

Minutes: Scottish Charity Regulator (OSCR) Board meeting, 8 May 2019, Dundee

Board Members present: Lindsay Montgomery (Chair), Pat Armstrong (Vice Chair), Stuart Cross, Jessica Wade, Stephanie Fraser, Sophie Flemig, Shona Ulrichsen

OSCR attendance: Maureen Mallon, CEO; Martin Tyson, Head of Casework; Dr Judith Turbyne, Head of Engagement & Targeted Response Unit; Laura Anderson, Head of Professional Advice and Intelligence; Judith Hayhow, Head of Support Services; Moira Cathcart, Senior Legal Advisor. Caroline Monk, Engagement Manager

Board Secretary: Mandy Downie, PA to CEO

Apologies: Jill Vickerman

Private Business		
Agenda item	Area	Action
1,	<p>Chairman’s introduction and apologies</p> <p>Lindsay Montgomery (LM) welcomed everyone to this his first meeting as Chair. It had been an interesting few weeks and he had felt welcomed by both staff and Board Members and was enjoying his induction period. He looked forward to working with fellow Board Members and colleagues.</p> <p>Apologies were received from Jill Vickerman.</p>	
2.	<p>Declarations of interest</p> <ul style="list-style-type: none"> Stuart: NHS Tayside 	
3.	<p>Minutes of previous meetings: 6 February 2019</p> <p>Approved</p>	
4.	<p>Horizon Scanning</p> <p>The Board members gave updates on issues of relevance to OSCR’s work from their recent experience and personal perspectives.</p>	
5.	<p>CEO Operational Report</p> <p>Maureen Mallon (MM) introduced the paper outlining minor modifications to previous versions.</p> <p>The Board noted the contents of the paper and comments were invited.</p> <p>1. Staffing & Organisational Development</p>	

	<p>Stephanie Fraser (SF) asked what working groups were currently established. MM clarified that going forward any substantive strand of work will have a working group approach. This ensures staff are engaged in the process and best outcomes achieved. At present established working groups include Digital, Learning & Development, Risk Assessment Pilot, and the Charity Accounts Review.</p> <p>2. External Engagement</p> <p>Jude Turbyne (JT) gave overview as outlined in the paper and emphasised that OSCR were entering a busy period.</p> <p>LM is scheduled to meet with SG Director for local Government and Communities (9/5/19) and will emphasise importance of legislative change as part of his discussion.</p> <p>3. Framework Agreement with Scottish Government (SG)</p> <p>The current framework requires a refresh with an emphasis on highlighting the distinct functions of both parties as well as the ways we will and should work together. An updated agreement will set the tone for our relationship with SG. This has been in discussion for some time and JT confirmed that much of the work required is in place. This will be taken forward as a priority later in the year.</p> <p>4. Risk Assessment Pilot</p> <p>Laura Anderson (LA) gave overview of the Pilot so far. The working group approach was working well and was a positive experience for all involved. Staff were committed and engaged fully in this. It was acknowledged we do not have all the answers but that this approach could be used in other areas i.e. Inquiry Policy work. The evaluation of the project to date was invaluable and an action plan of next steps is in place.</p> <p>Stuart Cross (SC) highlighted the benefit of the SCRUM approach, used predominantly in digital and agile projects. Martin Tyson (MT) confirmed that this was very much the way we were going already.</p> <p>5. Digital</p> <p>A draft digital strategy outlining the Digital Future for OSCR is being developed and will be made available to the Board for discussion at a subsequent meeting. Constructive discussions had taken place, with the SG Digital Transformation Team with emphasis on identifying potential sources of digital consultancy support.</p>	<p>LM</p> <p>MM</p>
<p>6.</p>	<p>Charity Law Consultation</p> <p>JT introduced the paper for discussion.</p>	

	<p>The response rate to the consultation was largely positive with a high level of responses. However, some areas required clarification and explanation of some points raised in the responses was required.</p> <p>The issue of a trustee database was discussed and OSCR Engagement Manger for Policy and Guidance confirmed that further contact with ICO had been made to ensure they were aware of our issues and requirements.</p> <p>It was noted this was a Scottish Government consultation and not ours. Pat Armstrong (PA) and SC had both found themselves explaining this as there was still confusion around this.</p> <p>Board Members considered the 3 options for next steps, as outlined in the paper. It was agreed that a document would be developed and published clarifying the issues/points raised in the responses.</p> <p>All agreed it was imperative not to lose momentum and to reinforce the need for new legislation. Members acknowledged this may be unlikely this term and secondary legislation more likely. Consideration to be given to request for meeting with the Minister.</p> <p>It was agreed that LM would discuss the role that OSCR could play in supporting any work required to take forward legislation when he meets with the SG Director for local Government and Communities.</p> <p>Reconvening a SCIO Working Group was discussed. The Board would be content with either the Scottish Government or an appropriate external Chair for the Group but there would be further discussion with Scottish Government.</p>	LM
7.	<p>SORP Governance Review</p> <p>LA introduced the paper and asked the Board for any comments.</p> <p>For the first time the focus had been on the process of developing the SORP. It was noted that JH sat on the Oversight Panel and had found it very useful. The final report is still in the drafting stage and should be available by early June.</p> <p>The Board support the recommendations as outlined in the paper (525).</p>	
8.	<p>Casework Report</p> <p>MT introduced the paper and highlighted areas of particular interest.</p>	

9.	<p>Performance Report</p> <p>JH introduced this paper which covers the whole of 2018/19 and drew particular attention to the highlighted areas.</p> <p>The Board were assured that OSCR was in a good position.</p> <p>LM stated that complaints are a useful indicator of performance. A report should be produced yearly or the Board showing the complaints received and action taken. JH already produces this and will share with the Board.</p> <p>Annex A Performance Management was discussed.</p>	
10.	<p>Business Plan</p> <p>MM introduced a redesign of this Plan. This is now a more concise document detailing the business priorities and is fit for purpose. MM asked for views and thoughts on the new Plan. The Board agreed this was greatly improved and showed the key business priorities clearly. Some improvements and suggestions for minor changes were discussed. MM to review and then move to publication.</p> <p>The development of the Corporate Plan should be a much more ambitious document than in previous years and build on the new business plan approach. Further discussion will take place at the Board strategy session in June.</p>	MM
11.	<p>Proposed Budget Split</p> <p>Discussed in private.</p>	
12.	<p>Audit Committee Update</p> <p>SC provided a verbal update on the recent Audit Committee held in February.</p> <p>Inputs by both external and internal audit were positive in terms of our performance and direction of travel. A change in how internal audit support us going forward has been agreed. A series of shorter more targeted engagement will enable a much more proactive role to support OSCR business.</p> <p>The meeting heard that LA had made a short presentation to the Audit Committee on progress to date of the Risk Assessment Pilot, which was well received.</p> <p>The Audit Committee had a long discussion regarding the TOR of the Committee and agreed there was work to be done to get this right.</p>	

	<p>JH/SC confirmed that Audit Committee reports would be provided in a written paper going forward and would no longer be verbal. The Board welcomed this.</p> <p>Minutes from Audit Committee Meeting to be circulated to Board Members.</p>	JH/SC
13.	<p>Open Meeting Evaluation</p> <p>JH gave overview of open meetings now that the pilot period has ended and asked for Board Member views.</p> <p>The Board agreed that the open meeting policy had not had the impact we had hoped and had not reached our intended audience; very few people had attended in spite of efforts made.</p> <p>Discussion turned towards doing things differently. It was agreed that there would be value in having an annual open meeting but thought should be given to how best to encourage attendance and to achieve best value for the exercise. More generally, the Board wished to see greater public awareness of, and engagement with, OSCR and work would be undertaken in reviewing our engagement and communications strategies to achieve this.</p> <p>It was agreed an options paper would be brought to the next board meeting.</p>	JT/JH
14.	<p>Future Meeting Dates</p> <p>The Board discussed the current number of Board Meeting held in any one year. It was agreed that an increase to six meetings would enable a more effective handling of business as well as increasing the depth and quality of discussion and debate. The programme will be looked at to include extra meetings into the schedule. The discussion in June will help inform how the schedule should look.</p> <p>Strategy Day (June)</p> <p>LM/PA/MM developed the draft format for the strategy day.</p> <p>The evening meeting will include discussions around how the Board can best use the skills/resources available to them while getting to know each other. It was agreed “training” would be included on the evening agenda.</p> <p>Board Members were asked to feed back any comments/suggestions on the proposed agenda to LM/MM.</p> <p>Members welcomed the opportunity to engage for a longer session and have some informal time together. LM indicated a second</p>	

	<p>meeting, possibly in September, when all Members could attend, should be looked at following on from the June session.</p> <p>A calendar of key dates should be updated and circulated to all board members.</p>	
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