

Disclosure Scotland Board Meeting

Wednesday 27 March 2024

10:00am to 13:00pm

Hybrid Meeting (Pacific Quay and MS Teams)

Minutes of meeting

Present

Gerard Hart	Chief Executive (Chair)
Laura Robertson	Deputy Chief Executive
Nicola McBain	Director of Corporate Services
Lynne McMinn	Interim Strategic Director – Programme Delivery
Gareth Wilks	Interim Director of Policy and Customer Engagement
Keith Rosser (KR)	Non-Executive Director
Christopher Wroath (KW)	Non-Executive Director
Morven MacLean (MM)	Non-Executive Director
Martin Gallagher (MG)	Non-Executive Director
Lesley Muirhead (LM)	Non-Executive Director
Alastair Sim (AS)	Non-Executive Director

Attending

Andrew Watson (AW)	Director of Children and Families
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[Redacted]	Head of Finance
[Redacted]	Head of Change Management
[Redacted]	Head of Communications
[Redacted]	Communications Officer
[Redacted]	Head of People Services
[Redacted]	Deputy Head of People Services

Apologies

Andrew Cunningham	Interim Director of Digital
Kathleen McInulty	Director of Safeguarding

Secretariat

[Redacted]	Governance Manager
[Redacted]	Assistant Governance Manager

Item 1 – Welcome and apologies

The chair welcomed everyone to the meeting and noted the above apologies.

Item 2 – Register of interests

None.

Item 3 – Previous minutes and action register

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LM clarified that comments on page 13 paragraph 95 of the previous minutes were relation to implementation of the Act.

The Governance Manager provided an update on open actions as per the Action Register.

The Deputy Chief Executive provided a verbal update in relation to Action A9 - Target Operating Model (TOM) next steps. The Leadership Team recently had an away day which focused on the feedback the Board provided. The Deputy Chief Executive and Director of Corporate Services are working collaboratively on the TOM and the Business Plan – this will be a transitional year where we will be changing how the Business Plan looks. We have agreed to put in place quarterly business/delivery plans focused on our key priorities for 2024/25. This will allow for clearer oversight on progress, and an improved reporting on the business/delivery plan will be provided to the Board.

The Deputy Chief Executive also advised that we are now working on DS28, and documents will be brought frequently to future Board meetings to ensure that members can contribute to the development of this.

In relation to action A20 – Deep dive session on risk appetite - it was noted that the intention is to do a session on this at the Board Away Day in June. The Director of Corporate Services noted that if the Away Day date has to be pushed due to scheduling difficulties with the June date, we will ensure that the risk appetite session is brought forward.

Item 4 – Strategic session: People Survey results 2023

The Head of People Services introduced the strategic session. The purpose of the session was to highlight areas where progress has been made since 2022, and the priority areas identified for improvement in 2024. The report circulated sought the Board's views on the recommendations presented, and any actions that the People Engagement and Communications Network (PECN) can focus on in 2024, through the implementation of the People Survey Action Plan.

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The Head of People Services advised that movement since last year has been slight, but noted that they are reasonably comfortable with the results.

The Head of People Services requested members' input on participation rates as these have dropped ten percent since 2022. It was noted that the PECN have sought feedback on why people may not be engaging with the survey. It has been acknowledged by the network that PECN members may need to play a bigger role in promoting participation in future.

Some feedback suggested that people felt the survey was too long. Others felt they did not have time complete it – the Head of People Services highlighted that protected time to complete the survey is provided to all staff.

The Head of People Services also noted that the organisation does a lot in the lead up to the survey in terms of promotion through 'You Said, We Did' videos, communications, blogs, protected calendar time etc. The Board were asked to comment on whether these actions were what they would expect, or if they felt there was anything we were not doing that may improve response rates.

KR asked whether anything has changed or was done differently this year which may have affected response rates.

The Head of People Services advised that we are unable to pinpoint a particular reason for a ten percent decrease but observed that engagement levels in general seem to have reduced, possibly impacted by hybrid working.

MM noted that some teams may be experiencing significant change, and asked whether we are able to drill down to participation rates by team.

The Head of People Services confirmed that they recognise this may be a factor, and they have been working with particularly affected business areas regarding this.

The Deputy Chief Executive noted the need to be careful about seeing change itself as a driver of lack of engagement. Perceptions of or apprehension about change

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may be what is affecting results, so there is a need to think about our communications around this and ensuring it is being taken forward by the right people.

LM asked whether there is any sense that people feel completing the survey is pointless, as this is often given as a reason for lack of participation and noted that while it is great to be promoting completion at all levels, people may not complete it if they do not feel they see any difference as a result of doing so.

The Head of People Services advised that things such as 'You Said, We Did' communications are provided to demonstrate that responses do result in actions.

The slight increase in colleagues perceiving bullying and harassment, and possible reasons for this, was discussed. CW asked whether there was any sense of why this was perceived more in specific areas of the business and not others.

The Head of People Services noted that in areas where this increase was perceived, individuals have preferred not to elaborate, and the survey does not go into detail on this. However, we are not ignoring the increase and are keeping it on our radar, engaging with Trade Unions, signposting to the People Services Team, and seeking feedback from teams via PECN members.

The Chief Executive reiterated that it has been well communicated throughout the organisation that bullying and harassment is not acceptable at any level, and that there are no formal cases of this currently.

MG noted that no formal cases may not necessarily be a good indicator.

The Head of People Services acknowledged this and confirmed that we are engaging with Trade Unions to ensure that staff feel they can raise concerns through other routes.

The Chief Executive added that we want to have better Trade Union representation in every area of the business to ensure a broad range of voices are being heard. The

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Director of Corporate Services confirmed that we are engaging with Unions on this point.

AS raised Learning and Development scores in terms whether there was a need for Board members to be concerned about lower scoring in particular business areas, and Leadership and Managing Change scores in terms of how we ensure we are monitoring how we communicate change.

The Head of People Services agreed that Learning and Development is not where we want it to be, but we have been doing a lot of work in this area.

MM highlighted that deep dives in other organisations have shown that it is not about accessibility to training courses etc, but opportunities to develop your career, and noted the need to find out what the real issue is. MM also reflected on the demographics of the organisation and how they may each be impacted by change in different ways e.g. by gender, age, etc.

The Deputy Chief Executive agreed that development is not about training courses. As an organisation we need to get better at communicating what a development opportunity is and drawing out the benefits. This should be reflected on a Personal Development Plan, supported by line manager conversations.

The Chief Executive noted that the Learning and Development infrastructure within the organisation has been impacted by hybrid working.

The Head of People Services advised that the People Services team are across this, and over the next year will be issuing communications about accessing different ways of learning, highlighting available resources, and the benefits of engaging with these. We are also working with peers in other agencies to develop further plans and have a calendar of events in place.

MM is passionate about EDI and offered support to the People Services team on this piece.

Action/01/March24: People Services Team to find ways to involve Non-Executive Director (MM) as a specialist in this area.

The Chief Executive welcomed this and noted that they would like all Non-Executive Directors to have a big presence in the organisation within their specialties.

MG raised engagement with universities.

The Director of Corporate Services confirmed that there are opportunities there, and good conversations have taken place previously. There may be nervousness around capacity to access these opportunities which we need to challenge back on.

The Deputy Chief Executive noted that there is a conversation to be had around professional growth. It takes time, exposure, and experience to develop the necessary skills to be able to transfer or gain promotion to other areas.

The Chief Executive agreed that we need to develop well-rounded civil servants rather than have a siloing of skills in specific business areas.

LM highlighted depth vs. breadth of knowledge/skills and striking the balance needed both in terms of individuals and within teams.

The Deputy Chief Executive agreed that we need to think about design principles in terms of our workforce. There is a need to focus on general as well as specialist skills to ensure that people are well rounded and are equipped with transferable skills.

AS raised whether we have enough capacity within Policy following recent staff changes.

The Chief Executive advised that while he understands the concern, there is no internal concern. We have a fantastic Policy team with a lot of experience at a high level, and the Chief Executive is confident in this.

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AS and LM advised that they are happy to be called upon to assist within Policy.

MM asked whether there are action plans at individual team level, in addition to the action plan developed by the PECN, noting that a sense of collective ownership can be very impactful.

The Head of People Services advised that this is something that was in place previously, and that we are working towards again.

KR raised the pay deal, and asked whether there is anything we need to learn in terms of why we are still scoring lower than Scottish Government on this. KR also noted that while having action plans are a good thing, we should not base everything on results obtained on one day – we should also be aware of what we want to achieve in future when making these plans.

LM asked whether Scottish Government main was a good comparator for Disclosure Scotland given its function, or if there was a more appropriate comparator.

The positives of the survey were discussed in terms of safeguarding and workload.

The Head of People Services confirmed that we are trying to make links and ensure that staff are aware that we part of a bigger entity by highlighting the benefits available such as the Charity for Civil Servants, pensions, benefits, etc.

Item 5 – Chief Executive update

Performance in Disclosure Services remains strong with Basics averaging only two to three days, and PVG averaging six days. The recent automation release has been impactful on processing speed for Basic applications which is a very positive story and demonstrates return for investment.

We have seen a positive turnaround in the Digital space in recent months and continue to improve the quality of leadership and change capability in this area.

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CW raised that in the previous Audit and Risk Committee (ARC) minutes, unfunded pressures were noted and asked whether this more positive update reflected that things are more under control since then.

The Chief Executive confirmed that things are more under control at this stage but highlighted that there will always be uncertainty in digital programmes. However, capability within the Programme Management Office (PMO) continues to improve, we have re-baselined all business cases, and Chief Executive has instructed that these must be reviewed and updated regularly to identify and manage scope-creep. We are a lot further on than we were and continue to make progress.

The Chief Executive highlighted recent personnel changes.

We have been doing significant Communications work. We are undertaking further filming work with Solo Films following on from the Disclosure Scotland short documentary filmed in January. This further work is focused on clips for social media usage specifically focused on promoting our forthcoming Public Beta for online accounts. This will be completed by the end of March.

We also have a new Corporate Website - launched 20 March. The Chief Executive noted that this is a great, professional piece of work and demonstrates improvement.

LM noted that highlighting success and mirroring it back to those who achieved it is important, and reflected on how much progress and evolution has taken place within Digital in the past five months. This is noteworthy and worth celebrating.

The Chief Executive agreed. This is what we want our Communications Team to be across - being proactive about getting these messages of success out there and demonstrating our ability to deliver.

The Deputy Chief Executive confirmed that they are working with the Head of Communications on this, and it is not just about success in one area, but Disclosure Scotland as a whole. This is an opportunity to show what we can achieve when we

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work together and highlight that we are all responsible. The Leadership Team should support messaging on this.

AS asked when there will be a better idea of the budget position.

The Director of Corporate Services confirmed that work is ongoing. We are having positive dialogue around this. Centre seem pleased with proposed savings, we have RAG status budgets outlined, and are routinely providing papers and Ministerial submissions to provide a consistent story.

Item 6 – Horizon scanning

None.

Item 7 – Change delivery and assurance update

The Head of Change Management provided an update on the Change Portfolio Highlight report for February 2024.

This report was presented to the Change Portfolio Board on 14 March 2024. Key questions and suggestions from the Portfolio Board are highlighted in the paper, and actions resulting from this feedback and feedback from Leadership Team are in place.

The overall status of the portfolio remains red for this period due to the on-going delay across all digital projects, specifically around the slippage in the APS (Vetting and Ongoing monitoring) milestones as these have a knock-on effect across the portfolio schedule.

A positive to note is that a key increment has been met in terms of 'Paper' Basics.

There is slight slippage in the next increment and some bugs identified. This delay was caused by remediation work.

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The team have been doing a lot of work, and dates are being constantly reviewed to ensure they are on track.

Improvements have been made, and there has been a reduction in the number of bugs.

Our main priority is to get off our current platform by 31 July 2024. We are progressing with our current plan and have contingency plans in place for slippage.

Work is ongoing around PUCMS following identification of some previously unknown costs around licencing. This has no impact on go-live date and is being investigated. Advice from Change Portfolio Board has been taken on board, and action plans are in place. A further update will be available next month.

CW requested further information regarding the programme risk register review in relation to Act Risk 10 and 12.

Action/02/March24: Head of Change Management to provide requested information on programme risk register review and Act Risk 10 and 12 via correspondence.

KR asked whether there are any assurances around the lack of communication issue identified, and how this has been addressed.

The Interim Strategic Director – Programme Delivery advised that we are still improving in this aspect. Business Readiness are being involved at a much earlier stage, and we are also engaging with the business at an earlier stage. We have achieved all the stories we wanted to, so we are starting to see improvements. The Interim Strategic Director – Programme Delivery and the Director of Safeguarding are working closely to ensure that everyone understands their involvement. There is still a way to go, but progress is being made.

The Deputy Chief Executive agreed that it is about everyone understanding their roles. There have been a lot of conversations about the Lessons Learned process

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itself and we are considering what changes need to be made and how we take this forward. Having consistent Leadership involvement in this space is showing through.

MM asked if there were any delivery/resilience concerns because of personnel changes in this space.

The Head of Change Management acknowledged that these changes were called out in the paper as we do expect an impact. In terms of delivery managers, two of the impacted projects are ending, and the Security team can take on some of the remaining work. Resource options within PMO are being explored.

The Head of Change Management invited members to ask any further questions via correspondence.

Item 8 – Finance update

The Director of Children and Families joined the call.

The Head of Finance provided an overview based on the Finance update for the 11 Months to 29 February 2024 and a copy of the 2024/25 Budget circulated to members.

Significant work has been undertaken with the Leadership Team and Finance to reduce our requirements for 2024/25, in line with the financial pressures facing Disclosure Scotland and the wider Scottish Government.

We have entered in various savings plans and have started to see some benefits from this e.g. Computer services is no longer showing a forecasted overspend due to savings plans entered with AWS.

The Head of Finance provided an overview on the main categories of spend.

Force Enquiries were slightly higher than expected as we are doing a higher volume than expected.

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VSDS were provided with a small additional grant.

We have processed a significant number of QVO checks in addition to free childcare checks.

The Head of Finance noted that it is important to get the Capital/Revenue split for contractors correct.

Budget positions have been developed for 2024/25 and engagement with Scottish Government continues – specifically on obtaining a letter of comfort.

The Chief Executive noted that while we are used to working with unfunded pressure, the issue is the extent of the pressure, and the budget position more generally. We want to be good corporate citizens.

AW acknowledged that the situation. There are similar challenges across the Directorate, and wider Scottish Government. It is a collective endeavour.

AW noted a commitment to Disclosure Scotland to work in partnership and mitigate these pressures as much as possible. Addressing these pressures is a top priority in relation to budget across the portfolio and AW reassured members that the issue is getting the attention it needs.

AW highlighted that Disclosure Scotland already has a good story to tell in terms of efficiencies and improvements and encouraged continuation with this. There is good engagement with Ministers on this.

AW advised that there should be a strong focus on quarter one to ensure that we are in a good position.

Cabinet discussed the budget this week – there is a collective understanding across the public sector that difficult choices are going to have to be made, and mindfulness of the cumulative effect on services across the wider piece.

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The Chief Executive noted that the organisation needs a sense from AW as Fraser Figure that we can proceed with our plans with confidence and that it would not be reckless to do so. There are a lot of strategic risks if we are not able to move forward.

AW advised that we should be assured of commonly agreed objectives, and we will work together through budget challenges. He was clear that DS should proceed on the basis that Directorate for Children and Families will endeavour to meet funding requirements, whilst recognising that fiscal pressures still exist, and close monitoring will be important. The organisation has already outlined options and risk to Ministers and should continue this. As we approach key decision points, we must ensure Ministers are aware and engaged. Disclosure Scotland are already doing this well.

AS asked if there was a timescale for when we can reasonably expect a more concrete sense of pressure so that we can responsibly plan for this.

AW advised that it is expected that this will be a year-long endeavour. We want to have a clear roadmap well in advance of Spring/Autumn revision periods. AW suggested this would be a month-by-month process, signalling any key decision points/risks to Ministers along the way.

KR asked whether position to deliver long-term value is taken into account during consideration, highlighting that Disclosure Scotland can demonstrate this.

AW noted that this was a good point to make and is something that is being discussed in the wider Directorate. Also looking at the multi-year position in addition to the short-term. The spend-to-save narrative is one that should be made.

LM highlighted that savings are already being made in terms of improvements at Disclosure Scotland, demonstrating return on investment.

AW left the meeting.

Members felt month-by-month timeframe was quite concerning.

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The Deputy Chief Executive highlighted that there is a need to demonstrate, based on previous trends, the peaks in our expenditure, as this is not necessarily reflected in quarter 1.

The Chief Executive noted that this demonstrates the need to ensure all projects are delivered on time and on budget.

The Deputy Chief Executive advised that we need to be very realistic about this in terms of delivery timescales and feasibility.

AS asked at which point we will be able to tell a multi-year story.

The Deputy Chief Executive noted that this is a more nuanced conversation as there are a lot of variables to consider. It is also about demonstrating the value of what we provide.

LM noted that we can tell a story of investment that pushes down costs while improving services, and more widely, improving safeguarding. It also needs to be clear that when decisions are made on spend that they cannot be revised on a month-by-month basis.

The Chief Executive highlighted the need to be tuned into our governance posture and profiling spend correctly and optimally.

Item 9 – Communications and engagement

The Director of Corporate Services will collate feedback on this presentation from members who had to leave the meeting.

Action/03/March24: Director of Corporate Services to obtain feedback on Marketing and Social Media presentation from Non-Executive Board Members.

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The Communications Officer presented an update on current projects being undertaken by the Communications Team with a detailed focus on marketing and social media.

The objectives of the Communications and Engagement Strategy were shared:

- Digital first – placing the strongest emphasis on digital and social media where relevant to our audience. These are growing ways in which customers and stakeholders engage with us, so we need to ensure we adapt in line with users' needs.
- Basing activity on evidence and audience insight.
- Robust evaluation.
- Collaboration and supporting communications across the wider organisation and public sector.
- Innovation – continuing to test new ways of working.

Over the past quarter, the team have been working on both internal and external projects with the aim of engaging stakeholders and overviews of these were provided, including:

- Videos and upskilling
- The Fees consultation communications campaign which will run for the duration of the consultation, including continuous promotion on social media.
- Delivery of internal all-staff events such as Let's Keep Connected and the Chief Executive's recent interactive session.
- Marketing

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- Key narrative – approach to communicating the Act has been adapted based on previous feedback from the Board by constructing a key narrative for each quarter tailored to each channel and audience.
- Launch of new corporate website.

The Google search ads campaign was launched on 14 February 2024 targeting the public who apply for Basic disclosures online. This is the first phase of Basics marketing and contributes to the corporate objective of revenue raising.

The next steps will be monitoring online Basic application statistics and making a comparison pre and post launch to determine impact.

Ongoing discussions with Customer Engagement marks the beginning of the sector prioritisation project. The primary research can be fed back to the business, allowing us to contribute to continuous improvement and better service delivery for stakeholders. This will inform production of informative and educational content and corporate products tailored to each sector.

The Communications Team has begun preparations for a Digital content marketing strategy. This strategy will provide guidance and direction to ensure we create engaging digital content for internal and external platforms.

The strategy aims to use videos, photos, and copy to ensure content is valuable to users while being educational and informative about our key narrative and brand values.

The team have been engaging with individuals such as Non-Executive Board members, and organisations such as the Disclosure and Barring Service (DBS) and Social Security Scotland to share best practice, knowledge, and experience. They have also been working creatively with Solo Films to ensure delivery of the Reform in Action documentary.

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This continued work has the goal of creating an integrated and consistent image for Disclosure Scotland across all channels which conveys the key narrative throughout.

The Deputy Chief Executive noted that it is very clear that a lot of good work is going on and the foundations are in place for a very successful period ahead. Our content is professional, proportionate, and it lands.

The Deputy Chief Executive highlighted that we need to also consider channels available to us that we are not currently utilising, particularly Scottish Government channels. It was requested that the Communications Team investigate this to ensure we are using national channels with larger audiences, such as the ScotGov Instagram, for example. Such channels should also be used to promote the Act.

Action/04/March24: Communications Team to engage with central Scottish Government communication team, and other relevant sectors such as regulatory bodies, to ensure that our products and content are also being promoted on their social media channels.

The Interim Director of Policy and Customer Engagement agreed with this, noting that getting the right contacts can be difficult, but that it is something we want to do, especially in terms of the Act.

The Chief Executive feels that the quality of our branding and messaging is high and engaging. He highlighted the need to proactive messaging around our key values and using 'moments' as opportunities to talk about Disclosure Scotland offer.

MM noted that they feel Disclosure Scotland communications are really visible and share informative, engaging content. MM encouraged consideration of how we put the human element into communications, and on emphasising the 'so what?' through good story telling. MM offered support in connecting the team with teams in other agencies to share best practice on this.

Action/05/March24: Communications Team to engage with Non-Executive Director (MM) on connecting with other agencies on marketing.

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Item 10 – AoB

None

Meeting ended.

ID	Date assigned	Assigned to	Agenda item	Description	Source	Status
A21	Mar-24	Head of People Services	Strategic Session: People Survey Results 2023	People Services Team to find ways to involve Non-Executive Director (MM) as a specialist in this area.	DS Board	New
A22	Mar-24	Head of Change Management	Change Delivery and Assurance Update	Head of Change Management to provide requested information on programme risk register review and Act Risk 10 and 12 via correspondence.	DS Board	New
A23	Mar-24	Director of Corporate Services	Communications and Engagement	Director of Corporate Services to obtain feedback on Marketing and Social Media presentation from Non-Executive Board Members.	DS Board	New
A24	Mar-24	Head of Communications/Communications Team	Communications and Engagement	Communications Team to engage with central Scottish Government communication team, and other relevant sectors such as regulatory	DS Board	New

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ID	Date assigned	Assigned to	Agenda item	Description	Source	Status
				bodies, to ensure that our products and content are also being promoted on their social media channels.		
A25	Mar-24	Head of Communications/Communications Team	Communications and Engagement	Communications Team to engage with Non-Executive Director (MM) on connecting with other agencies on marketing.	DS Board	New