

**RESOURCES COMMITTEE**  
**MINUTES OF THE MEETING HELD ON 27 August 2020**  
**HELD VIA TEAMS**

**Present:**

**Members**

John Logue	Deputy Crown Agent (Operational Support) (Chair)
Ian Walford	Deputy Chief Executive
Graham Kerr	Head of Business Management (Local Court)
Bill Comrie	Head of Business Management (Serious Casework)
Jonathan Shebioba	Director of Support Services
John Cooper	Non-Executive Director
Mark Howells	Director of Finance and Procurement
Sharon Davies	Head of Management Accounting and Planning
Sarah Carter	HR Director
Doreen Crawford	Head of Workforce Planning & Reward

**In attendance**

Richard Brown	Legal Assistant to DCA, Operational Support
Kathy Brown	Secretariat
Colette Weir	Secretariat

**Apologies**

Marlene Anderson	Head of Finance
------------------	-----------------

**Welcome**

1. The chair welcomed everyone to the meeting. Due to the current Coronavirus outbreak the meeting was conducted via Teams.

**Minutes from meeting held on 28 July 2020**

2. The Committee agreed the minutes as an accurate record of the meeting.

**Action Log**

3. The Committee agreed the following amendments to the Action Log and noted progress with the remaining actions.

**Actions 2, 3 & 5 were all closed.**

## HR Update

### Staff Report

4. The Head of Workforce Planning & Reward (HWPR) updated the Committee on the staffing position as at 31 July 2020. After 2 months of significant reductions, June saw an increase in absences, although the reported figure was still significantly less than it was pre-COVID19. The average annual turnover of staff was 4.98% falling below 5% for the first time.

5. HWPR confirmed that COPFS were due a review of the Gender Pay Gap in April 2021. The Committee asked for an update at the end of January 2021 ahead of the April review.

6. The HR Director provided an update on the position with the procurement of a new HR System. HR is currently working closely with the Central Procurement Team (CPT) and ISD to produce a specification and the intention is to go out to Suppliers with an initial Request for Information. They were looking at a modular approach providing one system which allows COPFS the potential to add other elements such as learning and development, recruitment, performance management plus time and attendance. The intention is for the system to be beneficial to all providing a self-service tool for staff and reporting functions for business managers.

7. The Committee discussed the scale and timing of the exercise and asked about the governance arrangements. The DCE advised that although the Business Case had been widely circulated no formal Project Management had been put in place. Director HR agreed to organise this and act as Chair and to provide the Committee with a full formal update paper, Business Case and the Procurement Strategy at the next meeting.

**Action: Director HR to provide update of Gender Pay Scale Gap ahead of interim review being carried out in April 2021.**

**Action: Director HR to set up a Project Group for the new HR System and provide the Committee with a formal paper, Business Case and Procurement Strategy.**

## Finance Update

### 2020/2021 Budget & Workforce Planning

8. The DCE presented a detailed budget and workforce planning paper. He advised the scenarios and options had been developed initially in consultation with HR, Heads of Business Management and the Workforce Planning Group. Further changes had been made as a result of Functions' July forecasts and in light of discussions with the Senior Executive Team.

9. The Committee discussed the 'Best', 'Reasonable Best' and 'Reasonable Worst Case' scenarios based on the level of SG funding received and any potential non-staff expenditure savings. They discussed in detail the following key risks:

- a) Annual Leave Carryover the precise sum will not be known until the very end of the financial year;
- b) Non-staff Expenditure: the need to closely monitor potential spikes in either/both covid-related expenditure and the cost of pathology/toxicology provision;
- c) Costs of essential new posts have been calculated on the basis of mid-point salaries for each grade. Actual costs may be higher;
- d) 2020-21 the money which would be available under the best case scenario would be a one-off;
- e) No corporate contingency: this could result in the potential risk of an overspend in the event of successful litigation case against COPFS or any cases that require to be settle;
- f) Not filling essential posts could result in COPFS finding it difficult to provide a service which meets reasonable requirements in the long term.
- g) Pay in 2020-21 an interim pay award was implemented in the end of May salaries. It is possible the unions will press COPFS (plus all other Scottish public bodies) for an extra 0.5%;
- h) All decisions must be made in the expectation that 2021-22 funding will be constrained.

10. The Committee reviewed and agreed the following recommendations:

- a) To plan for the time being (pending the outcome of SG consideration of the requests for additional funding) on the basis of the "reasonable best case scenario" taking into account the key risks. The Committee highlighted the need to ensure that we do not double account for staff vacancies where staff have been moved into roles to tackle the trial backlog as these roles will be funded by any additional separate money provided by the SG for the criminal justice system;
- b) Recruitment to vacancies already in the budgeted headcount should continue, and permanent posts already in the headcount that are filled currently on a temporary basis should be filled permanently, subject to consideration of the measures required to prevent an overspend in the reasonable best case scenario. The Committee agreed that this action should be taken forward but asked for further details in due course on the 57 vacant posts with timescales to allow the situation to be monitored;
- c) Expenditure should continue to be incurred in respect of the major cases for which additional funding has been requested, including to fill the necessary posts;
- d) Five new Advocate Deputes should be recruited;

- e) There should be no recruitment to the new essential posts until we know what SG have decided in respect of all the requests for additional funding;
- f) The planned increase in rates of pay for legal trainees should be implemented with effect from September 2020;
- g) The latest annual leave carryover and NSE forecasts should be reviewed in detail at the October RC meeting, and in the light of these reviews a decision made as to whether recruitment to fill vacancies can continue as planned;
- h) Note the issues in paragraph 14 of the paper which will be considered further as the COPFS submission to the SG spending review for 2021-22 commences in the next few weeks;
- i) That Finance Directorate should now discuss with the HOBMs how budget cover should be allocated to Functions for the rest of 2020- 21, and how expenditure should be monitored to ensure that there are no surprises in forecasts going forward.

11. The Chair thanked all those involved for the very detailed paper and agreed to revisit it at the next meeting when it is hoped that the level of SG funding will have been confirmed.

#### **AOB**

12. No other business was raised.

**Date of the next meeting: 30 September 2020**