

Minutes: Scottish Charity Regulator (OSCR) Board meeting, 12 September 2018, Dundee



Board Members present: The Very Rev Dr Graham Forbes (Chair), Pat Armstrong (Vice Chair), Prof. Stuart Cross, Jessica Wade, Dr Sophie Flemig, Jill Vickerman, Stephanie Fraser

OSCR attendance: David Robb, CEO; Martin Tyson, Head of Casework; Dr Judith Turbyne, Head of Engagement and Targeted Response Unit; Judith Hayhow, Head of Support Services; Laura Anderson, Head of Professional Advice and Intelligence.

Board Secretary: Caroline Monk, Engagement Manager

Observers: Three members of the public

Apologies: Shona Ulrichsen

Preliminaries		
Agenda item	Area	Action
1.	Chairman's introduction Graham welcomed the Board members and public observers to open board meeting. Introductions from Board and public.	
2.	Declarations of interest • None	
3.	Minutes of previous meetings: 13 June 2018 (507) Approved. Minutes to be uploaded to website.	PD
4.	Matters arising & environmental scanning The Board members gave updates on issues of relevance to OSCR's work from their recent experience and personal perspectives. Themes discussed included: • Programme for Government 2018-19 <ul style="list-style-type: none">○ No reference to food poverty.	

	<ul style="list-style-type: none"> ○ Commitment to explore the potential for a new national scheme to provide extra financial support to people with the highest social care needs. ○ Interest from the Law Society of Scotland in the commitment to consult on updating charity legislation. ○ Health and social care funding commitments in partnership with NHS, local government and the third sector. ○ First neurological plan for Scotland. ● Work that is ongoing on the Governance Code for Scotland. ● Universities reviewing conflict of interest policies in light of the Robert Gordon case. ● Scottish Graduate Entry Medicine Programme (ScotGEM) – as part of the focus on community and primary care students will complete work experience with third sector organisations. ● New Edinburgh University course with research positions within third sector partners. ● Third sector mental health service providers finding short term contracts challenging. ● Meet the Regulator event in Edinburgh was well attended and received. ● Cyber catalyst task force has been set up by Scottish Government including many charities. 	
5.	<p>Operational report (508)</p> <p>The Board noted the content of the paper. Verbal updates were given on:</p> <p>Engagement:</p> <ul style="list-style-type: none"> ● Four out of six Meet the Regulator events have been held. ● Consultation on draft Charity investments: guidance and good practice was launched on 13 August. ● Registration logo has been downloaded over 15,800 times. ● Ongoing work with SCVO, Scottish Government and Scotland’s International Development 	

	<p>Alliance on safeguarding.</p> <p>Targeted Response:</p> <ul style="list-style-type: none"> • The draft of the defaulting charities policy is nearing completion. <p>Online applications project:</p> <ul style="list-style-type: none"> • Internal testing on the new form is complete and beta testing will start shortly. • Communications for the introduction of the form are being finalised. <p>Scottish Government:</p> <ul style="list-style-type: none"> • The public appointments process for the new OSCR Chair is underway. • Discussions with SG officials continue on OSCR budget proposals and the Charity Law modernisation project. • Progress is being made to review and update our Framework agreement. • Consultations: <ul style="list-style-type: none"> ○ Barclay implementation ○ Land Reform – Register of Controlling interests. <p>SORP:</p> <p>The Head of Professional Advice and Intelligence provided an update on the joint letter from the three UK Charity Regulators and the Irish Charity Regulator to the Financial reporting Council (FRC) and the subsequent response.</p> <p>Laura had just returned from an FRC meeting with all SORP making bodies, where the FRC set out their firm commitment to discussing alleviating the burdens on smaller charities that use the SORP.</p> <p>The Head of Support Services is representing OSCR on the SORP governance review.</p> <p>Corporate Services / Staffing:</p> <ul style="list-style-type: none"> • Four out of five vacancies advertised have been filled. All were OSCR internal promotions which 	
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	<p>will in turn lead to other vacancies within OSCR. The Board noted that it was good to see OSCR staff progressing within the organisation. The remaining position will now be advertised outwith the civil service.</p> <ul style="list-style-type: none"> • OSCR is undergoing a Cyber essentials+ assessment and there is ongoing work with staff to ensure resilience is maintained. Updates from Scottish Government have advised that cyber attacks on public bodies are increasing. 	JH
6.	<p>Performance Management Report (509)</p> <p>Annex A It was queried why non-compliant or inactive charities are difficult for OSCR to remove from the Register. The Head of Casework explained that the current mechanism of removal relates to a failure to meet the charity test rather than a failure to supply OSCR with annual reports and accounts.</p> <p>Annex C It was noted that two of the columns in Annex C were the wrong way round and the need for small variances in the budget was unnecessary and probably a result of the formulas used.</p> <p>The cost of Cloud hosting was queried as being high, it was confirmed that this was under review, but represented a reduction from previous storage costs.</p>	JH
7.	<p>Digital presentation</p> <p>Dr Flemig presented a summary of OSCR's Digital journey covering:</p> <ul style="list-style-type: none"> • The agreed objectives. • User research findings – 4 staff priorities. • Next steps. <p>The Board agreed the next steps to be taken forward by the Digital sub-committee.</p>	

	Dr Flemig confirmed that a full report was being finalised.	
8.	<p>OSCR 2023 (511)</p> <p>The CEO outlined the ongoing conversation with Scottish Government regarding OSCR's future funding and the internal resourcing review.</p> <p>It was noted that the Audit committee will hold a special meeting to discuss OSCR 2023 and how to take work forward.</p> <p>The Chair gave an overview of the meeting with the Cabinet Secretary for Communities and Local Government, Aileen Campbell MSP, which included the prospect of charging for OSCR services.</p> <p>The CEO updated the Board on the Charity Commission for England and Wales delayed plans for consulting on charging charities.</p> <p>It was agreed that OSCR should write to the Cabinet Secretary shortly setting out ideas and options for sustainable resourcing and strategic direction, and inviting Ms Campbell to visit OSCR.</p> <p>The Head of Professional Advice and Intelligence updated the Board on the Risk function contract awarded. She outlined the rationale for the work, process to date and timeframes for completion – November 2018.</p>	DR
9.	<p>AOCB</p> <p>Professor Cross commended staff, Julie Hutchison Board Apprentice and the investment guidance reference group on the consultation draft of the Charity investments: guidance and good practice.</p>	