particular the Case Studies, should stress that none of the pilots should be considered as providing definitive benchmarks. • With reference to the High School of Dundee, it could be acknowledged that of all of the case studies, this had proved the most complex and challenging • there should be a summary of the potential 	

	<p>wider impact</p> <ul style="list-style-type: none"> • Comments for inclusion in the Way Forward section, were discussed and other minor editorial amendments were agreed. <p>The pilot report was approved, subject to circulation of the Executive summary, revised Way Forward and the summary of the SPPA case study.</p>	
6	<p>Rolling Review: Updated Plan Phase 1 #86</p> <p>Discussion concerning the proposed approach to Phase 1a of the Rolling Review followed.</p> <p>It was agreed that the Head of Charities would prepare a paper for decision by the Board confirming the proposed selection criteria for the groups of charities highlighted. This will be circulated to the Board for decision prior to the OSCR Open Meeting in September 2007.</p> <p>It was agreed that Annie Gunner, in her capacity as Director of Community Care Providers Scotland, should assist in the development of the selection criteria for residential care home providers. The Board was reminded that there are currently no private hospitals on the Scottish Charity Register.</p> <p>It was agreed that, following the conclusion of the Rolling Review Pilot Programme, the SMT should consider the needs identified for further research and report back to the Board.</p>	<p>AG</p> <p>SMT</p>
7	<p>Rolling Review: Communication Plan # 87</p> <p>The Communications Plan was agreed, with one exception. The Board felt strongly that given the sensitive nature of the Pilot Programme, none of the pilot sites should receive formal notification from OSCR before the morning of the 18th July 2007 planned for the announcement, although they should be alerted to the fact that announcements would be made.</p> <p>In the absence of the Head of Charities on holiday, the Chief Executive would undertake necessary redrafting of the report and oversight of Communications leading up to the launch.</p>	

8	<p>Annual report and accounts</p> <p>The Deputy Chair reported that discussions with auditors had centred on who should sign the accounts. It was agreed that Management Commentary should be signed by both Chair and Chief Executive, and other reports and balance sheet following by the Chief Executive as Accountable Officer. In addition the time table would be reviewed for next year.</p> <p>For 2006-07 the format agreed was an Annual Report and a separate “user friendly” Annual Review which will be launched at the Open meeting in September. It was agreed to amend the annual report to draw attention to the separate review.</p> <p>It was agreed that in future the Board anticipates including recommendations in the Annual Report and Accounts, as envisaged in s 2 (2) of the 2005 Act.</p> <p>The existing register of interests, which Board members assumed had been published, would be updated and published.</p> <p>The external auditor’s final report and management response will be considered by the Audit Committee, and the outcome reviewed at the next Board meeting.</p>	<p>Head of Resource Management</p>
9	<p>Open meeting</p> <p>It was agreed that Chair and Chief Executive present the first session, with the Chair highlighting overall corporate strategy and the Chief Executive reflecting on achievements over the past year. Exact timings are to be agreed by the Chair. Following a mid morning break the Head of Charities is to present on the Rolling Review followed by a Panel session of the Chief Executive, Head of Charities and Chair. The event to conclude with a light lunch. The event will be free of charge.</p>	<p>Head of Resource Management</p>
10	<p>Chief Executive’s Report</p> <p>The Report contents were noted. The Board expressed disappointment that the s15 Regulations did not seem to reflect the policy intent with regard to disclosures on cheques and noted that the matter is being taken up with the Executive.</p> <p>Monthly performance statistics. Members asked that a suitable narrative be appended to explain about any complaints about OSCR. The Chief Executive noted</p>	<p>Chief Executive</p>

	<p>that a review of the relevance of the existing performance indicators would be carried out in 2007. Members were keen to have an understanding of the types of complaints about charities (a matter which was subsequently addressed in the afternoon presentation). It was noted that there had still been no appeals to SCAP.</p>	
11	<p>Dates for future meetings</p> <p>2007 dates have already set:</p> <p>3 September (Perth) – open meeting 3 October 27 November</p> <p>The Board agreed the draft 2008 meetings profile.</p> <p>Dates will now be arranged</p>	<p>Chief Executive</p>
12	<p>OSCR Annual Returns and Monitoring</p> <p>A presentation on the OSCR annual returns and monitoring programme was made by the Register and Monitoring team leaders followed by a summary of trends and themes emerging at the end of March 2007 by the Head of Monitoring and Investigations. The Board sought clarification on a number of issues and expressed their appreciation of the presentations made.</p>	
13	<p>Board appointments</p> <p>The Chair advised that Scottish Executive officials had not progressed the new appointments process pending clarification of the issue of Board remuneration. This was disappointing as the issue had first been raised by officials. The Chair would be discussing this with the new Minister</p>	<p>Chair</p>
14	<p>The meeting finished at 4.15 p.m.</p>	