Disclose, Protect and Promote

Disclosure SCOTLAND

Disclosure Scotland Board Meeting

Wednesday 08 June 2023: 10:30am to 1:30pm

Hybrid Meeting - Pacific Quay Boardroom/Microsoft Teams

Minutes of meeting

Present:

Gerard Hart	Chief Executive/Chair
Kathleen McInulty	Director of Safeguarding
Kenny Birney	Deputy Chief Executive Digital Strategy
Laura Mccluskey	Deputy Chief Executive Business Strategy
Nicola McBain	Director of Chief Executive Office
Christopher Wroath	Non-Executive Board Member (CW)
Douglas Hutchens	Non-Executive Board Member (DH)
Keith Rosser	Non-Executive Board Member (KR)
Stephanie Glavin	Non-Executive Board Member (SG)

In attendance:

[redacted]	Head of Corporate Governance
[redacted]	Head of Change Management
[redacted]	Head of Finance

Apologies:

Alastair Sim	Non-Executive Board Member (AS)
Lynne McMinn	Director of Policy and Stakeholder Engagement
Kathleen McInulty	Director of Safeguarding Operations

Observer(s):

[redacted]	Project Management Office Co-Ordinator

Secretary:

[redacted]	Governance Manager

Item 1 - Welcome and apologies

1. The Chair welcomed everyone to the meeting.

Item 2 - Register of interests

2. None.

Item 3 - Previous minutes and action register

3. The previous minutes were approved with no other amendments.

Item 4 - Horizon scanning

4. There were no items for Horizon scanning

Item 5 - Chief Executive update

5. The Chief Executive provided an update on performance, which remains extremely good both in terms of disclosures and in tackling the Protection Unit backlog.

6. He advised that we are in a strong position and expressed his confidence that we will remain so. Turnaround time is currently five days, which is a position we couldn't have imagined two years ago.

7. Disclosure Scotland are working to charter a path over the next two years, thanks were passed to the Director of Corporate Services and her team for taking our governance to a high standard. Both Internal and External Audit have given us positive ratings.

8. The Programme Boards have also driven improvements in change governance. A new Strategic Design Authority will also be implemented to support collaboration. This will serve to improve both our strategic understanding and design of how our digital assets/products facilitate our target outcomes. It will also build/create and engage to have a clear design in mind that will be related back to Programme Boards.

9. The Deputy Chief Executive (Digital Strategy) spoke about how the transformation of the delivery approach goes beyond the Act.

10. With Scott Logical working with us over the last months, it is clear that we know how to build, it is the releases that we continue to struggle with. Going forward there will be fewer iterations as we will be building and releasing things at the right time.

11. The Chief Executive stated that lots of things were evolving around our delivery and that from an Accountable Officer point of view, phase one was about fixing things in the organisation. Now that we're in phase two we need to tackle what could prevent us from achieving our goals.

12. There is a need to fixate on one thing at a time and right now the Board needs to be more strategic in their thinking. The Leadership Team need to help colleagues to bring forward their strategic capability.

13. The Deputy Director (Business Strategy) agreed this was an important point, we have some good examples of strategic ability at certain levels, and work that we are taking forward. She advised there was still a lot that can be done and one of the key challenges is landing strategic awareness and we will use the spaces that we are creating for folk to develop ways to increase this awareness.

14. DH agreed that we are beginning to open into that and thinks that a bigger focus on agendas of this Board and the Programme Boards is needed. This will aid strategic analysis and help train those below Director level to think more strategically.

15. The Deputy Chief Executive noted that Disclosure Scotland are in a transitional space and the use of the Programme Boards will allow us to see where our people are at. For many of them this will have been their first exposure to this level of challenge. In the past this was taken on at Director level due to limited experience and exposure.

> **Action: Deputy Chief Executive – Digital, to discuss with Director of Corporate Services, on governance aspects of agenda changes.**

16. The Senior Responsible Officer provides a formulated discussion on the state of the nations at the programme board to have the bigger picture. If this is not already in the agenda, then it should maybe be added.

Item 6 – KPI

17. The Head of Corporate Governance took the Board through the KPI report based on the format of the performance score card.

18. Advising the figures are from 1 April, with May's figures in the process of being drafted.

19. It was highlighted that from the beginning of the reporting year it may appear there is not a lot of content. However, as the year progresses, we will be able to identify trends and errors. We will be able to track year-to-date figures also.

20. There are three main items within the 'disclose' bracket, one of them is sitting at red and the others are green.

21. There are three within the 'protect' bracket with one sitting at red and the others at green.

22. Within the 'promote' bracket, all items are at green.

23. We have one item within 'disclose' which relates to customer service calls answered. There is a breakdown from the business area which shows an interesting output from them. The business area is looking at other ways of tackling the impact of lost calls and are directing customers to use email rather than calls. This avenue is favoured and would be a better solution, to reduce costs.

24. The Deputy Chief Executive (Business Strategy) advised that this was a really good example of a KPI scorecard and will be needed in our governance trail.

25. The red percentage in Protect relates to barring decisions made in three working days. There was an exercise in April to tackle barring decisions and we are already seeing in May's figures that we are bouncing back quickly.

26. Promote is within tolerance levels.

27. The Head of Corporate Governance then asked the Board for feedback on the format and if they felt anything was missing.

28. KR advised he was overall was in favour of the KPI dashboard and the report is helpful. He challenged that we are reporting 19 indicators and 17 of them are green, what does that mean and does this reflect where the organisation is really at?

29. Deputy Chief Executive (Business Strategy) stated that the KPI paper demonstrates how Disclosure Scotland is performing operationally and in a corporate space. With room for these to be more challenging in the future.

30. KPIs for level one and two complaints, Subject Access requests and Freedom of Information request continue to report at low levels.

31. Our risk profile is becoming nuanced based on how we report on a quarterly basis. However, this is not reporting entirely green due to our programme delivery structures during this period of change.

32. DH commented that he liked the format and that it will be good to look at trends as the reporting cycle continues. He suggested having two versions of the information to be looked at: an operational KPI and a trend map for the Board containing bigger issues that they could get their teeth into.

> **Action: Director of Corporate Services to look into adapting the KPI report to show operational KPIs and trend map.**

33. CW commented that he echoes KR request, that trends are more helpful at Board level.

Item 7 - Change delivery and assurance update

34. The Head of Change Management presented April's report.

35. They went on to say that on the back of the comments on the KPI report that this has provided food for thought on how the Change Delivery and Assurance report can be delivered providing more value moving forward.

36. Following feedback received from SG, going forward on the next report a new finance key will be introduced to report on tolerance and also if the financial information is on the current financial year or the project term.

37. Overall status is reporting as Amber and good progress is being made with the roadmap. The status may change once this exercise is completed.

38. Financial summary: overall this is within budget with a spend of almost thirteen and a half million pounds. With a forecast of two and a half million pounds overspend from the original Business Cases. These are being closely monitored by the Strategic Finance Manager.

39. Movement on DS 25 Programme from green to red since last reporting. This is due to several delays in projects such as PUCMS and Telephony. These have been reported directly to the DS 25 Programme Board and new timescales and delivery set for August.

40. KR commented that the layout and format of the report was great. However, questioned that DS 25 Programme was not included with the other Boards.

41. The Deputy Chief Executive (Business Strategy) advised that unlike the Act and Digital Programmes, DS 25 is a portfolio of standalone projects. DS 25 will eventually become the only board to feed into our DS 25 strategy.

42. Projects such as PUCMS route to live and interface around real time barring are critical, and while the rest of the organisation would not fall down if these projects were not completed, they are still critical pieces of work that are required.

43. A brief update was provided to the Board Members regarding the telephony, advising we are aiming for the end of June for this to be completed.

44. Disclosure (Scotland) Act, seven reporting at green with two reporting as amber, with no concerns raised.

45. Vetting project is reporting as red, with a lot of work taken place and a change in project manager. The Business Case is with AC at the moment to be revised.

46. It was noted that there have been issues with Online Accounts, with applicants unable to confirm their identity. DIS are doing a remediation road plan and Disclosure Scotland are looking for a plan B on how we can verify applicants ID.

47. The Chief Executive commented that the identification service at private beta gave insight into how counter signatories use the service. Unfortunately, we did not receive the success that had been hoped for the customer part of the process. The system itself did not pass as many people as hoped.

48. Ambition is to launch a large public beta service by end of 2023. If achieved this will prove a very positive story to report to Ministers.

Item 8 – Finance strategy

49. The Director for Corporate Services advised that a draft copy of the financial strategy has been sent to external audit. The Audit and Risk Committee have also provided comment.

50. The strategy is medium term reflecting alignment to DS 25 and wider work on the TOM.

Item 9 – Feedback from the Audit and Risk Committee

51. DH, the current Chair of the Audit and Risk Committee, noted the positive Audit and Risk Committee Annual Report and the positive developments and actions taking forward over the year.

Item 10 – Finance update

52. The Head of Finance advised that work has been carried out over the past year in developing the new easy style of reporting.

53. The report information remains at Amber and the reason for this is because we are still waiting on clarification for funding.

54. Within revenue mapping everything from full year forecast to budget covered. With no drastic changes since the beginning of the year.

55. There have been some small changes where there was expected vacancies. The pay policy for 2022 was not decided until November 2022. Also, a contingency has been built in to take account of future pay awards.

56. Income currently looking good, with being over forecast for April. Basic disclosures have been running under forecast for April and the PVG market has been running ahead of forecast.

57. Capital budget is reporting as amber, because of the funding gap and we have spent the forecasted amount in April, with May being under forecast. This will balance out and be monitored closely.

58. The Chief Executive thanked the Head of Finance for their presentation and the new style of reporting. He also congratulated them on being successful in obtaining their promotion to Head of Finance.

59. KR commented that the report was very good, and one that he could fully understand.

60. He went on to say that if income does not catch up, savings will have to be made and asked if there is a timeline in mind of when this will become critical and what action will be taken?

61. The Head of Finance explained that this will be after the first quarter, as this could not wait until the end of the year.

Item 11 – Strategic session

62. The Deputy Chief Executive (Digital Strategy) led the strategic session, focusing on Disclosure Scotland Online Accounts.

63. Digital Transformation within Disclosure Scotland is laser focused on offering a fully end to end digital service to customers, while taking into account that there will always be some customers who require paper.

64. Digital architecture business processes need to be aligned. With our people having the necessary skills to carry this out.

65. Issues on the approach taken through private beta have been identified. A route cause analysis of this has been undertaken and key steps taken to mitigate impact. Project communication was also an issue, and this has been discussed, with more playback on actions and decision to ensure understanding.

66. The Board were then asked to provide open and challenging discussions on this matter.

67. CW commented that what was presented was very encouraging and that this is how an organisation should be approaching the technology that underpins the outcomes.

68. DH raised concerns that there is possibly not enough robust challenge from within the Leadership Team and maybe some tensions could have been avoided.

69. The Deputy Chief Executive (Digital Strategy) assured the Board that the Leadership Team have open and frank discussions and that it was destressing for all

of Leadership Team to find that an issue they thought had been addressed had come up again.

70. He went on to say that the Leadership Team ask Board Members if there is anything they see within our approach that we are missing or doing wrong?

71. CW added that when an organisation faces the volume of change that Disclosure Scotland have been through in the last two years, that it is good to take a pause because the speed the organisation has been moving at during this time can be exhausting.

72. The Director of Corporate Services touched on CW point advising that there is a risk being drafted on the amount of change experienced within the organisation and the affect this has on our people, especially as there is more change to come.

Item 12 – Any other business

None

Date of Next Meeting: 16 August 2023

Actions

Actions	Responsible	Due by	Status
Action/03/May: provide Business Continuity Plan to Digital Advisory Panel once endorsed by the Leadership Team.	Director of Chief Executive Office	30 September 2022	**Update 30/05/2023:** As the Digital Advisory Panel as now disbanded I would ask that a review of this action be considered. Disclosure Scotland have an active Business Continuity Plan in place and this is currently under review based on the completion of business impact assessments. Over the past year we have added detail to this covering Flu and also our Disaster Recovery arrangements. We have also tested some aspects of the plan during a power outage incident. Work is continuing in this area, but progress slower

Actions	Responsible	Due by	Status
			due to resourcing implications. A detailed update is scheduled for Leadership Team. **Update 14/08/2023: The Governance Manager and Head of Corporate Governance ran a session with key colleagues that would be required during a Business Continuity incident, this session was ran as a desktop walkthrough of a Business Continuity Scenario. This session provided feedback on the current position of the Business Continuity Plan ahead of a planned session with the Leadership Team in early September.**

Actions	Responsible	Due by	Status
Action/03/October: Deputy Chief Executive (Digital) to consider the use of commercial partnerships for the digital team.	Deputy Chief Executive (Digital)	30 November 2022	**22/03/2023:** Strategy still under refinement within Digital and to be considered by LT imminently. **Update 01/06/2023:** Ongoing, under consideration **Update 16/08: Pilot engagements with two external parties now complete.** [redacted] **considering options for future partnerships with recommendations to be evaluated by LT**
Action 01/June: Deputy Chief Executive – Digital, to discuss with Director of Corporate Services, on	Deputy Chief Executive – Digital	31 August 2023	**Update 16/08: discussion held and process understood**

Actions	Responsible	Due by	Status
governance aspects of agenda changes.			
Action 02/June: Director of Corporate Services to look into adapting the KPI report to show operational KPIs and trend map.	Director of Corporate Services/Head of Governance	31 August 2023	**Update 14/08/2023: First draft of changes to the KPI paper will be brought to the Board at the August Board session. Trend mapping is being reviewed and will be trialled ahead of the next Board session. The current changes should highlight the Context of each KPI and the impact of any KPI falling out of its target range. Remedial actions and timings have been included were required.**
Action 03/June: Board to be updated on the proposals to the revenue sprint	Director of Corporate Services	16 August 2023	From the discussions held with Board and Leadership Team we have shortlisted three proposals to be worked on. (1) A

Actions	Responsible	Due by	Status
			revisit of the marketing of basics product (2) Fee structures (3) Endorsement/training scheme. These are currently being worked on by teams across Disclosure Scotland and will be reviewed at the end of August. **Action 01/June: Deputy Chief Executive – Digital, to discuss with Director of Corporate Services, on governance aspects of agenda changes.**