Governance Meeting

Minutes of meeting held on 25 November 2024

09:30 – 11:00, 12.00 – 13.30

via Microsoft Teams

Attendees:
Nicola Killean – Commissioner – Chair
Nick Hobbs – Head of Advice and Investigations
Nicola Vallance-Ross – Head of Corporate Services
Gina Wilson – Head of Strategy (second half of meeting)
Ezmie McCutcheon – Head of Communications
Judith Chisholm – Executive Assistant - minutes

Guest Attendees: Robin Davidson – Head of Information Governance and Data Protection Officer, The Scottish Parliament

Agenda Item	Notes and actions	Action owner
1. Meeting Start • Welcome and apologies (NK) • Declaration of interests (ALL) • Minutes of previous meeting and actions (ALL)	The Chair welcomed everyone to the meeting. Apologies were received from Gina Wilson, Head of Strategy for the first part of the meeting. It was agreed to take agenda items in a different order so that the Head of Strategy could be present for certain items. No declarations of interests. Minutes from the previous meeting were approved subject to minor amendments. **Actions** carried over from previous meeting: - Line Managers to confirm all CMPs completed	

	- Head of Communications and Head of Strategy to consider updating policy tracker to capture and link to Comms reactive work - Policies and plans – Commissioner and Head of Corporate Services to meet to discuss priorities for reviewing and finalising policies. - SMT to review all-staff training plan at meeting in February 2025 - Prioritise Performance Management policy. To be reviewed by SMT and consider internal training session for SMT in their roles as Line Managers. - Head of Corporate Services to communicate stress at work policy with teams. - Staff survey – Head of Corporate Services to present findings to teams - Information Governance meeting before Christmas – Nikki and Nicola	
2. Monitoring • Gifts and Hospitality Register (ALL) • Risk register (ALL)	**Gifts and Hospitality Register**: - The Gifts and Hospitality Register was noted. SMT to discuss with their teams the process for declaring any gifts or hospitality offered or accepted. - **Action:** Head of Corporate Services to communicate process to wider team. Register to be saved in Governance channel and completed by Line Managers if any gifts or hospitality to be recorded. **Risk register:** The risk register was reviewed. It was noted that need to add risks and mitigations in relation to the following: - Insurance for legal activity – add this as an organisational risk with mitigations. Head of Advice and Investigations to prepare risk assessment for each strategic litigation	

	case and provide to the Commissioner for approval. - Travel insurance – add this as an operational risk and note the mitigations in place. **ACTION:** Head of Corporate Services to send another communication to the team outlining the mitigations. - **ACTION:** Head of Strategy to communicate with strategy team, in particular participation who are most likely to be affected. - **ACTION:** Information Governance – Head of Corporate Services to add risk	
3. Data Protection	The Data Protection Officer (DPO) from the Scottish Parliament joined the meeting for this agenda item. The DPO referred to the bi-monthly meetings of officeholder DPO groups and training that the Head of Corporate Services attends. The DPO has no concerns with the office's work and noted the office has a good awareness of data protections issues and compliance with data protection is good. CYPCS consult the DPO on DPIA and potential data breaches if required. The DPO provided a summary of the new Data (Use and Access) Bill that currently at second stage reading with the House of Lords. Noted that children's data is very high in terms of data protection requirements. For example, any surveys involving children require a full Data Protection Impact Assessment and an easy read privacy notice. The Bill retains the role of DPO so unlike the previous proposals no need for the office to appoint a senior officer with responsibility for data protection.	

	DPO noted that can consult him if any issues with ICO decisions that consider should challenge. **ACTION:** Head of Corporate Services to consult with DPO re: DPIAs required for Information Governance project. The DPO highlighted that there is an increased risk of cyber-activity due to the current external environment. DPO suggested that remind staff of cyber essentials and that they should report anything suspicious to IT provider. Check that proportionate levels of protection in place particularly regarding any data in relation to children. This was noted and group agreed to take this into the discussion on the risk register. The DPO left the meeting.	
4. Monitoring • Risk register continued • Outcome of External Audit	Following the discussion on the increased risk of cyber-activity the Group reviewed the risk register to reflect this: - Cyber security is listed on the risk register as an organisational risk - **ACTION:** Head of Corporate Services to update this to be specific about current external environment increasing the risk and requiring even more robustness in terms of processes. - In terms of mitigation we have our Information Security Incident Policy and Procedures. The Head of Corporate Services is a member of a cyber essentials group that provides latest best practice. - There will be a refresher of cyber security training to the whole team in the new year. - Cyber-security training could be covered by the CPD days for some staff in Christmas period. - Business continuity plan that includes cyber security and procedures with our IT provider in terms of a back-up server and recovery.	

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<tr><td></td><td>ACTION: Head of Corporate Services to remind team of policies and processes around cyber-security.
ACTION: In new year Governance group look at leadership team scheduling a yearly table top exercise on disaster recovery in terms of most current risk for example cyber security. Work through plan as if happening so all familiar with steps. Outcome of external audit: We received full audit clearance, there were no material misstatements and the annual report and accounts have been laid with Parliament.
The auditors had some minor recommendations, which we were expecting, including developing a medium to long term financial plan. We will work with the AAB on developing this so it is relevant and proportionate given the nature of our organisation.
We are content with the audit outcome and the work of Audit Scotland.</td><td></td></tr>
<tr><td>5. Wellbeing
Stress at work policy and procedure</td><td> Stress at work policy: SMT have reviewed updates and approved. The policy was noted at the meeting subject to minor amendments. ACTION: Head of Corporate Services to arrange for small edits to be made and to communicate policy to the team. </td><td></td></tr>
<tr><td>10:50 – 12.00</td><td>Meeting break</td><td></td></tr>
<tr><td>12:00</td><td> Meeting reconvened Gina Wilson, Head of Strategy joined the meeting. </td><td></td></tr>
<tr><td>6. Updates:
Commissioner update (NK)</td><td> Commissioner update: In the last quarter: </td><td></td></tr>
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• SMT update (SMT)	- activity in our delivery plan related to our strategic priority area of education is progressing well. Our action research is gathering lots of good data from children and young people. Our targeted work with groups of children and young people is being planned out and will commence in the New Year. - Poverty work – we are working to ensure that children and young people are involved in shaping and updating the Scottish Government's next poverty action plan. We have also engaged with the work of the UK Government Child Poverty Taskforce. - We will monitor the next budget carefully in terms of cuts and additional money granted and follow up on certain areas where children and young people's rights are most affected. - Responding to the Commissioner's Landscape Inquiry. - our Young Advisors programme is coming to fruition and they are really engaged in all areas of our work. - Secure care visits are underway as part of our commitment to engage with young people whose rights are most at risk. - Investigation into the use of Police force against children has been launched. - chaired and delivered keynote speeches at a number of key external events. - attended the European Network of Ombudspersons for Children's annual conference. **SMT Updates** **Strategy**: Participation activity is positive and proactive. The capacity of our YAG is developing well as they build their experience and knowledge of our office.	

	We are working with BINOCC to raise awareness of the Commissioner Landscape Review in Scotland, as it has relevance for all the Children's Commissioners. The volume of reactive work required in our policy areas in the last period has been significant. All of it relates to our key strategic priority areas so we must engage with it as far as possible. This has had a significant impact on our capacity to focus on project work. **Communications:** A highlight is the media work around the launch of our Police use of force investigation. It clearly showed the use of the Commissioner's legal powers and that it is to protect the rights of children and young people whose rights are most at risk. The e-Sgoil national assembly was a huge success. Children and young people were a key part in developing and delivering the whole assembly. It was attended by 7,000 plus schools and estimated 15,0000 plus children. In terms of evaluation responses the vast majority (80 per cent) of responses said children had learnt more about their rights and were inspired to take action. **Corporate Services:** We have had the meeting of the Advisory Audit Board and received full audit clearance. Been engaging with the Officeholder Shared Services Network Group focussing on policies and procedures and efficiencies. There has been the Data Protection Officer meeting.	

	Following the Advisory Audit Board we will be setting up informal meetings with it to progress some actions. We will be holding internal audit meetings. We are renewing our contract with CGI in terms of payroll and making amends to stop the need for manual calculations. In the last period a lot of policies have been updated and approved including: Equality, Diversity, Inclusion and Dignity at Work, Health and Safety, Complaints, Hybrid working, Domestic Abuse, and Stress at Work. We are in the process of developing the Commissioner's Code of Conduct policy. There has been work required on the Office both on IT equipment and lighting**. ACTION**: SMT to reach decision on option for lighting update for the office. Been a number of external meetings in relation to the Information Governance project. At the same time been a lot of business as usual including banking, budget revisions and budget phasing. Corporate Services are working with the Participation Officer for a Corporate Services meeting with the Young Advisors in December. **Advice and Investigations:** The investigation into the Police's use of force against children has launched. The programme of visits to secure units is underway. Advice and Investigations had a really good session with our Young Advisors about our legal powers.	

	There are two live UNCRC cases in which we are intervening. We have instructed Counsel but are keeping a tight control on costs. Capacity in the team continues to be a challenge. Changes have been made to put in place on our website a notice that makes clear we are focussing on our statutory functions and children and young people. Adults getting a signposting email as the team are not able to keep up with demand at the moment.	
7. Strategic Plan • Performance against Delivery Plan (ALL) • Horizon Scanning (ALL)	**Performance against Delivery Plan**: The Group had reviewed the delivery plan quarterly update in advance of the meeting. Agreed to focus on areas where might need to rephase or reconsider approach in light of challenges. Governance group role to review and scrutinise the delivery plan quarterly update to identify pieces of work that are changing or taking longer than anticipated and reconsider approach. Recognised that the delivery plan can be rephased and projects amended if required provided we are delivering our statutory functions and strategic objectives. Currently there are challenges in both the public sector and third sector in terms of structure and funding which impacts on our planned work. We are seeking to capture the volume of reactive work that is impacting on resourcing and capacity for our project work in our policy tracker. For example, consultations, or direct requests from the Scottish Government or Parliament for a response. Advice and Investigations have a system in place that can provide data on decision making where cannot work on a project for capacity reasons.	

	Poverty: Agreed that due to various challenges in the external environment the original delivery plan objectives for a four year project in a small number of areas in Scotland in relation to poverty is not feasible with structural / financial / resourcing challenges for organisations that we would need to work with to deliver this project. Strategic priority work on poverty in the delivery plan can be reframed to deliver the objectives by ensuring information from children and young people is included in the Scottish Government Child Poverty Action Plan and linking this to the UK Child Poverty Taskforce. In addition, identifying and sharing what is happening for children and young people in terms of service cuts and impact by undertaking a series of visits to raise awareness on issues with children's access to services. This can also be fed into the SG Child Poverty Action Plan. Two of our UNCRC interventions on cases relate to poverty. One is on eviction and the other relates to disability and unsuitable temporary accommodation. **ACTION:** Head of Strategy to amend Delivery Plan and record decision to stop planned poverty project. **Information Governance**: the volume of business as usual has taken up resource and there has been little capacity for this project. A date has been scheduled for a data cleanse and started scoping exercise. Work is progressing with phase one but it is unlikely that this will be complete by March 2025. **ACTION**: Head of Corporate Services and Commissioner to meet to review and reconsider Information Governance milestones. Aim for next Governance meeting to have timescales set out and go through that as a group. **Child-friendly collaborative spaces** – the targeted groups have been identified but it will	

	take a few months to build relationships. Aim for first one to be held in June as a pilot. **BSL Plan**– there have been challenges with other organisations struggling to commit to meetings with us. Continue to deliver on BSL live presenting for children at assemblies. The Commissioner noted all the achievements reflected in the delivery plan quarterly including the use of our legal powers since they came into force in July, education work, audit and governance. **Horizon scanning:** **ACTION**: Arrange for team to have a strategy day to reflect and make plans one year on with the delivery plan.	
8. Monitoring • Finance (NVR)	**Finance update**: The Head of Corporate Services provided an overview of a finance report that summarised the financial position in terms of actual budget at time of the meeting rather than projections and highlighted the key points to note from that. It was agreed that SMT would meet in December to review budgets and financial projections for each of their areas from December to financial year end.	
9. Annual Planner (ALL)	Noted. No updates at this meeting.	
10. Participation (GW)	The office's participation activity has been covered under updates and other agenda items. It	

	is embedded in the delivery plan quarterly update and all the office's work and is going really well.	
11. Human resources and organisational development • Wellbeing	The meeting has already noted the updated Stress at Work Policy Recognised that teams are stretched at the moment. This was factored into rephasing of the delivery plan. **ACTION**: SMT to meet to discuss if any additional activity could be undertaken in this area to support the wellbeing of the team.	