



## Executive Board Meeting

### Minutes of meeting held on 16 February 2021 on Microsoft Teams

Releasable under Freedom of Information (Scotland) Act 2002 after the next meeting of the Executive Board

#### Present:

- (Chair) David Harvie, Crown Agent
- John Logue, Deputy Crown Agent, Operational Support
- Lindsey Miller, Deputy Crown Agent, Specialist Casework
- Stephen McGowan, Deputy Crown Agent, Local Court
- Ian Walford, Deputy Chief Executive
- John Cooper, Non-executive director
- Annie Gunner Logan, Non-executive director
- Fiona McLean, Non-executive director
- Rob Tinlin, Non-executive director

#### In attendance:

- Mairi Boyle, Legal Assistant to Crown Agent
- Ann Marie Henderson, Personal Assistant to Crown Agent (Secretariat)

#### Apologies:

None

### Agenda Item 1 - Welcome

1. Crown Agent opened the meeting and welcomed all colleagues. No apologies were tendered.

### Agenda Item 2 – Minutes of Previous Meeting

2. The minutes of the meeting of 16 December 2020 were agreed and can be published. Members confirmed that there were no conflicts of interest.

### **Agenda Item 3 – Finance and Budget Update 20-21**

3. Deputy Chief Executive introduced paper EB20/21(35).
4. The key points for current year are that Resources Committee have been working through best use of available funds. Capital has been brought forward from next year. Provision has been made for an HR litigation case. Settlement has been agreed, although costs are undetermined at the current time.
5. The Crown Agent provided the Board with an update on pay coherence and the possibility of industrial action.
6. The Crown Agent provided the Board with an update on recovery funding following on from discussions held at the Criminal Justice Board the week before.

### **Agenda Item 4 – Resources Committee Update**

7. DCA Operational Support introduced paper EB20/21(36).
8. The Board noted the minutes of 13 January 2021. The minutes of the meeting held on 28 January were not available.
9. The Board noted the decision of the committee to use approximately £500,000 of available funds to bring forward ISD infrastructure work and replacement of kit.

### **Agenda Item 5 - Operational Performance Committee Update**

10. DCA Serious Casework introduced paper EB20/21(37).
11. The Board noted the increase in workload and staff welfare particularly in relation to home schooling. Less support being provided from local authorities, which has been flagged by all functions.
12. Discussion about communication with victims, witnesses and nearest relatives at a time of increased workloads. DCE to make enquiries about progress on creation of witness portal.

### **Agenda Item 6 - Business Process Improvement Committee Update**

13. DCA Local Court introduced paper EB20/21(38).
14. DCA Local Court provided an update on technological innovations, including email to ipad and electronic transfer of documents opening up new virtual court opportunities.

### **Agenda Item 7- Operational Support Function Update**

15. DCA Operational Support introduced paper EB20/21(39).

16. The Board noted the update in terms of new legislation and the impact on Policy.
17. There will be opportunities in the year ahead to place in place FWOV home/office working model.

### **Agenda Item 8 - Local Court Function Update**

18. DCA Local Court introduced paper EB20/21(40).
19. The Board noted the updated given, including the impact of the second lockdown, and consequent scaling down of the court programme. The Board noted the ongoing priority given to welfare messaging to staff.

### **Agenda Item 9 - Serious Casework Function Update**

20. DCA Serious Casework introduced paper EB20/21(41).
21. The Board noted that DCA's office acts as a conduit for civil claims and ex gratia claims. DCA Serious Casework updated the Board on an anxious/time sensitive matter, noting that this is an example of novel issues/ growth in civil challenges.

### **Agenda Item 10 - Any other business**

#### **Staffing**

22. The Crown Agent advised the non executive directors of the DCA moves that are taking place on 29 March 2021. The Crown Agent recorded his thanks for the magnificent contribution they have all made in their respective roles, which was echoed by the non executive directors.

#### **Pathology**

23. DCA Serious Casework provided the Board with an update on the pathology tender process. There are ongoing issues with one providers participation in this process. It is proposed extending the process until September. Discussion was held about risk, alternative options, and potential for ministerial discussions.
24. The toxicology transition/planning is ongoing. It is anticipated that UCAS accreditation will be in place in 2022.
25. A paper on these issues will be brought to the Boards March meeting.
26. The Board noted and discussed the recent parliamentary debate, that the precise form of a future inquiry is yet to be determined and the current constraints whilst litigation is ongoing. The Board noted that the Audit and Risk Committee planned further scrutiny.

27. The Board discussed the ongoing parliamentary inquiry and statutory notice served on COPFS, an option which COPFS had suggested in November 2020.