

## MINUTES

### OSCR BOARD MEETING

Held on 04 May 2011 @ 9.45 am

Quadrant House, Dundee

**Present:** Graham Forbes, Chair  
Lindsay Montgomery, Deputy Chair  
David Hughes Hallett, Board Member  
Annie Gunner Logan, Board Member  
Oscar Mendoza, Board Member  
David Harrison, Board Member  
Fiona Ballantyne, Board Member  
Graham Forbes, Chair Designate

**Apologies:** Kaliani Lyle, Board Member

**In attendance:** Jane Ryder, Chief Executive  
Judith Hayhow, Head of Corporate Services  
Quentin Fisher, Head of Policy & Development  
Martin Tyson, Head of Charity Services  
Laura Anderson, Head of Enquiry & Investigation  
Katherine McIsaac, TNS-BMRB (for item 9 only)

		<b>ACTION</b>
1.	<p><b>Declarations of interest</b></p> <p>David Harrison recorded a non-financial interest regarding the Lothian NHS Endowment Funds (item 5).</p>	
2.	<p><b>Minutes of the meeting of 15 February 2011 and matters arising</b></p> <p>The minutes were approved as an accurate record. On matters arising, in response to a query about the intended feedback to CG COPE on the IR procurement, it was confirmed that feedback had not been given yet, but will be dealt with. More broadly on contractual matters, the references for the successful contractor had been taken up and were highly satisfactory, and a site visit was arranged for June.</p>	

3.	<p><b>Corporate Plan 2011/14 - update</b></p> <p>Members noted that limited feedback on the draft plan had been received, and what feedback there was, was considered. Recent comments made by the Scottish Council for Independent Schools in respect of the inclusion of Fee paying schools in the high risk charity category were also noted. The consultation closing date is 24<sup>th</sup> May, and members noted that it is usual for feedback to be provided closer to the deadline. It was therefore agreed that the Chief Executive would advise Members by email, of any other responses received. If comments did not require significant amendment to the current draft the Corporate Plan could be published before the next Board meeting</p> <p>Members noted that SMT had recently considered OSCR's Regulatory Principles, and some slight amendments to the definitions were proposed to reflect operational history, and provide greater clarity of meaning. Each principle was considered and approved by the Board, and it was agreed the updated Regulatory Principles should also appear on the OSCR website.</p>	
4.	<p><b>Annual Report 2010/11 recommendations to Ministers and Parliament</b></p> <p>Having previously identified what Recommendations to include in the 2011 Annual Report and Accounts, Members considered and discussed each of the specific recommendations in detail. Subject to some minor amendments, the wording, as proposed in Paper 264 was agreed. Members will consider the final Annual Report at the meeting in June.</p>	
5.	<p><b>Open Meeting arrangements</b></p> <p>Members considered the paper submitted. After some discussion it was agreed that attendance by the relevant Minister was the priority, and so far as possible Ministerial availability should determine date and venue, in line with the venue availability set out in the paper. Staff should</p>	

	<p>explore availability as soon as Ministerial responsibilities become clear. Subject to this, a September date was preferred if possible, with a non-Edinburgh venue. If this was problematic, staff should exercise their discretion. The Board will be informed when this is finalised.</p> <p>It was agreed that there should be Workshops, chaired by Board members, and facilitated by staff. There was support for the suggested topics of Integrated Reporting and SCIOs, but it was also suggested that a workshop to discuss some of the survey findings (item 9) with the sector would be useful.</p>	
6.	<p><b>Annual FOI Report</b></p> <p>The Head of Corporate Services introduced the report. Board members noted with interest the activity that had taken place over the past 12 months and asked that thanks be conveyed to those staff members responsible for dealing with FOI matters.</p>	
7.	<p><b>Annual Complaints Report</b></p> <p>The Head of Corporate Services introduced the report and it was noted that unsurprisingly the majority of the complaints received are in relation to inquiry work. It was noted that information is published monthly on the number of complaints received.</p>	
7.	<p><b>Audit Committee draft minutes</b></p> <p>The Board noted the minutes particularly commenting positively on the fact that OSCR had exceeded its efficiency savings.</p>	
8.	<p><b>Annual Public and Charities Surveys presentation</b></p> <p>Board members welcomed Katherine McIsaac, from TNS-BMRB to present on the results of the Charity and Public surveys.</p> <p>Following her presentation, Board members discussed the results of the surveys, particularly the comparisons to results in previous years and considered how certain results could be addressed. It was agreed that the wording of some of the survey questions needed to be examined and perhaps amended in subsequent</p>	

	years if further surveys are undertaken.	
9.	<p><b>Communications strategy</b></p> <p>Members discussed the draft strategy. It was agreed that there might be some amendments made to it in light of the survey noting that public confidence was a key objective and that the strategy should adequately reflect this. SMT were asked to reflect on how this might be addressed.</p> <p>The need for charities to be transparent and accountable to the public was also discussed and role that the enhanced Register would play in this regard was noted. Members also agreed the Open Meeting might consider what charities themselves could and should do in this regard.</p>	
10.	<p><b>Chief Executive's report</b></p> <p>The Board noted the Chief Executive's report which included developments around governance and policy as well a number of operational and staffing matters.</p>	
11.	<p><b>OSCR governance</b></p> <ul style="list-style-type: none"> <li>• The Audit Scotland <i>report "The Role of Boards"</i> which had been earlier circulated was formally noted. The recommendation re Board self assessment would be considered at a later date</li> <li>• Best Value; the Board noted the refreshed guidance for Accountable Officers published by the Scottish Government</li> <li>• Chief Executive Recruitment; The Board met with no members of staff present.</li> </ul> <p>The Chair reported on the discussions and email communications he had had with Bridget Campbell whom he was to meet next on 11 May.</p> <p>The Board agreed that:</p> <ol style="list-style-type: none"> <li>1. The Chair and Vice-Chair would draw up a</li> </ol>	

	<p>job description / person specification by 7 May; this would then be circulated to Board members for comment; comments must reach the Chair by 0900 on Tues 10 May. The (revised) job description / person specification would be given to Bridget Campbell on 11 May.</p> <ol style="list-style-type: none"> <li>2. The vacancy would be advertised within SG.</li> <li>3. The interviewing panel should consist of the Chair, the Vice-Chair and Bridget Campbell.</li> <li>4. If after this process no appropriate candidate had been selected, an external search and competition would be undertaken.</li> </ol> <p>The Chair undertook to inform the CE of the outcome of 11 May's meeting, so that she could inform OSCR staff.</p> <p>In case this should be of concern to a wider audience, the Board underlined that as OSCR is a Non Ministerial Department, the process is determined by the fact that all OSCR staff are members of the civil service and the CE postholder is a member of the Senior Civil Service.</p>	
12.	<p><b>SCIO presentation</b></p> <p>Martin Tyson Head of Charity Services gave a presentation on SCIO, the new legal form unique to charities, introduced in April.</p>	