



**MENTAL WELFARE COMMISSION FOR SCOTLAND  
MEETING OF THE BOARD  
HELD ON TUESDAY 25 June 2024  
11am (via TEAMS)**

**Present:**

Sandy Riddell (Chair)  
Mary Twaddle  
Cindy Mackie  
Kathy Henwood  
Alison White  
Gordon Johnston  
David Hall  
Nichola Brown

**In attendance:**

Julie Paterson, Chief Executive  
Claire Lamza, Executive Director (Nursing)  
Suzanne McGuinness, Executive Director (Social Work)  
Arun Chopra, Executive Director (Medical)  
Julie O'Neill, Business Change and Improvement Manager  
Ashley Dee, Head of Culture and Corporate Services  
Andrew Wallace (Auditor) (For item 7.2 (v))

**Secretary:**

Stuart Gray

**1. Welcome and Apologies**

The Chair welcomed all members to this meeting.

**2. Board Declarations and Register of Interests**

No declarations or register of interests were given.

**3. Chair Update and Announcements**

The Chair firstly thanked AD for sending the Board the updated organogram comprising of ELT and their direct reports along with a table outlining Executive Lead Responsibilities. This was an action requested following his appraisals with the Board and the detail provided will help Board members better understand the structure and who has responsibility for what.

Secondly, he gave a reminder of our follow-up to last August's event planned for Wednesday 20 November. The main focus will be on updating on what has been delivered since last year and in effect holding everyone to account. The Minister and Stephen Gallagher indicated that they are coming and he and JP will start planning the detail of this soon. There will obviously be a need to have updating presentations from both the Commission and the Scottish Government and as last year's Q&A panel worked well, we would be keen to repeat that format. A few Board members played an important role in leading aspects of the event, and the Chair said he will be keen to hear from anyone who might want to volunteer for a role.

Thirdly, when the Chair recently met with Stephen Gallagher, he told him that the Board would be keen to have an introductory, informal meeting with him. He told the Chair that he would be delighted to meet with the Board and although we are arranging for him to come along to our Q&A in September, he has expressed a preference to meet in person at some stage. The Chair will explore this with JP and come back with suggestions. We are meeting in person at the end of October but already have plans for this particular meeting. He added that an additional in person meeting may be organised but this will be explored further with Stephen's office.

Finally, when reflecting on the papers being considered today, and for example some of the feedback from auditors at last week's Audit, Performance and Risk Committee, the Chair is of the view that there is a thread running through many of the reports before the Board at this meeting where there has been strong performance and real achievement in terms of our general governance, in how we are managing risk, in our developments in staff wellbeing and in what we have delivered as an organisation during a time of enormous challenge. He strongly believes that this would not have been possible without the significant commitment, focus and effort of everyone involved and on behalf of the Board, he thanked everyone. He asked that ELT ensures that this is communicated to all our staff.

#### **4. CEO Update**

The CEO reflected on the actions arising from the annual board appraisal process and provided an update as follows:

- AD and CM, as Head of Culture and Corporate services and Wellbeing Board leads respectively, had a very productive meeting and will jointly present our wellbeing strategy (which is in progress) to the board in due course.
- Agenda items will be added to the Board meeting in October to reflect on the actions agreed at the first annual Chairs' meeting held in January and the Board's self assessment.
- Several Board members felt it would be good to understand the detail of what is meant by our stakeholders so this will be followed up.
- An organogram and leads table was sent to Board members on 13 June 2024.
- JP said that work was still ongoing to source risk management training for Board members as requested and this was being done via HR and the public appointments team; to date only eLearning options have been sourced though.
- JP concluded by saying the Chair was keen to mark MT's and GJ's end of tenure as Board members and asked for views on what this would look like. Both GJ and MT welcomed this and suggested planning something in person in March.

#### **5. (a) Minutes of Board meeting held on 24 April 2024 (Paper)**

GJ raised if request to 'tone down' language could be removed from page 6 as he could not recall saying this or why he would say this. MT requested that minutes be altered to show that she was referring to April's meeting being in person. The minutes were then approved as a correct record.

#### **(b) Action Points (Paper)**

27.2 (item 7.2 business planner) is now complete.

23.4 (item 7.1 comms planner) is in progress.

23.4 (item 7.2 CEO Objectives) is now complete.

#### **(c) Minutes of Extra-Ordinary Meeting**

The minutes were approved as a correct record

## **6. Advisory Committee**

6.1 NB reflected on the minutes of the ad hoc meeting held to consider and inform the future themed visit on carers, noting the attendance of 9 member organizations (10 attendees), which contributed both professional and personal insights. The attendees were satisfied with the added questions, and respondents offered to share tools and research. The discussion emphasized differences between community and in-care settings and between voluntary treatment and compulsory treatment orders. NB highlighted that carers and family members are currently self-educating in the absence of specific carer advocacy support.

NB carried on say that the group noted that it is sometimes thought that involving carers is time consuming when in fact, done well, it is time saving. Experience suggested that staff tend to focus on clinical aspects and risk rather than a more collaborative and reflective approach. Out of area placements also seemed to forget the carers and how they will maintain relationships and key contacts.

CL confirmed that the meeting was invaluable in providing rich information to inform the themed visit. The Chair agreed and said this approach to a themed visit was an excellent model and should be showcased in the work we are doing on this subject.

MT commended the excellent detailed minute of the adhoc meeting completed by Fiona Hamilton.

## **7. Items for discussion and/or approval**

### **7.1 Finance Manager's Report**

AD started by confirming receipt of budget confirmation from the Scottish Government last week. He presented the Finance Manger's report; this was welcomed by the Board. No questions or comments were made.

**The Board noted the Paper.**

### **7.2 (i) AP & R Committee Assurance Statement**

GJ presented the Assurance Statement, confirming its approval at the last AP & R meeting. The report indicated that both internal and external auditors were satisfied with the existing controls.

**The Board noted the paper.**

### **7.2 (ii) 2023/2024 Annual Accounts Commentary**

AD presented this paper on behalf of Elizabeth Halliday, Finance and IT manager. The paper was welcomed with no questions or comments.

**The Board noted the paper**

### **7.2 (iii) 2023/2024 Annual Accounts**

MT noted that AW's name is spelled wrongly on page 15. AW commented that whilst there were no questions on this topic, this reflected the level of detail and clarity contained within the reports.

**The Board noted the Paper**

#### **7.2 (iv) 2023/24 Internal Audit Annual Report (TIAA) (Paper)**

GJ briefed the Board that the audit review was thorough and positive.

**The Board noted the paper**

#### **7.2 (v) Grant Thornton 2023/24 Annual Report on the Audit**

Andrew Wallace introduced the report and summarised key points. He noted a late change to papers due to a national Scottish Public Pensions Agency matter impacting employee contributions figures. An updated version of the report will be sent to the Chair and CEO for signing.

**The Board noted the paper.**

#### **7.2 (vi) Public Services Reform**

JP presented the paper.

**The board noted this paper**

#### **7.2 (vii) Annual Report of Audit, Performance and Risk Committee (July 2023-June 2024)**

It was noted that in order to assist the Commission in conducting a regular review of the effectiveness of the systems of internal control, the AP&R Committee submits this report to the Board each year.

**The Board noted the contents of the report and approved the paper.**

#### **7.3 Business Plan 2023-2024**

JP presented for the board and confirmed, as per the SBAR, that the Commission had made good progress, but that some targets were carried over on to next year's business plan.

CM commented that this report was detailed and informative and had given the Board excellent assurance.

**The board was happy to approve the paper**

#### **7.4 Quality and Performance Report**

JON noted that this report was presented to AP&R Committee on 17 June 2024.

JON referred to CMs question at AP&R about trend information for attendance management and confirmed this is being considered for inclusion in this year's report. JON also referenced DH's question at AP&R on 17 June about why medical staff do not undertake guardianship visits; it was confirmed that guardianship visits by medical staff are being considered as part of the ongoing medical review.

MT questioned the 100% target in relation to some staff governance aspects, considering it unachievable, and asking for further reasoning why the Commission had chosen this approach. JP clarified that the 100% target in this circumstance represents the Commission's aspirational goals. GJ noted that external public bodies also use 100% targets, with the understanding that this is unachievable. CM agreed with the reasoning, and MT thanked JP for the explanation, agreeing with the approach.

GJ reflected on how the performance reporting has developed in recent years and noted the significant number of green areas. He stated that he was assured by the actions being taken in the areas marked red with clear plans to improve.

### **The Board noted the paper**

#### **7.5 Annual Report 2023-2024**

The paper was presented by JP, noting that the report had already been considered by Board members with comments submitted by 20 June to allow for today's final formatted copy. Confirmation was given of approval of the report, to be laid before parliament today with date of publication noted as 27 June.

### **The Board confirmed previous approval of the paper**

#### **7.6 Corporate Parent Report**

SM presented the paper for the board's approval and highlighted that there would be further consultation with the CYP group on 26 June 2024 and the comms team will address formatting and graphics. SM advised that as part of the CYP activity in the Commission, the CYP group is developing a request around a Commission specific CYP advisory group.

CM thanked SM for the information as this paper provided valuable background, clarified progress made and overall goals.

KH enquired if, in future, figures for the 21-26 year care experienced age range could be highlighted within the overall care experienced figures. SM thanked KH and clarified that through the IMS project it is anticipated that we will be able to report on all ages of people identified as care experienced, which will require both data fields to be added to the system and training for staff. CM asked about mandatory child protection training and JP explained that all Commission staff are required to be aware of child protection issues, with a priority for Commission staff who work directly with children.

The Chair noted the importance of corporate parent organisations working together and commented that the Commission's work shows an overall commitment to making actions deliverable.

AW asked the Board how the UNCRC would impact the Corporate Parent Report, and the need to be mindful that all actions are underpinned by the UNCRC requirements. SM confirmed that we are in process of 'getting ready' and are aware of the UNCRC requirements and will ensure integration of UNCRC underpinning all CYP activity. SR asked SM about the CYP membership; SM spoke to this and agreed to follow up with more information via email.

MT thanked SM for the report and advised that the tone and flow were really good. The Chair highlighted that the report was excellent and gave assurance that there are arrangements in place to take actions forward. SM advised that it is the intention of the CYP group to integrate all CYP activity into one plan, with UNCRC as the umbrella plan.

**ACTION: SM to provide board details regarding CYP group in separate email**

**The Board approved the paper**

### **7.7 Lessons Learned and Investigations Report**

SM presented paper to the Board and highlighted that the lessons learned report is an evolving report, which seeks to highlight the wider investigatory and enquires work undertaken by the Commission. SM highlighted the internal investigations review, which was informed by multiple sources including feedback from a complaint. SM advised that we are keen to improve on active intervention work which acts as the conduit between case work and investigations and work in this area is in progress. SM further advised that the first phase of the investigation review was being prepared for forthcoming ELT consideration.

DH raised the importance of having a cohesive approach to investigations work across Scotland. SM agreed, highlighting that the Commission is already linked with partner agencies such as Health Improvement Scotland and the Care Inspectorate.

### **7.8 Gender Pay**

AD presented to the board and highlighted that this is a statutory review that has to be undertaken every two years. This is the first time that this paper is presented as a stand-alone report. CM welcomed the standalone report and the context provided. There were no further comments or questions.

**The Board approved the paper**

### **7.9 IMP Replacement Progress Report (paper)**

SM updated the Board on the IMP replacement progress report. SM advised that the IMS contract was being made ready for signing following liaison with the legal team.

SM advised that a projected timeline has been agreed following initial discussions between CDS (the new supplier) and the Commission. It is anticipated that the basic functionality of the new system should be live in April 2025, with enhancements to be completed between April and May 2025. SM advised that 50% of the project funding would only be released after the last two project milestones were met, which acts as a safeguard to ensure the work is completed on time, as far as possible.

The Board welcomed this update noting the significant work that has been done to date and the significant ongoing commitment to this replacement project.

### **7.10 Annual Complaint Handling Report**

The paper was presented by AD and welcomed by the Board with no questions or comments.

**The Board approved the Paper.**

## **7.11 Audit Performance and Risk Committee Minutes (February 2024)**

The minutes were noted with no questions or comments by the Board.

### **The Board noted the paper**

## **8. Policies for Approval**

### **8.1 Redundancy policy**

AD presented, confirming that the paper had been to the ELT Policy and Procedure group twice. The finalised policy was presented for approval of the Board.

CM requested that all policies tie down who is responsible for enacting the policy and suggested that timelines should be included wherever possible.

It was also raised that any wording such as “managers will ideally” be changed to “managers are required”.

**The Board approved the policy subject to comments made.**

### **8.2 Recruitment and Selection Policy**

AD presented the policy to the board for approval. CM took the opportunity to seek confirmation that the Commission uses a standard template for Exit interviews. This was confirmed. CM suggested that it may be worth considering adding a box to the Exit interview template relating to well-being.

**The Board approved the policy**

### **8.3 Hybrid Policy Annual Review**

AD presented the policy to the Board for approval.

**The Board approved the policy**

## **9.1 Audit Performance and Risk Committee agenda planner**

The paper was presented by AD and welcomed by the Board as an action arising from the Chairs’ meeting held in January 2024.

## **9.2 Citizens Participation and Public Petitions Committee Response**

The consultation response completed by SM and presented for information was welcomed by the Board with no questions or comments

## **9.3 Human Rights Bill: Scrutiny Bodies informing and consulting proposal**

The consultation response completed by SM and presented for information was welcomed by the Board with no questions or comments.

**9.4 Consultation on the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024: Statutory Guidance on Part 2 and 3, section 18**

The consultation response completed by SM and presented for information was welcomed by the Board with no questions. The Chair noted the importance of the Commission having the capacity to respond and influence consultation processes and welcomed this information being tabled.

**10. Board Agenda Planning**

Members noted the content of the agendas for future board meetings.

**11. Date for next Board meeting Tuesday 20 August 2024 (Via Teams).**