

Board Members Present: Lindsay Montgomery (Chair), Pat Armstrong (Deputy Chair), Stuart Cross, Stephanie Fraser (StF), Jill Vickerman, Jessica Wade

Apologies: Shona Ulrichsen

OSCR attendance: Maureen Mallon, CEO; Martin Tyson, Head of Regulation & Improvement; Judith Hayhow, Head of Corporate; Senior Legal Advisor (part); Senior Manager, Policy and Sector Improvement (item 6), Senior Manager, Higher Risk Cases & Quality Assurance (item 11)

Board Secretary: PA to CEO

Private Business		
Agenda item	Area	Action
1.	<p>Update from CEO</p> <p>Private update.</p>	
2.	<p>Chairman's introduction and apologies</p> <p>Apologies received from Shona Ulrichsen.</p> <p>Lindsay Montgomery (LM) welcomed everyone to the meeting. The Board heard LM has written to the SG regarding Board recruitment to ensure continuity. LM will update the Board as this progresses.</p> <p>LM reported on plans to take forward Board member training. MM confirmed previous training requirements will also be considered and will be discussed at the CEO/Board informal meeting to be held on 10 November. An Action Plan will be developed which will include any mandatory training requirements and considered at the December Board.</p> <p>LM suggested an update on significant developments, key topics and significant areas of work to be prepared for members one month following each Board Meeting to be circulated electronically to help keep Members better informed inbetween meetings.</p> <p>ACTION:</p> <ul style="list-style-type: none"> - Board Training Action Plan to be developed and considered at December Board - Update to be prepared for Board Members and circulated in the alternative month to board meetings to ensure that Board Members are aware of significant developments 	<p>MM MM/LM</p>
3.	<p>Minutes of previous meetings: 26 August 2020</p> <p>The Minute of the meeting held on 26 August 2020 was agreed as an accurate record and approved.</p>	
4.	<p>Matters arising & Horizon Scanning</p> <p>No matters arising were recorded. Points raised included:</p> <p>Redundancies; Potential job losses are possible in the sector and may bring significant challenges to charities.</p>	

Referrals; referrals are beginning to increase and this is likely to continue.	
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	<p>Social Renewal Board/Funding Circle; final feedback on Friday, recommendations to Ministers thereafter.</p> <p>Local Authorities; There are a number of changes in leadership in LAs and we will monitor what this could mean in terms of any changes in emphasis or priorities</p> <p>SG/COSLA; MT is meeting with COSLA on 10 November to discuss funding, support for charities and ALEOs</p> <p>National Care System; potential for National Care System would have impact on some charities.</p>	
5.	<p>CEO Report</p> <p>MM introduced her report that provides updates on significant developments not covered in intervening correspondence or in other board papers. The meeting noted that the changes in content/format of papers such as the Business Plan Update meant the Chief Executive's Report will provide a strategic overview of OSCR work and priorities, key meetings and engagements and will report on operational activities by exception.</p> <p>The meeting heard the new DD, starting 9th November, MM has spoken with her and confirmed she is looking forward to working closely with OSCR and is finding OSCRs data and intelligence very helpful. MM will continue her weekly engagement. A call involving MM, LM, MT and JH will be set in due course.</p> <p>Topics discussed included:</p> <p>Brexit readiness; clarification was sought regarding the issue. MM confirmed this was in the main relating to possible changes in legislation that may have an impact. Work has already been undertaken to be Brexit ready and we now have a Policy Manager working on this and what this potential impact may be. The meeting heard one concern could be data sharing and hosting arrangements if hosting in Europe. JH confirmed OSCR data hosting is situated in Edinburgh.</p> <p>Working together; Senior Team, PA, LM met to discuss how the Senior Team and Board work and engage together ensuring more of a dialogue space. The ambition is to engage with Board members more regularly and on specific topics where value will be added. Consideration will be given to how we find that space to enable deeper conversations and engagement</p> <p>Strategy Day (Senior Manager, Policy and Sector Improvement joined for this item)</p> <p>An update was provided on taking forward the outcomes from the recent Board Strategy day. At that meeting, it was agreed to develop a paper that outlines our position in relation to aspects of charity law reform and poses further areas for consideration. This is a priority piece of work and further discussion and engagement with the Board will be required. A meeting is being arranged to discuss this and the Board will be kept updated.</p> <p>MOUs; It was confirmed that following discussion a back to basics approach was being taken. Who we should have an agreement with and what that agreement should contain will be considered.</p> <p>Schedule of Delegation; A refresh is being taken forward.</p> <p>Future of Governance: OSCR's position in relation to charity governance reform and what we should be doing to enable improvement was discussed. We need to understand which bits don't work, what we do about it and what we want to achieve, define parameters.</p> <p>ACTION: Timeline will be developed and Board comments sought (by email correspondence)</p>	MT
6.	COVID-19 Actions Update	

	<p>MM gave an overview of the paper. The COVID-19 update provides a summary of the work undertaken to date on our agreed COVID 19 specific outcomes as well as an outline of key activities we have planned between now and end March 2021. The meeting considered the paper and points raised included:</p> <p>Notifiable Events: clarification was sought as to whether there was separate advice on what was a COVID specific notifiable event. MT confirmed separate guidance is available on OSCR website. Notifiable events guidance more generally is currently under review and being updated. It was noted Auditors and others will be very interested in this area.</p> <p>The meeting heard there is a spike in applications for consents. These are being looked at in relation to liquidation/wind ups and may be notified by liquidators rather than hearing from the charity through notifiable events.</p> <p>The meeting noted the content of the report.</p>	
7.	<p>Risk Register</p> <p>MT introduced the paper and members heard that the version presented including revisions made following previous Board discussions at the August meeting. Members were content with the revisions. Risk 11 had previously been discussed with the Extended Leadership Team and it was agreed the narrative of Risk 11 should be reviewed, this is a changing situation and the risk is not specific to school closure. There was some discussion around the various Risks including Risk 10 and 12. The Register will be reviewed and updated in light of the Board comments.</p> <p>ACTION: update Risk Register as discussed</p>	JH
8.	<p>Business Plan Update – Mid Year Report</p> <p>MM gave overview of the paper which provides a summary of the work undertaken to date on agreed outcomes of key activities we plan to meet between now and end of March 2021.</p> <p>The meeting heard this was developed in conjunction with the Extended Leadership Team working collaboratively. This is then further considered and refined at the SMT meeting prior to being considered by the Board. All were confident this reflects the work of OSCR. It should be noted this is a working document that will be updated/refined as outcomes are reported. The Chair asked if we were in a reasonable position to achieve these outcomes. All felt we were achievable and it was agreed any significant timing changes would be reported to the Board. MT confirmed further details would be added to flesh out areas such as any major process changes to casework in the next update. The Board were content with progress reported and actions planned for the second half of the year.</p>	
9.	<p>Performance Management</p> <p>The performance report contains corporate information in respect of our operational performance from April until end September 2020. The meeting discussed the paper and the information presented. Clarification was sought re the 90-day target. It was confirmed this was 3 months (not 90 working days).</p> <p>The Board were content and noted the report.</p>	
10.	<p>Casework Update</p>	

	<p>JV presented the casework update. It was agreed there is a need for more nuanced guidance for members on dealing with Conflict of Interest and this was being developed for discussion with Members. The meeting heard the Cases Committee was working well, adding value and developing a better understanding of the task in hand.</p> <p>The Board were content with the update.</p>	
<p>11.</p>	<p>Digital Update</p> <p>JH gave overview of the paper that provides members with an update on progress with the various strands of digital work that are currently ongoing.</p> <p>OSCR Online; progressing to timescales. JH confirmed that the Charities Reference Group would be invited to be involved in external user testing and staff will be invited to be involved in the testing phase. Along with this, the Developer will be testing accessibility and visuals. This is reflected in the timeline. The meeting was assured budget and timescales are on track.</p> <p>Cloud Hosting; Evaluation of the submitted tenders is complete and the contract has been awarded.</p> <p>SC asked if security testing had been built in to the contract i.e. pen testing to ensure system robust. JH confirmed this was built in and would be undertaken. JH will check the timing of that with OSCR's Information Manager.</p> <p>It was agreed that it is important to ensure we are all as safe as possible online, especially in the new "home working" environment. The meeting heard information regarding online safety including email awareness is regularly circulated to staff. Online safety is also included in mandatory training undertaken yearly by all staff.</p> <p>The contract will be prepared and issued with the new service in place at the start of November 2020.</p> <p>Telephony: the meeting heard there is a working telephony service in place for all staff with the introduction of Business Voice. This is working well. Further consideration will be given in future to whether there is an alternative longer-term system that would offer better value.</p> <p>The meeting were content with the paper and information as presented.</p>	
<p>12.</p>	<p>Health & Safety Report</p> <p>JH provided overview of paper that provides members with a summary of activities that we have undertaken in respect of Health, Safety and Wellbeing during 2019-20. The Report seeks to provide assurance to the Board and Accountable Office in respect of our corporate Health, Safety and Wellbeing.</p> <p>PA asked if occupational health assessment for staff working from home were being undertaken/considered and if a blended approach to home or office working was being considered.</p> <p>JH confirmed in respect of future working long term planning for the workforce had not yet taken place. MM stated the staff survey gave a baseline of what staff thinking was. There are plans to undertake this again at the end of the year. This is at the information gathering stage and planning has not yet taken place.</p>	

	<p>JV confirmed there were numerous resources available for staff to access in relation to mental health and asked if OSCR staff have clear access to these. It was confirmed information had been circulated to staff via the Newsletter and dedicated channel within TEAMS. The HWL continued to signpost staff to various resources. HWL are specifically monitoring this and signposting to Saltire etc.</p> <p>LM asked that we clarify the Board and senior management's responsibility for Health & Safety as well as confirmation that risk assessments for staff working from home are being done.</p> <p>The Board were assured that staff undertook yearly mandatory training in respect of online safety. Information is circulated to all staff regularly and highlighted in the staff newsletter.</p> <p>The meeting were content with the report.</p>	
13.	<p>FOISA Summary 2019-20</p> <p>JH presented the paper that gave a summary of the FOISA requests, reviews and appeals received in 2019-20.</p> <p>The meeting discussed and noted the contents of the paper.</p>	
14.	<p>Future Business/Next Meeting</p> <p>The next meeting will be held on 16 December 2020 (Director for Local Government & Communities is attending). Informal Board/ Chief Executive meeting to be held on 10 November</p> <p>Future Business:</p> <ul style="list-style-type: none"> Public Awareness Strategy Risk Appetite discussion Board Annual Self Assessment Board discussion on declarations of interest Board engagement on KPI development 	