

RESOURCES COMMITTEE
MINUTES OF THE MEETING HELD ON 30 OCTOBER 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)
John Cooper	Non-Executive Director
Sarah Carter	HR Director
Doreen Crawford	Head of Workforce Planning & Reward
Mark Howells	Director of Finance and Procurement
Marlene Anderson	Head of Finance
Sharon Davies	Head of Management Accounting and Planning

In attendance

Keith Dargie	Chief Digital Officer
Richard Brown	Legal Assistant to DCA, Operational Support
Kathy Brown	Secretariat
Colette Weir	Secretariat

Apologies

Jonathan Shebioba	Director of Support Services
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Welcome

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

Minutes from meeting held on 30 September 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, 10, 11 and 14 are all closed.

HR Update

Staff Update

4. Head of Workforce Planning & Reward (HWPR) updated the Committee on the staffing position as at 30 September 2020. Although there had been slight reduction in headcount an additional 4 members of staff were expected to join COPFS through 4 recruitment exercises and an additional 9 pay band B's were being recruited by Local Court to cover a specific piece of work until 31 March 2021.

5. There are no obvious trends in overtime claims although there had been a marked increase over the past two months. Overtime is not always claimed in the month it was worked and HR agreed to take a closer look at the figures and report back at the next meeting.

6. HWPR advised that 5 partial retirements were expected to be processed between now and the end of March 2021. Since April 12 members of staff have partially retired.

Mental Health Update

7. Director HR gave an update on absence figures particularly focusing on Mental Health. Although the days lost have decreased the percentage of mental health reasons has increased slightly. She provided details from the Chartered Institute of Personnel Development's (CIPD) 'Health and well-being at work' report advising COPFS were in a similar position to other organisations. The Committee agreed there was a lot of good work being done in this area and stressed the importance of the role of the line Manager, particularly with remote working. Director HR confirmed they were currently working with LDD in this area.

Pay Band B Exit Interviews

8. The Committee had asked for feedback on the band B Exit Interviews. As staff turnover remains low, HR had little to report. The Committee agreed to review this in 3 months taking a 6 months view of the figures.

Annual Leave Stock Take

9. Detailed annual leave figures as at 15 October 2020 were provided showing balances by grade and operational area. The report shows 35.3% of staff have more than 20 days leave still to take. It was noted that following the October holiday these figures had reduced as staff had not put planned leave through the flexi system. Although there is no longer a financial risk associated with excess annual leave other

operational risks remain. A paper outlining these is currently being prepared for the Corporate Resilience Group.

Action: HWPR to compare date overtime claimed with the date it was worked and provide further update and the next meeting.

Action: HWPR to monitor Pay Band B Exit Interviews and provide 6-month view of figures.

Finance Update

2020/21 Budget

10. The Director Finance and Procurement (DFP) advised that following a budget bilateral between the Lord Advocate and the Cabinet Secretary COPFS had been allocated a further £1.45m. Taking this into account the latest forecasts are for a core underspend of £1.021m. This assumes SG will honour their commitment to underwrite all settlement costs for IONA and COPFS will return any unused funding which has been provided for the major cases.

11. Employee benefits (untaken annual and flexi-leave) has been reclassified by HM Treasury to Non-Cash Annually Managed Expenditure (AME). We will therefore not have to hold a contingency from the cash budget to cover these costs as this is included in our current bid for Non-cash AME.

12. The Committee welcome the news and agreed the need for caution until non-staff forecasts are confirmed and the results of an outstanding civil litigation case, which is due to settle this FY, is known.

13. The Chair thanks all those involved for securing the extra funding. The Committee remained committed to increased staffing but recognised there was still work to be done in finalising forecasts. HoBM's agreed to meet with DCE and Finance to discuss their non-staff forecasts. This would allow the Committee to be in a better position to make any decisions. The Committee asked the Work Force Planning Group (WPG) to refine the recruitment approach so we were ready to move as quickly as possible.

Action: DCE to meet with HoBM's and Finance to discuss their non-staff forecasts and other potential in-year savings and pressures and the options for deploying the projected underspend.

Spending Review/Finance Strategy Update

14. The Committee noted the content of the paper in particular:

- The outlook for capital expenditure;
- Planning for 2021-22 was now in train; and

- Ensure that robust and realistic bids for staff and non-staff funding are made by the Functions timeously.

15. Additionally, Deputy Chief Executive (DCE) advised that the pay coherence business case, to allow COPFS to catch up with SG and other parts of the public sector, which was made to SG in 2019 would be included in the spending review submission.

Capital Expenditure Proposals

16. A joint paper had been prepared by the Chief Digital Officer (CDO) and Director Support Services (DSS) advising of the 5-year final capital settlement amount which had been obtained from SG. The paper set out the proposed funding allocation between the ISD Digital and Estates portfolios and detailed the associated business risks.

17. The CDO joined the meeting and advised that the funding allocation fell well short of the original bid which was based on funding deemed essential to meet COPFS business needs and for delivering critical criminal justice system services.

18. The Committee were asked to:

- Note the overall 5-year capital allocations and the provisional spend programmes as set out in Annex A (Estates) and B (ISD).
- Note and consider the scenarios and risk relating to the reduced budget allocation;
- Note and consider the proposed funding possibilities and financial management approaches for additional funding for investment in digital; and
- Recommend these spending programmes and management approaches to the Executive Board.

19. Head of Finance (HoF) pointed out that the £100k investment in vehicles had not been factored in and should be added to the paper. This amount is static across the years.

20. The Committee thanked the CDO and DSS and endorsed the paper recognising the consequences and careful management required as detailed in the Annexes. They expressed the need for ISD and Estates to be prepared as much as possible to enable us to react quickly when required.

Action: CDO/DSS to add the £100k investment in vehicles to the paper.

Extended Hours - ISD Out of Hours Support

21. CDO presented the paper making specific recommendations about the requirement for additional ISD support cover on weekday evenings and early mornings, overnight and at weekends to reflect COPFSS' greater dependence on digital systems and more flexible ways of working. The proposals outlined in the paper reflect the views of the Future Ways of Working Programme Board.

22. The Committee were asked to agree the following recommendations:

- The introduction of ISD shift working providing extended IT systems support covering the periods 06:00-22.00hrs Mon-Fri;
- The introduction of ISD on call arrangement covering weekday overnight and weekend out of hours IT support cover;
- That these proposals should be considered by the Workforce Planning Group in the budget and workforce planning for 2021-22 and beyond; and
- That consideration should be given to introducing formal overnight and weekend on call arrangement for ISD with immediate effect.

23. Following discussions, the Committee agreed that any requirement for additional staff would need to be considered along with other essential posts. It was noted that current overtime was being carried out by skilled and specialist staff and the introduction of on-call may not reduce the amount of overtime claimed. DCO agreed to report further on this.

24. The Committee agreed to introducing formal overnight and weekend on call arrangement with immediate effect and asked HR to look at the contractual arrangements and consult the TUS.

AOB

25. The Committee asked about the case marking work in hand. It had reduced over the first half of the year and had since risen slightly.

Date of the next meeting: 27 November 2020