**NOTE OF THE SCOTTISH PRISON SERVICE ADVISORY BOARD MEETING, HELD ON WEDNESDAY 29 July 2020.**

**On the line:** Brigadier Hugh Monro, Non-Executive Director and Advisory Board Chair

Teresa Medhurst, Interim Chief Executive, SPS

Prof Kay Hampton, Non-Executive Director

Gill Stillie, Non-Executive Director

Rob Molan, Non-Executive Director

Gavin Scott, Risk Monitoring and Audit Committee (RMAC) Chair

Ali Purdie, Interim Director of Operations, SPS

Sue Brookes, Interim Director of Strategy and Stakeholder Engagement, SPS

Caroline Johnston, Interim Director of Corporate Services, SPS

Martin McGoldrick, Head of Corporate Risk and Change, SPS
 Melanie Allan, Head of Financial Policy and Services, SPS

**Introduction and welcome:**

1. Brigadier Monro welcomed all to the video teleconference.
2. Brigadier Monro thanked the Interim Chief Executive for her Estate wide return to work email communication message outlining a summary of the SPS achievements with reference to virtual visits and in-cell telephony. The email also urged all staff not to be complacent and to take annual leave breaks when sensible. Brigadier Monro thanked Mrs Medhurst for this communication.
3. Brigadier Monro acknowledgedthat the fortnightly updates meetings would now move to bimonthly update meetings. Brigadier Monro thanked all those involved in providing regular updates, appreciating they were vital in keeping the Non-Executive Directors abreast of all activity. The bimonthly meetings via Jabber, would be a useful way to keep the Non-Executive Directors informed between Board meetings.
4. Mrs Medhurst outlined the importance of communications and messaging across the Estate since the commencement of lockdown, with communications made at critical times. Mrs Medhurst continued that the SPS re-commenced physical visits during the week commencing 27th July, and noted the significant progress against the SPS recovery plan. Mrs Medhurst noted her concern around the potential for a second wave of Covid-19 in the Autumn, and noted that caution had to be taken in reintroducing visits, access to programmes, and lifting restrictions. Mrs Medhurst noted that population pressures remain and will increase as restrictions on society are lifted.
5. A discussion then ensued in regards to the capacity for physical visit and the relative benefits of virtual visits, mobile phones, in-cell telephony to mitigate capacity challenges.

**Apologies for absence:**

1. There were no apologies for absence.

**Declarations of interest:**

1. There were no declarations of interest.

**Minutes of previous meeting held on 27 May 2020:**

1. Prof. Hampton raised the action regarding *Equality and Diversity: Gender pay gap and equality outcomes progress reports* whereby Prof. Hampton offered to utilise her expertise to inform this piece of work. Mrs Johnston noted she will remind her team of this offer.

**Action: Caroline Johnston**

1. All members agreed the minute recorded is a true reflection of the meeting which took place.

**Operational update:**

1. Mr Purdie provided an overview of the population numbers and performance measures. Key points included:
* on Friday 24 July 2020 the population of the SPS estate was 7180. This was 82 higher than the previous week and 1032 lower than this period last year.
* there are currently 281 women in custody- 7 lower than the previous week and 115 lower than this period last year;
* there are currently 221 young people in custody- 101 lower than last year;
* remaining cognisant of the current trends with numbers of remand cases admitted, and known liberations until the end of December 2020 the projected profile until the end of 2020 is circa 8000-8100 in custody with 2500 people on remand.
1. Mr Purdie noted that the untried population are putting pressure on resource. Brigadier Monro questioned whether the complexity of the population was fully understood by the Cabinet Secretary. Mr Purdie confirmed weekly meetings are currently held with the Cabinet Secretary whereby this is discussed and expanded on each week.
2. Mr Purdie updated the Board on Significant Events with over 3000 virtual visits undertaken, which offers potential benefits in terms of the cost of travel convenience, reunions with family and friends abroad and the elderly. Mr Purdie explained currently lessons learned are being reviewed for future use of virtual visits and expanding this service to facilitate a blended model of virtual and physical visits.
3. The SPS Route map is linked to the Scottish Government Route Map; the reintroduction of services being aligned where possible with those in the community.

**Items for advice:**

1. There were no items for advice.

**Items for monitoring:**

*Financial update/ Budget monitoring*

1. Mrs Allan provided the Board with an update on the 2020-21 budget and financial position with a focus on the forecast resource budget position and the risks associated with achieving a balanced budget. Mrs Allan also corrected some minor mistakes in the paper, as had previously been advised to the Chair of the Advisory Board and the Chair of the RMAC.
2. Brigadier Monro thanked Mrs Allan for this update noting it was the first update the Board has seen with regard to the budget this year. Mrs Allan explained the biggest challenge currently being accounting for the Covid-19 expenditure which includes mobile telephones, PPE, and exceptional payments. Prof. Hampton queried whether there had been consideration given to a number of issues relating to the impact of Covid-19 on a personal level. Mrs Johnstone explained that in respect of overall wellbeing, the SPS has an operational recovery plan in place and this is being used on an individualised case management approach, with individual referral to occupational health, signposting through the SPS Connect Newsletters which include public health, and Scottish Government tools in their too. Therefore, we are employing a variety of different methods to support the individual. Mrs Johnston continued that with the Health and wellbeing Action Plan, it is anticipated most of these methods will be absorbed within the existing budget and no additional Business Case has been put forward so far to account for a potential increased budget requirement.
3. The Board discussed the 25% deficit appreciating the uncertainty going forward in terms of staffing cohort, and trying to put in place a budget arrangement to enable the SPS to scrutinise their Covid-19 expenditure recognising their will be cost pressures. Mrs Medhurst explained these conversations with Scottish Government have been had so there is awareness of the current forecast. Brigadier Monro iterated his gratitude for the update and noted he is content with Scottish Government appreciating the predicament.

*Annual Report and Accounts*

1. Mrs Allan provided an update on the SPS Annual Report and Accounts of 2019/20 for noting. Mrs Allan explained Annual accounts have been signed off by Scott Moncrief with the wider scope to be completed separately. Mr McGoldrick explained he is working with Gary Devlin to assist Scott Moncrieff in finalising their report. The Board agreed that, should it be necessary, the RMAC meeting could be delayed to accommodate Scott Moncrieff in completing their work.

**Action: Martin McGoldrick**

1. Brigadier Monro thanked Mrs Allan for this update.

*Governance Statement*

1. The Board members discussed the future of the Governance Statement. a wide ranging discussion took place and a variety of opinions and options were provided. Mr McGoldrick explained that there is appetite within the SPS to ensure that the Governance statement is revamped to better reflect the organisation. The review of internal audit will undoubtedly refresh and improve how the SPS performs in this area. This is to be brought back to the Board for guidance and discussion at an appropriate time.

**Action: Martin McGoldrick**

*People metrics: Learning and Development*

1. Mrs Johnston introduced the People Metrics report reminding the Board that in 2019 a revised set of core to role standards were published. However, due to Covid-19 core to role training was suspended, and it is anticipated that, should the pandemic response continue to progress appropriately, core to role training can be reintroduced around the 31st August. Mrs Johnstone noted that overall there has been an increase in training compliance, in particularly PPT training.
2. Mrs Johnston highlighted some challenges in regards to Health and Safety training compliance, however work has been undertaken with Establishments to design a recovery plan to increase compliance in this area.
3. Competency levels have increased and that is positive. MYLO platform usage has continued to improve since the last reporting period and so too has non-compulsory training. Mrs Johnston continued that there has been a diverse range of applications for externally funded training and this will continue to be reviewed.

*Performance Monitoring 2019-20: Quarter 4*

1. Mrs Brookes updated the Board on performance this year and the impact of Covid -19 on delivery. Mrs Brookes focussed on the 20 essential actions, where 10 were delivered, 7 were re-profiled in accordance with the EMG decision and 3 delayed. Mrs Brookes noted that 16 of the 20 essential actions were due for delivery by the end of Quarter 4, and understandably have been impacted by Covid-19. Mrs Brookes continued that the Strategic Assessment and Prison Strategy are both completed in draft, however, both are now substantially impacted by Covid- 19 and so will need to be reconsidered, and potentially redesigned.
2. Mrs Brookes noted a number of items which the SPS will take forward in to next year including a review of SPS structures, activity day, new learning, audit, engagement, key performance indicators. Mrs Brookes also highlighted the commitment to working ever closer with partners and stakeholders. At the early stages of Covid-19 data sharing relations were signed off leaving the SPS in a good position in terms of Collaboration.
3. Mrs Brookes noted a priority is mental health and the Health and Wellbeing Strategy with resource and capacity being discussed as part of the budget and strategic level engagement with health going forward.

**Items for noting:**

*Risk Monitoring and Audit Committee- Chair’s annual report to the Advisory Board*

1. Mr Scott, as Risk Monitoring and Audit Committee chair, provided the annual RMAC update. Of particular note:
* Annual Report and Accounts approved by External Audit and Mr Scott complimented the Finance team.
* As per above, Mr Scott noted the potential for the next RMAC to be postponed
* Internal audit review proposals by External Audit were due 29/07/2020 and these will be reviewed and fed back to the Advisory Board.

*Process for Review of Covid-19 Related Deaths in Custody*

1. Mrs Brookes provided the Board with an update on the Covid-19 related deaths in custody focussing specifically on the proposed process to review confirmed Covid-19 related deaths. Mrs Brookes confirmed there have been five confirmed Covid- 19 related deaths between 23rd March and 15th May.
2. All Covid-19 DIPLARS have now taken place, these are akin to the Natural Death process, the Head of Health attended these. The Summary papers have not been received yet, but once received learning will be collated and this will be raised at the EMG. A number of pre- discussions were had with the Chief inspector of Prisons regarding how to approach Covid-19 deaths, this process has now been agreed. Prof. Hampton raised a query in regard to a potential conflict of interest between Lay Persons. Mrs Medhurst and Mrs Brookes agreed to discuss further with Prof. Hampton.

 **Action: Teresa Medhurst/ Sue Brookes**

**Any Other Business:**

1. Mrs Brookes requested future Death in Custody papers are noted as a Core paper on the EMG agenda, then followed on to the Advisory Board agenda also. The Board agreed that a yearly Death in Custody paper be added to the Advisory Board calendar.

**Action: Sharon Lawson**

1. Mrs Brookes requested AB(SEP)06/20: Healthcare of Prisoners be postponed, Brigadier Monro agreed that Mrs Brookes is to suggest a date for this paper and present a strategic look at this topic.

**Action: Sue Brookes/ Sharon Lawson**

1. Mrs Brookes requested that a paper reviewing the Prisoner Survey specifically considering user engagement and the anticipated outcomes of the Prisoner Survey, is considered instead of the Prisoner Survey paper due to the fact this was not carried out this year. The Board agreed this needs reviewed to consider how this can be improved in terms of the outcomes it offers.

**Action: Sue Brookes**

1. Mrs Medhurst advised the Advisory Board that the Justice Committee will be held on 18th August, and they are interested in SPS plans moving forward, financial implications and contingencies recognising population pressures.
2. Mrs Medhurst also noted the imminent retirement of Jim Farish on the 31st July, and that Colin McConnell also formally retired from Public Service on the 31st July. Brigadier Monro noted that both have the Boards appreciation for their contributions over the years.
3. Mrs Medhurst also updated the Advisory Board on her current review of the Chief Executive Outer Office.

*Draft agenda for September Advisory Board meeting*

1. The draft agenda for 30 September was noted and accepted with the below amendments:
* Paul Johnston will be attending- Government position will continue to be a recommendation for virtual meetings.
* AB(SEP)06/20: Healthcare of Prisoners is to be removed from the agenda. Mrs Brookes is to decide when this paper will be presented.

**Action: Sue Brookes/ Sharon Lawson**

**Close and depart:**

1. Brigadier Monro thanked all for attending the virtual meeting, noting this meeting achieved a great deal with good discussions and appreciation of the volume of work involved.