

EXECUTIVE BOARD

DATE: 22 September 2021, TIME: 1000 - 1200

MS Teams

CHAIR: DAVID HARVIE, CROWN AGENT

AGENDA

1	TIME	ITEM	ASSOCIATED PAPER
1	1000	Welcome and Apologies	
2	1005	Minutes of Previous Meeting	
3	1010	Finance Update	EB21/22(29)
	1020	Overtime Update – For noting	EB21/22(30)
4	1030	Communications (Media)	Verbal update
5	1100	Balanced Scorecard / Absence Figures	EB21/22(31) EB21/22(32)
6	1110	COP26	EB21/22(33)
7	1140	Resources	EB21/22(34)
8	1145	Operational Performance	Verbal update
9	1150	Business Process Improvement	EB21/22(35)
10	1155	Audit & Risk Committee	EB21/22(36)
11	1200	Any other business/close	

Executive Board meeting minutes

Meeting held on 22 September 2021 by Microsoft Teams

Present:

David Harvie (Chair)	Crown Agent
John Logue	Deputy Crown Agent, Local Court
Lindsey Miller	Deputy Crown Agent, Operational Support
Stephen McGowan	Deputy Crown Agent, Specialist Casework
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:

Marlene Anderson (Item 3)	Head of Finance
Graham Shields (Item 4)	Head of Strategic Communications & Engagement
Jim Brisbane (Item 6)	Criminal Justice Advisor
Mairi Boyle	Legal Assistant to the Crown Agent (Secretariat)

Agenda Item 1 – Welcome and Apologies

1. The Crown Agent opened the meeting and welcomed all colleagues. There were no apologies.

Agenda Item 2 - Minutes of previous meeting

2. The minutes of the meeting held on 18 August 2021 were approved and can be published. Members confirmed there were no conflicts of interest.

Action tracker

3. Item 2 (Annual Business Plan) – All Function leads to ensure that Function business plans are provided so that the annual business plan can be finalised and published. DCA Operational Support to provide an update at the November meeting.
4. Item 5 - An update will be provided at the December meeting.
5. Item 8 – PSCA to circulate dates for this item after this meeting.
6. Items 9-11 - for future meetings.

Agenda Item 3 – Finance and Overtime Updates

7. The Director of Finance and Procurement introduced papers EB21/22(29) and EB21/22(30).
8. The Board noted that the annual accounts are to be signed. There will be confirmation that this has been done at the next meeting.
9. There was an update on forecasts being prepared for the current financial year including draw down from court recovery funds, and provision for overtime in light of recruitment challenges. COPFS has not bid for funding for COP26 but the resource implications of this are being monitored.
10. The Board noted that work is underway to provide all necessary briefing to support the COPFS funding bid and associated bilateral meetings in the forthcoming Spending Review process.

Agenda Item 4 – Communications (Media)

11. The Head of Strategic Communications & Engagement attended for this item and gave a presentation on strategic communication and engagement, and on the work of, and priorities for, the Media Relations team. This included developing strategic relationships with stakeholders; assisting journalists to report accurately and publicising the work COPFS does, particularly at Local Court level which is where most people come into contact with the department; and engaging with Corporate Communications.
12. The Board were grateful for this presentation. There was some discussion, including about suggestions for practical ways of developing communications and engagement including Law Officer involvement; trusted voices; communicating positives; and visibility within COPFS of the work Media Relations do externally.

Action

SET to discuss suggestions and this will be raised at the November Board meeting to which the Head of Strategic Communications and Engagement will be invited.

Agenda Item 5 – Balanced Scorecard and Absence Figures

13. The Board noted papers EB21/22(31) and (32) were content.

Agenda Item 6 – COP26

14. Jim Brisbane, Criminal Justice Advisor introduced paper EB21/22(33).

15. The Board thanked Jim Brisbane for his paper and input at the meeting, which offered a high degree of reassurance that COPFS is as prepared as possible for this event and is engaging effectively with partners in government and the criminal justice system about this. Any further questions on this topic may be submitted by correspondence.

Agenda Item 7 – Resources Committee

16. DCA Operational Support introduced paper EB21/22(34) which was largely self-explanatory and which the Board noted.

Agenda Item 8 – Operational Performance Committee

17. DCA Serious Casework provided a verbal update to the Board.

18. The Board noted that committee minutes will be tabled for the next meeting.

Agenda Item 9 – Business Process Improvement Committee

19. DCA Local Court introduced paper EB21/22(35) which was self-explanatory and the Board raised no questions about this.

Agenda Item 10 – Audit & Risk Committee

20. Rob Tinlin, non executive director and Chair of the Audit & Risk Committee introduced paper EB21/22(36) which the Board noted.

Agenda Item 11 – Any Other Business

21. The Deputy Chief Executive raised the Fair Futures project. A draft closing report had been shared with the Crown Agent and Deputy Crown Agents and it was considered the project could now be closed.
22. The Crown Agent thanked the Deputy Chief Executive for his work in leading on this significant piece of work which will have an impact on every member of staff.

Action

PSCA to circulate the draft closing report with any comments from the Board to be made by correspondence. Any issues raised can be considered at the next meeting, if necessary.

September 2021

EXECUTIVE BOARD

22 SEPTEMBER 2021 MEETING

FINANCE UPDATE

Purpose

1. This paper provides the Executive Board with an update on:
 - 2020-21 Annual Accounts; and
 - The Financial budget and considerations for 2021-22.

2020-21 Annual Accounts

2. The audit of 2020-21 is now complete with the position detailed below. Due to litigation settlements, COPFS is reporting an overspend which SG are aware of and has approved budget cover for the overspend. The signing of the accounts is due to take place on 22 September 2021.

2020-21	Original Approved Budget £m	Updated Budget £m	Outturn £m	Variance £m
Cash Resource Expenditure	124.4	156.3	154.0	2.3
Non-Cash Resource Expenditure	4.6	5.1	4.9	0.2
AME Impairment	-	0.7	0.7	-
Total Resource Expenditure	129.5	162.1	159.6	2.5
Capital Expenditure	4.3	8.3	9.1	(0.8)
Total Resource and Capital	133.8	170.4	168.7	1.7
AME provision 2020-21	-		11.0	(11.0)
AME Provisions 2019-20 Utilised	-	(12.6)	(12.6)	-
Total	133.8	157.8	167.1	(9.3)

Finance update 2021-22

3. Forecasts for the year are now underway and the figures in this report are consistent with the CFR submitted by functions to the MAP team. We are currently forecasting a revenue underspend of £2.5m including Major Cases but excluding IONA. Although capital is forecasting overspend of £1.7m on this table, we are anticipating capital transfers totalling £1.5m at ABR and from internal sources for ISD (Court Recovery and staffing for contractors working on software development). Once this is approved, we will adjust the budget to reflect this. The total underspend after capital and non cash equates to £608k. The £4.8m overspend on IONA is funded from SG at ABR/SBR.

2021-22 Summary Net Cash Expenditure (£000)

Expenditure Type	Annual Budget	Budget ADJ Jul'21	Revised Annual Budget	Annual Forecast	Variance Forecast to Revised Budget	Actuals YTD 2021/004	Proportion YTD Actual over Annual Budget
Staff (excluding MC)	110,658	6,736	117,394	115,506	1,888	34,288	29%
Non-staff (excluding MC)	32,229	1,659	33,888	33,634	254	10,994	32%
Income	(70)	-	(70)	(75)	5	(5)	7%
Sub Total	142,817	8,396	151,212	149,065	2,147	45,276	30%
Major Cases (excluding IONA)	3,334	14	3,348	2,963	385	557	17%
Total Cash	146,151	8,410	154,560	152,028	2,533	45,833	30%
Capital	4,800	-	4,800	6,529	(1,729)	650	14%
Non-Cash	5,100	-	5,100	5,295	(195)	(2,933)	-58%
Total	156,051	8,410	164,460	163,852	608	43,550	26%
IONA	2,794		2,795	7,595	(4,801)	4,929	176%
Total	158,845	8,410	167,255	171,448	(4,192)	48,480	29%

4. Budgets for Court Recovery and Pay Coherence have been allocated to functions and are included in the table above.
5. We are continuing to press ahead with the recruitment of staff to fill all the agreed budgeted posts. Work with MAP team FBPs and functions are continuing to ensure posts are correctly forecast and allocated to a budget.
6. Careful monitoring of non-staff expenditure is continuing and where pressures are identified without corresponding savings in other budget lines, allocation of contingency funds will be taken to Resources Committee for approval.

Risks and Uncertainties

7. Recruitment is continuing but we are facing challenges in recruiting into certain legal grades.

8. The overtime budget has been reduced in line with staffing increases. The risk is where courts are sitting on public holidays as per the new courts proposal from SCTS. This budget is now under pressure, please refer to para 12 for more information.
9. Current areas of NSE risk remain as:
 - ISD licencing and maintenance costs – as staffing levels increase, licensing costs increase as these are now resource spend (on a subscription basis);
 - Post mortems/toxicology – contract creep and inflationary rises above that expected;
 - Witness costs – as the court recovery programme beds in, careful monitoring of witness costs is required to ensure additional costs are covered by the additional funding accessible. Witness costs are currently under budget due to fewer court sittings;
 - Non recoverable VAT is currently forecast to be over budget due to increased spend on non-recoverable categories. Careful monitoring and scrutiny of recoverability is ongoing and if this trend continues, it will require attention and budget cover from the contingency funds. This will, however be brought to the Committee for approval if required.
 - Pay settlement has not concluded and any additional costs that may arise from this will have to be covered from the contingency funds and vacancy management. It is to be noted that any agreement reached by SG in their pay negotiations will be required to be matched by COPFS to ensure that pay coherence is maintained.
10. Ongoing work will be required to monitor and control all expenditure, including HOBMs, HR and Finance working together to ensure pressures and savings are identified as early as possible to allow COPFS to fully utilise the allocated budget to the benefit of the service. WPG and Resources Committee will approve movements, variations to FTE, reallocation of posts, budget savings and control measures for pressures identified.
11. COP26 will take place in November 2021 and although COPFS has not bid for any funding, any associated additional costs will be closely monitored and reported to the COP26 Steering Board of which Lindsey Miller is a member. It is currently felt that as there will be reduced courts during this period, COPFS may be able to absorb the associated costs within our core budget.

Overtime

12. The table below shows the actual against budget for 2021-22. This budget needs to be carefully controlled by HoBMs with all pressures reported to the Resources Committee. The Table below shows actual spend at the end of P4 with a total forecast overspend of £357k.

13. LC are forecasting £295k over budget. This is down to the additional court sittings being held on public holidays and recruitment gaps. There is a slight reported overspend in SCG and OS of £26k and £34k respectively which are being managed by HoBMs. The overspend in overtime is included in the staffing total in the table at paragraph 3 and therefore currently being funded by savings in staffing from vacancy management.

Overtime & On-Call (£000)

Function	Annual Budget	Forecast	Actuals YTD 2021/004		2020/21 Accrual	Actuals YTD 2021/004	Proportion YTD Actual vs Annual Budget
			On Call	Over-time	Total	Total	
Local Court	318	613	63	374	(215)	222	70%
Serious Casework Group	245	271	46	147	(87)	106	44%
Operational Support	65	99	3	70	(32)	41	64%
Major Cases	-	.3	1	2	(2)	-	-
Total	627	984	113	594	(337)	370	59%

Court Recovery Programme

14. A draft business case for the Court Recovery Programme was approved at the July Resources Committee and has now been allocated to functions and included in the forecast at Paragraph 3. Finance has been in discussion with SG to ensure that COPFS receive the full £7m budget allocation which has been confirmed and will be drawn down at ABR and SBR. Due to recruitment lags we will draw down £5m at ABR and the remaining £2m at SBR. A view will be taken at that time to assess the likelihood of COPFS being able to utilise the full £7m.

15. The table below shows the Court Recovery Programme costs currently identified and forecast:

2021-22 COURT RECOVERY BUDGET (£000)

A/c Description	LC	SCG (ex PM)	OS	Crown	MC	PM	Total
Total Staffing Budget	2,888	2,266	357	-	-	-	5,512
Total Non-Staffing Budget	294	263	994	-	-	-	1,551
Total Capital	-	-	-	-	-	-	-
Total Revenue Budget	3,182	2,529	1,351	-	-	-	7,062

Spending Review 2021

16. There has been no further updates or activity on the Spending Review but recap the verbal update provided in August from the July Operational Budget Group meeting:

- COPFS attended an OBG (Operational Budget Group) meeting to introduce the Spending Review and challenges faced by SG over the next 5 years. As you may recall we were asked for a 5 year funding plan in June which informed the SG how portfolios broadly see the 5 years panning out and challenges faced when comparing this with SG funding forecast. Initial indications are that SG

have to reduce their spend by 11% in the first 3 years reducing to 10% in the subsequent 2 years. However, because Health is protected and manifesto spend is prioritised, it then translates to a 20% savings ask on portfolios. That would be £29m for COPFS. We don't need to take any action just yet but need to bear this in mind in the short term.

- SG have 8 workstreams looking at this and many organisations have been contacted to discuss savings options and reprioritisation of spend. However, COPFS have not yet been contacted and a recent paper from Cabinet had no reprioritisation or savings from COPFS. The indication is that they are looking at very large areas of spend initially.

[REDACTED]

All portfolios are also being asked to challenge forecasts, to look at COVID expenditure in future years and ask why one off COVID funding then becomes a recurring requirement. This message is very general and applies to all portfolios. The Court Recovery Programme is very specific to Justice partners, but should SG not receive COVID consequential funding from UKG, it will be an added pressure to the SG budget.

- There was an indication that our Guide Funding would be provided later this month or early September. The latest indications are that we should receive this before the end of September.

Conclusion

17. The Executive Board is asked to note, and if it wishes, comment on, the above.

Finance Directorate

13 September 2021

APPENDIX A

Staffing budgeted FTE movement from 2020-21 Baseline to date at 23/08/2021

Function total	2020-21 including secondees	2020-21 WPG Approved Changes	Total 2020-21	2021-22 Reconciled to baseline	Essential New posts	2021-22 Core Baseline	Court recovery	2021-22 WPG Additional Approved	Total Staffing FTE	increase in FTE
LC	949.79	1.00	950.79	0.24	27.59	978.62	139.00	-	1,117.62	167.83
SCG	599.98	(2.00)	597.98		86.00	683.98	68.00	1.00	752.98	153.00
MC	4.00		4.00	-4.00	63.27	63.27			63.27	59.27
PM			-		1.00	1.00			1.00	1.00
OS	324.74	8.00	332.74	3.92	31.80	368.46	16.00	-	384.46	59.72
Total	1,878.51	7.00	1,885.51	0.16	209.66	2,095.33	223.00	1.00	2,319.33	440.82
ADs	43.41				13.00	56.41	16.00		72.41	29.00
Total	1,921.92	7.00	1,885.51	0.16	222.66	2,151.74	239.00	1.00	2,391.74	469.82

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Annex A

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BALANCED SCORECARD – Quarter 1 – 2021/22

PEOPLE	Current Quarter (Apr – Jun 2021)	Previous Quarter (Jan-Mar 2021)	Variance from last Quarter	Current FY to date (2021/22)	Previous FY (2020/21)
Staff Numbers (FTE) Permanent employees Temporary employees Total Employees % Temporary employees	1876.56 68.14 1944.7 3.5%	1795.9 83.83 1879.73 4.46%	Increase 4.49% Decrease 18.72% Increase 3.46%	1927.39 82.14 2009.53 4.09%	1,757.42 64.31 1,821.73 3.53%
	As at 30/06/21	As at 31/03/21		As at 31/08/21	As at 31/07/20
Staff Turnover Rate	1.22% (0% involuntary 1.22% voluntary) Apr-Jun 21	1.35% (0.25% involuntary 1.10% voluntary) Jan-Mar 21	Decrease 9.6%	2.26% (0% involuntary 2.26% voluntary)	0.88% (0.11% involuntary 0.77% voluntary) Apr – Jul 20
Absence Rate Average working days lost	Average WDL = 7.6 Short Term = 1.7 Long Term = 5.9 As at 30/06/21	Average WDL = 6.6 Short Term = 1.6 Long Term = 5.0 As at 31/03/21	Increase 15.2%	AWDL 7.88 As at 31/07/21	AWDL 8.81 As at 31/07/20
Training No of MDP training days completed	0	0			
No of training days, other		195			
Cost of training per person inc. seminars		£46.00			
E-Learning hours completed		55			
Overall training costs	£88,818	£9383			
QUALITY	Current Quarter (Apr-Jun 2021)	Previous Quarter Quarter (Jan-Mar 2021)	Variance from last Quarter	Current FY to date (2021/22)	Previous FY (2020/21)
Right to Review	41 received, 35 issued	48 received, 51 issued	-8	70 as at 14 September 2021	198
Complaints	92 received, of which 6 upheld and 6 partially upheld = 12 (13%)	92 received, 13 upheld, 9 partially upheld = 22 (24%)	No change	202 as at 14 September 2021	399
Payment Performance % paid in 10 working days					
Invoices	98.41%	98.52%	(0.11%)	98.41	96.86%
Witness Payments	100%	100%	-	100%	100%
Travel & Subsistence claims	100%	100%	-	100%	100%
DELIVERY	Current Quarter (Apr-Jun 2021)	Previous Quarter (Jan-Mar 2021)	Variance from last Quarter	Current FY to Date 2021/22	Previous FY (2020/21)
Performance Targets					
% indictments served within statutory time limits	100%	100%	-	100%	100%
% Take and Implement Decision within 4 weeks (75%)	77%	71%	+6	77%	76%
% CAAP cases closed within 12 weeks (90%)	60%	91%	-31	60%	91%
% Deaths investigated within 12 weeks (80%)	46%	52%	-6	46%	59%
Right to Review	71%	82%	-11%	73% as at 14/9/21	72%
Complaints	63%	89%	-26%	76% as at 14/9/21	81%
Freedom of Information	95%	91%	+4%	95% as at 14/9/21	96%
FINANCE	Actual spend to date	Current end year forecast	Full year budget	Variance	
Running Cost Expenditure (includes cash and non-cash)	£33,747k	£151,332k	£151,251k	£-81k	

Capital expenditure	£-3,387k	£5,332k	£4,800k	£-532k
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Quarterly Data as at the end of the quarter unless otherwise noted.

Financial Year Data is shown at the end of the relevant period (year to date or full year).

September 2021 Meeting – Restricted Information

Absence by days lost

These figures are collated by HR on a quarterly basis (March, June, September and December) for the past year.

Average annual working days lost per employee for period 01 July 2020 to 30 June 2021	% long term absence (more than 20 working days)	% short term absence (20 working days or less)	Average working days lost in year ending previous quarter published (01 April 2020 to 31 March 2021)	Days lost in previous year (01 June 2019 to 30 June 2020)
7.61	77.51%	22.49%	6.59	8.8

This equates to 3.38% of all working days

Official Sensitive Data - Most recent OGD absence rates received for comparison

Department	Days lost for year ending 30 September 2018	Day lost previous corresponding year	Increase/Decrease	% Short Term Days Lost 30 September 2018	% Long Term Days Lost 30 September 2018
Civil Service wide	7.0	6.8	+1.8	44%	57%
Scottish Gov (all departments)	10.2	9.4	+0.8	39%	61%
Scottish Gov (main)	7.8	7.3	+0.5	52%	48%
Scottish Court Service	-	9.0	-	-	-
Crown Prosecution Service	6.8	6.7	+0.1	44%	56%
COPFS	8.5	8.7	-0.2	41%	59%

(COPFS figure is 7.61 30/06/2021) (Information supplied not to be communicated externally)

Staff numbers remaining on longer term absence by duration as at 31/08/2021, 31/07/2021 & 31/08/2020 based on calendar days

Month	Short Term Absences			Long Term Absences				
	Less than 10 days	10-19 days	20-27 days	More than 28 days and less than 3 months	3 – 6 months	6 – 9 months	9 – 12 months	12 months +
31/08/2021	25	7	9	27	15	2	2	3
31/07/2021	9	12	8	19	9	2	3	3
31/08/2020	5	0	3	20	4	5	3	2

The above data shows an increase in absences from July to August 2021 with an increase of absences from 65 to 90 as at the end of each month, and more than doubled from August 12 months earlier from 42 to 90. It should be noted that absences around August 2020 were still lower than previously recorded due to the COVID pandemic. Short term illnesses (less than 10 days), and long term absences between 28 days and 6 months accounted for the majority of the increase. Mental ill health absences accounted for approximately 42-46% of the above absences in July & August 2021, Approximately 9-11% were directly related to COVID-19.

Long term absence costs (Payroll recording of absences costs of 20 days or more commenced in April 2020)

2021-2022

Month	Admin	Legal	Total	Year to Date
August 2021	£65,353.31	£52,617.44	£117,970.75	£807,637.52
July 2021	£94,910.04	£40,512.79	£135,422.83	£689,666.77
June 2021	£81,757.63	£115,240.06	£196,997.69	£554,243.94
May 2021	£93,898.72	£92,096.94	£185,995.66	£357,246.25
April 2021	£89,954.02	£81,296.57	£171,250.59	£171,250.59

*Absence payroll costs from 21st day of sickness

Absence Reasons

The following table provides information relating the reason for absences over the past 12 months (**01/07/2020-30/06/2021**); this information is gathered on a quarterly basis. The groupings are in line with Cabinet Office data request categories.

Illness Type	Percentage of days lost
1. Pregnancy Complications	2.5%
2. Symptoms Ill-Defined*	17.4%
3. Mental Ill Health (Made up of:)	45.5%
- <i>Stress Related Illness</i>	49.0%
- <i>Stress Work Related</i>	32.0%
- <i>Family/Situational**</i>	19.0%
4. Muscular	6.6%
5. Cancer Related	2.9%
6. Digestive System	0.9%
7. Injury & Poisoning	4.2%
8. Respiratory	2.7%
9. Infection	1.6%
10. Other***	4.5%
11. Awaiting Certification	3.7%
12. Pandemic (COVID)	7.7%
Total	100%

*Symptoms ill-defined covers where reasons given which are not specific to clarify e.g. debility, exhaustion, mobility problems, nausea, operation and general sickness

**Family/Situational covers reasons surrounding bereavement, family circumstances, family illness and situational crisis

***Other covers reasons surrounding skin complaints, heart conditions, gynaecological problems, diseases of the eye, ear and blood, and nerve complaints

EXECUTIVE BOARD

22 SEPTEMBER 2021

COP26 PLANNING

Purpose

1. To provide an update on the planning which COPFS is undertaking for the possible criminal justice consequences of the COP26 Conference.

Background

2. The UN Climate Change Conference (COP26) is scheduled to take place between Sunday 31st and Friday 12th November 2021 at the Scottish Events Campus, Glasgow. It was postponed from last November because of the pandemic. It is a matter of the highest priority for the UK Government (UKG) and the Scottish Government (SG). The UK holds the presidency of the event.

3. The event will be both large-scale and high-profile. It is likely to be attended by a significant number of Heads of State and other world leaders, with up to 10,000 delegates in attendance. Such conferences take place every five years and are expected to deliver significant commitments in the response to the climate change emergency. They typically attract large-scale public protests in favour of action to deal with the emergency and activists have moved beyond protest to causing disorder and disruption. The scale of the conference and possible criminal disruption creates the risk of significant numbers of custody cases on a daily basis throughout and beyond the conference.

4. Although the public health consequences of the conference are still under consideration, the format of the conference is almost certain to be on an "in person" basis. Relevant mitigation is being put in place to enable the event to be held safely, including vaccination and testing requirements for delegates. This position seems unlikely to change unless there is a significant deterioration in Covid related data. Even if the event were to be scaled down, police responsibilities for the protection of the venue and world leaders would remain substantially the same. The extent of protests may be influenced by any travel restrictions and other public health regulations in place.

5. [REDACTED] seconded to COPFS from the Crown Prosecution Service since 2019, has been leading on the detailed planning for COPFS for almost two years and brings experience of the criminal justice response to widespread climate protests in London in 2019 as well as his earlier experience in COPFS at the time of the G8 Conference at Gleneagles in 2005.

Governance and Planning

6. Overall conference planning is subject to governance at both UK level (Cabinet Office) and SG level. COPFS attends the following Cabinet Office chaired monthly meetings.

- Delivery Board
- Delivery Working Group
- Security and Readiness Steering Group
- Scottish Legal Issues Co-ordination Group

7. We also participate in the SG's Safety and Resilience Board (meets monthly) and the Criminal Justice Board COP26 Group (meets bi-monthly). The latter group has 4 further sub-groups, 2 of which we attend. The most important sub-group is the multi-agency group that focuses on the court programme for the conference period, chaired by SCTS.

COPFS Internal Planning

8. COPFS internal oversight rests with a small Steering Group (DCAs x 3, [REDACTED]) which is sighted on all critical developments through read outs from the governance meetings. The group meets monthly. It is supported by a Delivery Group involving representation from local court, specialist crime, and operational support. COPFS has been able to draw upon its previous experience of large-scale events, including G8 and the Commonwealth Games.

9. Our goal is to support a safe and successful conference and our priorities are to ensure that we:

- Support the policing operation to provide security of the conference;
- have appropriate arrangements in place to handle large numbers of custody cases should there be widespread criminal disorder; and
- maintain a capability to respond to any concurrent event during the conference.

10. Internal planning has focused on a range of issues but primarily on the practicalities of staff deployment during the conference, including the cover for weekend custody courts which will be scheduled between 30 October and 14 November. Contingency arrangements (covering personnel, management, logistics) are being finalised alongside the framework for dealing with custodies. The main aim will be to ensure that there is sufficient marking capability and presence at courts. NICP and local offices will provide the necessary flexibility and capacity to cope with a potentially significant increase in demand.

11. Serious Casework Group is included in the Delivery and Steering Groups to ensure that appropriate planning is undertaken by the relevant specialist teams who may need to respond to conference or concurrent events, e.g. sudden deaths, terrorist attacks and non-criminal mass fatality events, as well as provide operational advice and input on matters such as diplomatic immunity.

12. Health and safety issues for staff are also being assessed, including access to PF offices, especially PFO Glasgow, due to its proximity to Glasgow Sheriff Court which may be a specific target for protests. Out of office hours access may also be required routinely during the currency of the event. The greater use of remote working will help to mitigate these risks. No restriction has been placed on annual

leave as the event takes place at a point when leave take-up is usually low and this is being kept under review.

13. Event specific legal guidance for staff is being produced to reflect the Lord Advocate's guidelines to the police on the issues of reporting and liberation.

14. Notwithstanding the likely increase in demand, we do not anticipate significant resource consequences from the additional business arising from the conference. The planning costs have been absorbed. The resource pressures that may emerge will be due to prosecutors having to mark more cases and potentially deal with more court appearances during the conference, including weekend or extended hours courts. The marking increase will, however, be for a short period overall and any further impact on the court programme due to trial numbers will be spread over a longer period during which any pressures can be absorbed. During the period of the conference, when the marking volumes and initial appearance are likely to peak, the position will be further mitigated by a pause in summary trials and Sheriff and Jury business, reflecting the limited availability of police officers. This will cover the two weeks of the conference and, in the case of summary trials, the preceding week. The High Court will continue to sit throughout Scotland, although not in Glasgow.

15. [REDACTED] is provided at **Annex A** and our [REDACTED] is at **Annex B**. COPFS will have a representative at the Multi-Agency Co-ordination Centre at [REDACTED] throughout the conference, with other key hubs operating in [REDACTED] and at Crown Office.

16. The detailed planning for the event was reviewed at a dedicated meeting of the Corporate Resiliency Group on 16 September.

Justice Planning

17. The level of co-operation and understanding with Police Scotland has been excellent.

18. The most important planning issue is the assessment of the nature and volume of offending. The main type of conduct anticipated at COP26 is low-level public disorder. This is based on the experience of other climate activist protests, especially those featuring Extinction Rebellion (XR) who will undoubtedly have a substantial profile during the event. XR is a non-political movement with the stated aim of using "non-violent" civil disobedience to compel government action on climate breakdown, biodiversity loss, and the risk of social and ecological collapse.

19. Police Scotland have based some of their planning assumptions on the experience of the Metropolitan Police in dealing with XR during their protests in London on 2 occasions in 2019. Their protests are essentially peaceful in nature but are intended to cause a degree of disruption to others e.g. through road closures. This was particularly so in London where both the roads and the Tube were affected. There may also be targeted action against specific businesses or locations, not only in Glasgow but in parts of Scotland.

20. XR is considered to be the most relevant group for current assessment purposes. There is a likelihood, however, of protests from other activist groups, including some from abroad, and they may take a different approach. The wider intelligence picture is being continuously monitored, including the potential threats from terrorism and organised crime.

21. 

22. Based on the London experience, the police are planning to deal with a high level of arrests with a working (worst case) scenario of 300 arrests per day in addition to business as usual. This is based on London numbers of 200 per day, increased to take account of a potentially wider range of protest venues and greater attendance. This is a very rough estimate based on the most parallel recent activity, in order that some planning assumptions can be made. It is not a prediction. COPFS planning takes account of these figures so that the worst case scenario is covered.

23. Areas of protest are likely to be around Glasgow city centre given the location of the event. Other high-profile venues may be targeted e.g. Grangemouth refinery, the oil industry in Aberdeen, the Scottish Parliament. Some arrests may be for offences committed in circumstances that make them suitable for direct measures, but many will be suitable for summary prosecution.

24. The police are drawing on mutual aid from England and Wales. These officers will be trained in the differences in Scots law and procedure. Body worn cameras will not be deployed, except for firearms officers, although they are routinely used by officers in England and Wales and formed the core part of the evidential package in the London cases. Video evidence may, however, be captured through the use of Police Scotland "evidence gathering teams".

25. The Law Society of Scotland have been briefed. They have an interest in knowing the likely location of police custody hubs and the period during which the court programme will be affected.

26. There have been protracted discussions with SCTS over how custodies should be processed. The current planning has been based on three weekend custody courts in Aberdeen, Edinburgh and Glasgow. Discussions are now underway with the remaining Sheriffs Principal to have weekend custody courts in Falkirk (Grangemouth), Hamilton and Paisley to ensure that there is capacity to deal with cases in all six sheriffdoms.

27. Local planning groups in each of the courts with identified weekend courts are taking forward the detailed planning for the custody courts and COPFS representation on these groups is supported by the Delivery Group.

HMG, the United Nations, and the Role of the Crown

28. There were early misunderstandings in 2019/20 on the part of others about the proposed Memorandum of Understanding (MoU) with the United Nations on conference security. In particular, there was an apparent lack of understanding of the different features of our jurisdiction, the relationship between the Crown and the police, and the distinct, independent role of the Lord Advocate. This led to dialogue between UKG and the UN and others without consideration of the Crown's interest. This was followed by a positive meeting between the then Law Officers and [REDACTED], the [REDACTED] for COP26, in February 2020.

29. Since then, the Cabinet Office has fully embraced COPFS into its governance structure with access to all levels of meetings including the high-level Delivery Board. Relations with the CEO and members of his team are good. After some protracted delay on the refinement of the Security MoU due, to some extent to the pandemic, the key areas have been clarified with both the UN and the Cabinet Office to our satisfaction. It is a broad framework for the operational arrangements for the Blue Zone and provides sufficient flexibility for the UN to request assistance from Police Scotland, as and when required and for the police to investigate matters brought to their attention by others. Its effectiveness will be dependent on the quality of liaison between the UN, UKG and Police Scotland.

30. A wide programme of testing and exercise events is underway in the final weeks of preparation.

Conclusion

31. The Executive Board is invited to note the preparations which have been by COPFS for the COP26 conference.

[REDACTED]
[REDACTED]

September 2021

RESOURCES COMMITTEE
MINUTES OF THE MEETING HELD ON 31 AUGUST 2021
HELD VIA MS TEAMS

Present:**Members**

Lindsey Miller	Deputy Crown Agent (Operational Support) (Chair)
Ian Walford	Deputy Chief Executive
Elaine Hales	Head of Business Management (Business Services)
Thomas Lindie	Head of Business Management (Serious Casework)
Jonathan Shebioba	Director of Support Services
John Cooper	Non-Executive Director
Sarah Carter	HR Director
Sharon Davies	Head of Management Accounting and Planning
Janie Patterson	Deputy Head of Business Management

In Attendance

Trevor Davidson	Secretariat
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Apologies

Graham Kerr	Head of Business Management (Local Court)
Doreen Crawford	Head of Workforce Planning and Reward
Marlene Anderson	(Interim) Director of Finance and Procurement

Welcome

The Chair welcomed everyone to the meeting. The meeting was being conducted via MS Teams due to the current Coronavirus outbreak.

Minutes from meeting held on 29 July 2021

The Committee confirmed that the minutes were an accurate reflection of the meeting.

Action Log

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

Head of Management Accounting and Planning (HoMAP) confirmed that they spoke with the Pathology Programme Senior Business Manager regarding budgets and extended the deadline to Octobers Resources Committee meeting. Action 6 was closed

Finance Update

HoMAP advised that the audit of 2020/21's accounts are now complete except for the final litigation provisions

HoMAP provided an overview of the Finance update for 2021-22 noting that the forecast provided showed an overspend which was accounted for.

Risks and uncertainties for 2021-22's were highlighted. COPFS will monitor the costs for COP26 to confirm if any additional costs could be absorbed and highlighted overtime as a concern due to the current and projected overspend. Overall, the Heads of Business Management (HoBMs), Finance and HR will continue to work together to monitor all expenditure and savings can be identified.

HoMAP covered the cost split for the Court Recovery Programme, and highlighted that full funding would be required for the 2022/23 financial year to meet the target of FTE 2,319 (Excluding Advocate Deputes)

HoMAP shared the updated draft medium Term Financial Plan, which was shortened to make the document more user friendly. The document is still being reviewed, but the Committee agreed that the document was more succinct.

[ACTION] Document to provide more clarity on the definition of short / medium / long term

[ACTION] Document should draw more attention to the green / environmental savings and improvements being made by COPFS.

Staffing vacancies – Risk analysis and mitigation measures

Head of Business Management (Business Services) (HoBMBS) provided an overview of the paper, which was supported by the other Heads of Business Managers, and highlighted the current concerns of the business regarding the recruitment campaigns.

The Committee had a full and in-depth conversation on the paper which included

- Delays in recruitment
- Experience levels, especially with an influx of new staff
- How to increase the number of applicants
- Areas of concern – ISD / legal staff
- Increasing the number of Trainee Solicitors
- Attracting candidates – Future ways of working / Agile working initiatives

[ACTION] The Deputy Chief Executive, advised that they would take away action points to the Workforce Planning Group, and look a to look at priorities and how this group could support the current issues.

COPFS expect to become more competitive with legal positions as the pay parity programme is implemented for these grades. ISD remains a concern as COPFS cannot compete with the salaries paid in the private sector.

The Committee agreed to look at increasing the number of Trainee Solicitors but noted that this option would take time to increase the number of qualified legal staff, will carry a burden on other staff/departments. The Deputy Crown Agent (DCA) requested more work to be carried out before agreeing to increase the number of trainees.

There was a general consensus that COPFS should not engage with recruitment agencies, as COPFS has a high level of knowledge and understanding of the civil service / legal recruitment market.

[ACTION] DCA recommended that COPFS compares jobs / pay grades with Scottish Government and other Government Departments to ensure COPFS remains competitive.

After further detailed discussions and in addition to the above action items, the Committee agreed to prioritise the recruitment of staff, and continue to be flexible in their approach to recruitment to fill the identified positions. The Committee would also work in conjunction with the Workforce Planning Group.

Estates Strategy Delivery update

Director of Support Services (DoSS) provided a high level update on the Estates paper.

The Ayr/Kilmarnock project is 95% complete. The Edinburgh and Glasgow refurbishment projects are currently on hold. The initial project plans did not allow for the forecasted expansion of staff shown in the Finance section, so the pause provides an opportunity to revisit the numbers expected to be accommodated in these buildings.

Any Other Business (AOB)

HoMAP highlighted that COPFS were still paying for parking fees for staff who were required to attend the office and requested the committee to review the policy. This policy was implemented during COVID restrictions to avoid staff travelling on public transport.

[ACTION] The Committee agreed that this process should continue due to current COVID guidance, and the policy should be reviewed at January's Resources Committee meeting in 2022.

Date of Next Meeting

30 September 2021

**EXECUTIVE BOARD
BUSINESS PROCESS IMPROVEMENT COMMITTEE
SEPTEMBER 2021 UPDATE**

Purpose

1. To provide the Executive Board with an update on the progress of the work of the Business Process Improvement Committee (BPIC).

Priority

2. Routine

Update

3. BPIC met on 7 September and is next scheduled to meet on 5 November 2021.
4. This update provides an overview of the BPIC improvement projects being delivered over the next few months and ISD's delivery of the Digital Transformation Programme for 2021/22.

Delivery Updates

5. Delivery updates for the main projects and improvement initiatives are summarised at ANNEX A.
6. BPIC noted significant progress over several projects in the portfolio. Solutions being implemented over the next quarter include a Desk Booking App to support return to office working and future hybrid working policies, deploying CMiC for use in S&J cases, releasing an enhanced version of the PIDM Booking Application, launch of the new Intranet (*Connect*) and rollout of Digital Meetings facilities to all offices. BPIC also noted the latest delivery positions for DESC and the evaluation of the new Witness Gateway digital service over coming months.
7. BPIC discussed the latest planning scenarios and timescales for the transfer of the current Edinburgh datacentre to the new offsite facility, with a particular focus on the delivery of this work ahead of COP26 and the extended systems change freeze period agreed by COPFS and its partners. A summary of the planning position is available in the related update at ANNEX A. The Chief Digital Officer will submit a note to SET and CRG setting out the background and recommended options for managing this work and for implementing enhanced IT systems resiliency capabilities in advance of COP26.
8. ISD's staff recruitment positions (including temporary resources to support the delivery of DESC) were discussed, with updates provided at future meetings to enable BPIC to monitor capacity for delivering corporate business improvement priorities.

Decisions/Actions required by Executive Board

9. The Executive Board are invited to note progress and comment as appropriate on BPIC's portfolio priorities for 2021/22.

John Logue

Deputy Crown Agent – Local Court

15 September 2021

ANNEX A

BPIC PORTFOLIO AND DIGITAL TRANSFORMATION PROGRAMME 2021/22: PROJECT AND DELIVERY UPDATES [SEPTEMBER 2021]

Offsite Datacentres and IT Systems Resiliency Enhancements

The Chief Digital Officer (CDO) presented an update on the latest plans to the Corporate Resilience Group (CRG) at its August meeting. This confirmed the first of COPFS' new offsite datacentres is procured and that ISD has completed the configuration of the network and telecommunications infrastructure. ISD have also relocated the Edinburgh datacentre test systems to the new offsite location and completed detailed planning for transferring the full Edinburgh datacentre systems and introducing the enhanced IT infrastructure resiliency solutions. The CDO highlighted to CRG the potential for the relocation of the Edinburgh datacentre servers (delivering live services) to fall *close* to the digital systems 'change freeze' period agreed by Criminal Justice Partners (from Monday 25 October to Friday 19 November). This is largely due to lengthy delays in ISD receiving essential IT hardware for the new datacentre because of semiconductor global supply issues.

BPIC discussed the latest planning scenarios and implementation timescales. The CDO confirmed that although the full transfer of the Edinburgh datacentre could be completed before the commencement of the COP26 systems change freeze, this would involve relocating live datacentre systems in the week leading up to the change freeze. While ISD would apply comprehensive change management and risk mitigation, there are substantive risks to systems availability during these critical phases (largely relating to powering down and relocating the complex national database storage and case management servers). BPIC noted the 'Plan B' approach, which would involve scheduling this work after COP26 and ISD installing some of the planned offsite IT infrastructure solutions in the Edinburgh datacentre to provide IT resiliency enhancements to support COPFS' business continuity preparedness for COP26.

BPIC supported the CDO's recommendation for not moving live IT systems so close to the critical COP26 timeframes and for this work to be scheduled post event. BPIC also supported the proposed implementation of IT infrastructure in the current Edinburgh datacentre to provide enhanced IT systems resiliency capabilities, delivering nearly all pre-defined IT systems failover improvements without risk to live services. The Edinburgh datacentre will be relocated, and the enhanced IT resiliency infrastructure installed permanently in the offsite location after COP26. The CDO will submit a note to SET and CRG setting out the options and recommending the above approach. ISD is working with business area managers to schedule (at a weekend) in mid-October testing of the enhanced IT resiliency solutions in readiness for COP26.

Digital Workplace Programme

Work continues to prepare the remaining Digital Workplace products, including Microsoft Exchange Online, SharePoint, OneDrive and other O365 collaboration products. This work will proceed after the Cloud Strategy has been presented and approved (scheduled for presentation and discussion from later this month). ISD is having to plan the delivery roadmaps to take account of the COP26 system change freeze periods.

ISD are in planning stages for the implementation of the new COPFS digital telephony system (replacing the current office Cisco telephony systems with new integrated

Microsoft Teams solutions). Comms and stakeholder engagement details will be issued shortly to commence formal planning for the new systems to be introduced next year.

ISD has also worked in partnership with Enquiry Point (EP) managers to scope and define the solutions for replacing and modernising the EP call management systems. ISD recently held an awareness session providing a high level overview of the product, the features aligned to identified Enquiry Point requirements and the benefits that may be derived from the introduction of the new system. Further planning and preparedness sessions will be arranged with Enquiry Point over the coming weeks which will provide defined timescales for training, testing and implementation (in 2022).

The above session also included initial discussions for incorporating relevant digital strategy planning and innovation to further modernise and enhance call management and frontline customer services. These strategic digital innovation and transformation elements will be factored to the vision for COPFS' next-generation case management systems, which the CDO will set out and commence engagement with key stakeholders from October 2021 as part of defining the vision, aims and approaches for a programme of work to be undertaken from 2022/23.

Digital Meetings Room Innovation

Communications published on PF Eye in July. Corporate solutions installed in Edinburgh and Glasgow corporate meeting rooms. ISD communications update will be published in September, including guidance/support and the delivery schedules for installing the new solutions in all offices on a phased basis from late September.

Cyberattack Simulation and Business Resiliency Exercise

Corporate exercise held on 2 July. CDO circulated a framework document to CRG and exercise participants providing an overview of the key development themes, actions and issues identified from the exercise. Meeting held with function and communications senior managers on 6 August to agree priorities, roles and responsibilities. Initial priority digital resiliency solutions progressed or implemented by ISD. Local business resiliency plans and COP26 preparedness activities are being aligned. Progress update provided to CRG at its August meeting. CDO will provide a further update this month aligning with the business processes resiliency work being carried out by LC and SCG and the related COP26 activities.

SCG Digital Casework Improvements:

ICU Live – Next Generation: The new digital solution and processes implemented for live use on 3 August. ISD is engaging with SCG and project board colleagues to confirm any remaining development and project closure arrangements.

AI (Cognitive services) Transcription Service: Video transcription prototype demonstrated to SCG. Testing has highlighted degradation in performance when processing long or poor quality audio or video recordings. ISD is reviewing these issues and will confirm a solutions timeline shortly.

ISD continues engaging with SCG colleagues on other digital casework priorities, including a new Proceed of Crimes Unit (POCU) and other digital casework priorities.

New Intranet

The new corporate Intranet - titled 'Connect' - on track for launch in the Autumn. The new solution will deliver the Digital Strategy vision of a single corporate browser product, combining the current PF Eye Intranet and Corporate Apps facilities. New Intranet design and applications development is complete. Work continues to

rationalise and migrate Intranet content, with targeted resources assigned to complete content migration over the coming weeks (including the migration, linking and assurance checking of Knowledge Bank information).

Website

The new website product is in final stages and is being prepared for live launch in Q3 2021/22.

New HR Digital Solution

The new solution is procured, and project delivery phases underway. Work activities include defining the transition from the current system, integration with Corporate Apps and historic data storage and access. A detailed project delivery and transformation plan will be confirmed when this work is complete. Transformation resources from Local Court and High Court are factored to planning.

Corporate Apps:

Desk Booking App: Implementation of a new desk booking app to support phased return to office working and future hybrid ways of working is in the final stages of solution analysis. ISD has identified a preferred product and is carrying out due diligence. Key stakeholders will be invited to attend a demo later this month to confirm the solution for implementation. ISD continues working to have a product available for testing and engaging with Estates to obtain latest office floor plans and required configurations. On completion of due diligence, ISD expects to be able to implement the solution within a few weeks of stakeholder acceptance. Detailed timelines and communications will be confirmed later this month.

Overtime App: ISD has completed development of the Overtime App to replace the current paper based system. Testing and delivery on track for Q3 2021/22.

COVID-19 Response (incl. CJ Recover/Renew/Transform programme)

Work continues to deliver RRT and EPR needs. Work with SCTS to electronically transfer document is ongoing. Updates are, however, required from SCTS to enable LC and ISD teams to complete or further progress targeted deliverables.

Digital Evidence Sharing Capability (DESC)

Supplier confirmed and formal contract arrangements complete. Vendor engagement will commence from late September. [REDACTED] and [REDACTED] continue leading work on this for COPFS. Recruitment of ISD resources is ongoing to provide the capacity for implementing DESC in line with project timelines. A key dependency for DESC is the new Defence Agents Service (DAS) [see below]; ISD has identified a recommended technical platform design for the DAS service, incorporating data interexchange for the new DESC product. This work will be progressed and underpinning technical platforms and solutions confirmed as part of the DESC supplier design engagement over coming weeks.

Defence Agents Services:

PIDM Booking App: An enhanced PIDM Booking Application, reflecting feedback from and incorporating improved design and enterprise level functionality, was presented at a meeting of the Defence Agents Service (DAS) Consultative Group meeting in Glasgow on 7 July. The new version of the PIDM Booking App was positively received. Further demonstrations with key users of the service and communications are planned to support the launch of the new application, subject to confirmation of launch readiness and stakeholder planning.

Defence Agents Service (DAS): An overview of the strategic vision for a new Defence Agents Service (DAS), building on the prototype solution developed by ISD, was presented to the DAS consultative group; DAS aims to deliver a modern and secure single digital gateway for accessing disclosure information, replacing the current Secure Disclosure System (SDS), incorporating the PIDM Booking App, and providing other appropriate COPFS - Defence Agents information and digital services. The DAS consultative group is scheduled to next meet in October.

Expansion of CMiC

ISD has developed a CMiC app for use in S&J cases, with assurance acceptance underway to enable the expanded solution to be implemented over Q3 2021/22. The next phase involves implementing CMiC for use in High Court cases and preliminary hearings and ISD are working with SCG to finalise requirements. Electronic reporting to Crown Counsel has been identified as a prerequisite for this next phase of CMiC, with solutions options being explored.

Witness Gateway

ISD has completed the build of the first product version of the Witness Gateway. This focusses on the application interface and product design, security and authentication features, and specifically the 'witness availability' management functionality. ISD have also established cloud infrastructure and applications platforms. While there is further work to do finalise and test this version of the product, the CDO wrote to lead stakeholders in July and hosted a stakeholder update meeting on 14 September.

A series of sessions have been undertaken to define the approach for the core Witness Gateway delivery. It is the intention to proceed with a Beta evaluation of the Witness Gateway product featuring the witness availability functionality. This is work that will help validate the core product design, platforms and witness availability functions, whilst undertaking a concurrent workstream to complete the development of the witness statements, expenses and digital innovation features. The CDO will issue a framework statement in September to scope and coordinate this work (aligning with Victim and Witnesses, VIA and other relevant activities) with formal project and stakeholder communications in October.

AI/Automation/Cognitive Services

CDO has discussed AI vision with senior [REDACTED] executives and is firming up on significant (free of charge) [REDACTED] engagement to develop the AI vision and deliver a proof of concept project, including re-engagement on the project that had to be cancelled due to COVID impact last year. A vision statement will be issued to provide a strategic framework for this work and evaluation initiatives. This will be presented to BPIC at its next meeting.

COPFS and QLTR Audit and Risk Committee

Minutes of the meeting

held on 25th August 2021

(via MS Teams)

Present:

Members

Robert Tinlin	Non-Executive Director (Chair)
David Watt	Non-Executive Director
Vanessa Davies	Non-Executive Director

In Attendance

David Harvie	Crown Agent, Chief Executive and COPFS Accountable Officer
Robert Sandeman	QLTR Accountable Officer
Ian Walford	COPFS Deputy Chief Executive
Esther Scoburgh	Audit Manager, Audit Scotland
Sharon Fairweather	Director of Internal Audit and Assurance
Jim Montgomery	Audit Manager, SG Internal Audit Directorate
William Wilkie	Senior Auditor, SG Internal Audit Directorate
Marlene Anderson	COPFS Director of Finance and Procurement
Nikolas Koutris	COPFS Head of Financial Accounting & Finance Systems
Sharon Davies	COPFS Head of Management Accounting and Planning
Claire Lumgair	COPFS Finance Business Partner
Ian Palmer	COPFS Secretariat
Anne-Marie Henderson	(COPFS observer)

Apologies

Gillian Woolman	Audit Director, Audit Scotland
Taiba Hussain	Senior Auditor, Audit Scotland

1.

Welcome / Apologies / Introductions / Declarations of Interest and Feedback on pre-meetings

The Chair welcomed the group

There were no declarations of interest.

There was no feedback of any pre-meetings

2.

Minutes of the Previous Meeting

The Minutes from the ARC meeting held on 5th May 2021 were approved.

3.

Matters Arising / COPFS ARC Action Tracker

All action points are now completed apart from 37 and 2(21). Item 37 (Audit Scotland paper) will appear as a substantive agenda item at the November ARC meeting. Item 2(QLTR) meeting to be scheduled.

It was noted that a time lag can appear between COPFS and IAD status information. MA explained that IAD makes assessments at a particular point in time whereas COPFS marks the action as complete when implemented hence the colour coding appearing out of sync. It was suggested that the colour coded section of the tracker be updated to clarify the position.

Action: Secretariat to update actions from the tracker.

Action : MA to look at revising Action Tracker colour coding section to clarify assessment timetable.

4.

Audit Action Tracker – Internal/External Audit

Progress with the internal action tracker was noted and approved with the caveat that it should reflect a realistic target date for progression and completion of action points.

WW is to give a Fair Futures follow up report at November ARC.

COPFS Fair Futures Project Board has held its final meeting and is in the process of preparing a report for discussion at Executive Board. A copy of this report will be made available to ARC.

The external tracker was approved as complete.

5.

COPFS Update

DH (CA) gave an update on COPFS progress in relation to preparations for the increased numbers of staff returning to work following the easing of COVID restrictions. This included health and safety issues, court programming and recruitment. General discussion followed.

A general update was given in relation to finalising the Annual Report and Accounts.

The committee commended the paper on Agile Working presented at a recent COPFS Executive Board meeting.

6.

Finance and Procurement Update

MA presented papers ARC(2021) – 28 and 29. General discussion followed.

The group was encouraged by the progress being made in controlling off contract expenditure.

It was agreed that a procurement update paper should be brought to the committee in 6 months time.

It was agreed that given the specialist nature of some COPFS requirements capacity for further savings can be restricted or non-existent. COPFS continues to work to ensure that all cost efficiencies are identified.

7.

IAD Progress Report; DIA Progress Report; Final Wellbeing and Morale Report

Sharon Fairweather, Director of Internal Audit and Assurance, was welcomed to the meeting. She gave a brief overview of internal audit operations.

JM and WW spoke to the above papers and general discussion followed.

SF asked what the role of COPFS would be in relation to the COVID Public Inquiries due to be held at a future date. DH(CA) outlined there are precedents for COPFS interacting with Public Inquiries to fulfil each parties specific and independent obligations. These issues will be developed with the Chair of the Public Inquiry.

8.

COPFS Assurance Mapping Framework : Group 2 Review

The committee noted the paper. During general discussion it was observed that reliance was being given to previous year documents and references were being given to documents, strategies and policies that were potentially out of date or gave no indication of when last reviewed. In order to give reliable assurances the committee advised they must be supplied with the most up to date information.

Action: MA to take the Assurance Mapping Framework back to Team Heads to review and refresh ensuring that all information is current. The framework document will have an additional section detailing review dates. Items shown as completed but have ongoing issues outlined in the narrative are to be reviewed. RT DW and VD to meet with key players to discuss Assurance Mapping.

9.

Audit Scotland Report and Management Letter

ES gave an overview and general discussion followed.

10.

Presentation of COPFS Draft Annual Accounts

MA gave an overview of the Draft COPFS Annual Accounts. It was noted that work is ongoing on the presentational design of the format and this will be completed in time for the final accounts being published on the COPFS website. General discussion followed.

The committee welcomed the ongoing progress being made in the presentation of COPFS accounts.

It was agreed that it would be helpful if the committee could be given an update paper in relation to how AME is presented in the accounts.

Action: MA to furnish ARC with a report reflecting how AME is presented in the final accounts. This should be issued in advance of the next meeting of ARC on 22 September 2021

11.

QLTR Update

BS thanked all staff who had been involved in the preparation of the QLTR accounts. The committee echoed this sentiment.

QLTR is looking at the process of returning to offices given the easing of COVID restrictions. Particular focus is being given to special precautions for small teams.

An update was given regarding proposals for how to deal with land. Consultation work is ongoing with local councils. BS is to speak at the Asset Transfer Conference at SG on 7 September.

There ensued general discussion in relation to funding profile for administration of estates.

12.

Presentation of the QLTR Draft Annual Accounts; QLTR Covering Letter (letter of representation)

SD gave a short introduction and presented the draft QLTR annual accounts for approval. After discussion the Committee approved these accounts and the associated covering letter and recommended them to the accountable officer to sign.

13.

QLTR Covering letter (report to those charged with governance)

QLTR Annual Audit Report

ES made a short submission, and the Committee received and noted the QLTR Annual Audit report and the associated covering letter.

14.

Approval and signing of the QLTR Accounts

The approved accounts are to be signed off-line.

15.

Risk Management Update

- DW spoke to his report on recent RMG meetings.
- It was noted that minutes of previous RMG meeting(s) had not been included in ARC meeting pack.

Action: MA to issue a copy of RMG minutes to committee.

16.

ARC Annual Report

The Annual Report was noted.

17.

AOB

No additional items were raised

18.

Date of Next Meeting

22 September 2021 (via MS Teams)