

**DISCLOSURE SCOTLAND STRATEGIC BOARD – 28 SEPT 2010**

**MINUTES OF MEETING**

Present: Board Members

D Patel (Disclosure Scotland) – Chair  
B Gorman (Disclosure Scotland)  
G Hart (Disclosure Scotland)  
T McIntyre (Disclosure Scotland)  
B McQueen (Non-Executive Director)

Secretary: L Maguire (Disclosure Scotland)

Apologies: M Gibb (British Telecom)  
R Gwyon (Non-Executive Director)

**Welcome and Declaration**

1. The Board had previously agreed that the Secretary would formally seek confirmation of each member's declaration of interests on a quarterly basis. This was completed prior to this meeting and the amended composite register was circulated. Additionally, members declared no interests specific to this meeting at the start.

**Minutes of Previous Meeting and Action Points**

2. There were no amendments to the minutes of the previous meeting (Paper 6/1). The Board was updated on Actions arising at that meeting as follows:

- **Action 2010/5/1: Secretary to send Register of Interest entries to RG and GH for amendment CLOSED** – see paragraph 1
- **Action 2010/5/2: Business Analyst to explore opportunities to capture staffing information and prepare a report at the end of the year CLOSED** – see paragraph 4
- **Action 2010/5/3: Regular performance metrics report to the Board to be revised to include analysis of 'Headcount' and FTE data CLOSED** – see paragraph 4
- **Action 2010/5/4: Board to forward comments on draft Annual Report to the Secretary by 31 August CLOSED** – suggested amendments received and incorporated where appropriate.
- **Action 2010/5/5: Risk 17 on the Corporate Risk Register to be unpicked to better articulate the risks surrounding delay in delivering the PVG scheme CLOSED** – Corporate Risk Register amended to address this concern

- **Action 2010/5/6: Information Security Officer discuss Security Policy with the Agency's Senior Management Team and thereafter deliver a presentation to the Board – ONGOING – targeted for discussion at the next Board meeting**
- **Action 2010/5/7: Standing Paper on Internal Business Change to be prepared by TM and GH. It should include forecast data relating to staffing levels and an organisation chart showing the current structure and the structure when the Agency begins to deliver the PVG scheme CLOSED – see paragraph 10.**

3. The Board was updated on Actions outstanding on the Live Action Register as follows:

- **Action 2010/2/2: When the Board has ratified work on corporate governance arrangements, the Chair will prepare a brief to Scottish Ministers to ensure consistency with ministerial expectation – CLOSED – The Chair will discuss Terms at the next meeting**
- **Action 2010/2/3: The Chair will consider performance assessment for individuals and potential for facilitated annual assessment of the Board as a whole – CLOSED - Members agreed to return to this issue at the next meeting**
- **Action 2010/3/5: TG to provide the Board with a report showing sets of staffing structures – CLOSED - covered in presentation on Internal Business Change.**

#### **Monitoring Performance: Metrics (Paper 6/3)**

4. The Board was advised that the Agency's KPIs were consistently met, staffing levels were appropriate and forecasting has been accurate in overall terms.

5. The Board noted that the KPI relating to our turnaround time applied to all applications which do not require further investigation. However, the Agency has to approach forces for information in respect of a 14 to 15% of applications for Enhanced Disclosures and that proportion of applicants can experience significant delay.

- **Action 2010/6/1: BG to prepare letters from the Chief Executive to forces operating outside the SLA seeking reassurance and details of plans to improve turnaround times**

6. The Board also considered the effect of a downturn in the job market on the Agency's cost model. Assurance was given that the Agency had considered a range of options including the provision to bring forward retrospective checking for Scheme Membership for those undertaking regulated work.

7. The Board was advised of the difficulties in managing the requirements of the 'headcount' policy and the training need generated by the regular use of temporary workers. Historically a number of models have been considered to address this, e.g. is it more efficient

to have a wider pool of part-time staff retained over a longer period. The Board agreed that there is merit in re-visiting these staffing models to see if they offer efficiencies in terms of training or skill retention.

8. Finally, the Board welcomed the revised performance metrics and indicated that further refinement would be considered in the coming year.

#### **Risk Register (Paper 6/4)**

9. BG gave an overview of the current risks facing the Agency. The Board discussed mitigation should there be any delay to the go-live date for the PVG Scheme.

#### **Internal Business Change Update (Paper 6/5)**

10. The Board discussed the proposed organisational structure which will develop following the introduction of the PVG Scheme. It was agreed that the line-management structure was coherent and consistent with that seen elsewhere in Government.

#### **Protection Unit Structure, Determinations Process and Complex Case Advisory Group (Paper 6/6)**

11. GH gave an overview how the Protection Unit would be structured and the staged assessment and consideration process.

12. Protection Unit staff will be rotated through various roles to build capability and challenge and develop individuals. In addition, the intention is to adopt a matrix management structure.

13. Proportionality would underpin the determination process. This process is supported by tested protocols and where necessary the Protection Unit will call upon the expertise of the Complex Case Advisory Group (CCAG).

14. The Board was advised that this panel of experts would commit to about 6 days per year for preparation and attendance. Where necessary, the employers would receive a nominal daily fee and expenses would be covered.

16. The Board agreed that the introduction of the Scheme is a change for the Agency involving a move from supplying disclosure information for employers to use in making a recruitment decision, to the Agency itself taking decisions on unsuitability to work in regulated areas

#### **Draft Publication Scheme (Paper 6/7)**

17. The Secretary presented the Agency's draft Publication Scheme which has been prepared in compliance with its obligations in terms of the Freedom of Information (Scotland) Act 2002. Comments were invited from Board members prior to its submission to the Office of the Scottish Information Commissioner for approval.

#### **Any Other Business**

18. None

Disclosure Scotland  
October 2010

**Action List**

<b>MINUTE REFERENCE</b>	<b>ACTION</b>	<b>RESPONSE(S) BY</b>
<b>2010/6/1</b>	<b>BG to prepare letters from the Chief Executive to forces operating outside the SLA seeking reassurance and details of plans to improve turnaround times</b>	<b>B Gorman</b>

**Live Action Register**

**No outstanding entries**

**Closed Actions**

<b>MINUTE REFERENCE</b>	<b>ACTION AND RESOLUTION</b>	<b>DATE CLOSED</b>
<b>2010/2/1</b>	<b>The Chair will consider working this promotional role into the Terms of Reference and amend its work programme for the next 12 months.</b> – Proposed Terms of Reference paper presented to the Board.	<b>13/04/10</b>
<b>2010/2/2</b>	<b>When the Board has ratified work on corporate governance arrangements, the Chair will prepare a brief to Scottish Ministers to ensure consistency with ministerial expectation.</b> 13/04/10 – this action is still ongoing. 02/08/10 – Chair to make a single approach to Ministers on this and other issues 28/09/10 – the Chair will discuss the terms at the next meeting	<b>28/09/10</b>
	<b>The Chair will consider performance assessment for individuals and potential for facilitated annual assessment of the Board as a whole</b> – 28/09/10 - Members agreed to return to this issue at the next meeting	<b>28/09/10</b>
<b>2010/2/4</b>	<b>MG will provide the values and behaviour matrix used by British Telecom</b> – Information sent to Chair for consideration.	<b>13/04/10</b>
<b>2010/2/5</b>	<b>Board Members to submit comments on Register of Interests Paper to the Secretary</b> – Comments sent to Secretary and points noted.	<b>13/04/10</b>
<b>2010/1/3</b>	<b>Outline business plan to be discussed by the Board at an early opportunity</b> – Business Plan discussed at meeting, points taken for consideration.	<b>13/04/10</b>
<b>2010/3/1</b>	<b>The Chair will add a point on</b>	<b>08/06/10</b>

	<b>staffing to the Strategic Board's Terms of Reference</b> – Chair noted next stage to submit to the Minister	
<b>2010/3/2</b>	<b>Board members to send interests to the Board's secretariat</b> – new action for Secretary to compile single register	<b>08/06/10</b>
<b>2010/3/3</b>	<b>Executive team to consider the performance metrics to report routinely to the Board</b> – Format in place, may be amended as appropriate.	<b>08/06/10</b>
<b>2010/3/4</b>	<b>BG to provide board with list of reasons why Disclosure Scotland need to return application forms to BT</b> – Work continuing to reduce error rate	<b>08/06/10</b>
<b>2010/3/6</b>	<b>PVG team to be invited to present on PVG risks at next Board meeting</b> – LF in attendance.	<b>08/06/10</b>
<b>2010/4/1</b>	<b>Secretary to circulate composite Register of Interests to all Board members</b> – ratified by Board	<b>02/08/10</b>
<b>2010/4/2</b>	<b>Jan Murray and relevant DS staff to be invited to speak at the next Board meeting</b> – relevant SG personnel on leave DS Communications Manager attended	<b>02/08/10</b>
<b>2010/4/3</b>	<b>Executive team to make all the above risk information available at the next Board meeting.</b> – Risk Register reconfigured and expanded to meet the Board's needs.	<b>02/08/10</b>
<b>2010/4/4</b>	<b>Internal Business Change paper to be a standing item at each Board meeting</b> – in place	<b>02/08/10</b>
<b>2010/1/2</b>	<b>Board to consider governance arrangements in the near future.</b> – Board came to a view that there may be merit in having a member from a Police background. – further action to Chair.	<b>02/08/10</b>
<b>2010/2/6</b>	<b>Board Members to submit</b>	<b>02/08/10</b>

	<b>comments on Audit Committee Terms of Reference Paper to the Secretary</b> – subject to final comments from the Chair, the terms of reference are ratified	
<b>2010/5/1</b>	<b>Secretary to send Register of Interest entries to RG and GH for amendment</b>	<b>28/09/10</b>
<b>2010/5/2</b>	<b>Business Analyst to explore opportunities to capture staffing information and prepare a report at the end of the year</b> – Board has clarified what data is sought and the Business Analyst has requested this from SG and will articulate in a report at the end of the year as requested	<b>28/09/10</b>
<b>2010/5/3</b>	<b>Regular performance metrics report to the Board to be revised to include analysis of ‘Headcount’ and FTE data</b> – report has been revised and will continue to be developed	<b>28/09/10</b>
<b>2010/5/4</b>	<b>Board to forward comments on draft Annual Report to the Secretary by 31 August</b> – comments received and appropriate amendments made	<b>28/09/10</b>
<b>2010/5/5</b>	<b>Risk 17 on the Corporate Risk Register to be unpicked to better articulate the risks surrounding delay in delivering the PVG scheme</b> – revision complete	<b>28/09/10</b>
<b>2010/5/6</b>	<b>Information Security Officer discuss Security Policy with the Agency’s Senior Management Team and thereafter deliver a presentation to the Board</b>	<b>28/09/10</b>
<b>2010/5/7</b>	<b>Standing Paper on Internal Business Change to be prepared by TM and GH. It should include a forecast data relating to staffing levels and an organisation chart showing the current structure and the structure when the Agency begins to deliver the PVG scheme</b> – this paper is a standing	<b>28/09/10</b>

	agenda item. Format revised and taken forward, specific requests for this particular Board meeting met	
<b>2010/3/5</b>	<b>TG to provide the Board with a report showing sets of staffing structures.</b> 28/09/10 – Covered in Internal Business Change presentation	<b>28/09/10</b>