

**APPROVED**

**Independent Living Fund Scotland: Board Meeting**

**The Arches, Radisson Blu Hotel, Argyle Street, Glasgow**

**Tuesday 04 February 2020 11:00am – 2:15pm**

**Present**

Susan Douglas-Scott CBE	Chair, Board Director
Liz Humphreys	Vice Chair, Board Director
Alan Dickson	Board Director
Betty McAtear	Board Director
Étienne d'Aboville	Board Director
Anne-Marie Monaghan	Board Director
Mark Adderley	Board Director

**Apologies**

Peter Scott	Chief Executive Officer
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**In Attendance**

Harvey Tilley	Chief Operating Officer
Jim Maguire	Finance Director
Kim Dams	Inclusion Scotland
Colin Dunlop	DoH Northern Ireland Sponsor Team Head
Elaine Black	Scottish Government Sponsor Team Manager
Paul Hayllor	Head of Digital and Information Services (pre- Board presentation only)
Robert White	Head of Social Work
Aileen McNiven	Executive Business Manager (Secretariat)

**Welcome, declarations of interest and apologies**

Susan Douglas-Scott (Susan) warmly welcomed Colin Dunlop (ILF Scotland Sponsorship Head, Northern Ireland Government), Elaine Black (ILF Scotland Sponsorship Manager, Scotland), Kim Dams (Inclusion Scotland), Paul Hayllor and Robert White (ILF Scotland).

## **Apologies**

As above.

## **Declaration of Interest (DoI)**

No additional Declarations of Interest were received out with DoI Register.

## **Chairs Introductory Remarks**

Susan opened the meeting by providing an up to date summary of recent work completed, stating it has continued to be a busy year for ILF Scotland with the following noted:

- ILF Scotland has continued to deliver against the organisational strategy. A further 4 strategy events in Scotland and Northern Ireland (Glasgow, Belfast, Derry and the Scottish Borders) have been held, coupled with the online survey and stakeholder interviews. The engagement to date has been positive and will form the basis of the new 2020 – 2023 strategy.
- ILF Scotland held a successful celebration event of the Transition Fund. At the event, the Cabinet Secretary for Health and Sport, Jeane Freeman OBE MSP, announced the extension of the age range criteria for the transition fund from 16-21 year olds to 16-25 year olds.
- In Northern Ireland, extensive background work has been completed to prepare for the potential reopening for the 2015 Fund.
- The organisation has been recognised as a Top 3 UK for Care Services in the Guardian Public Sector Awards 2019, winners at the Working Mums Best Employer Awards, and shortlisted for the Family Friendly Working Scotland 2020 Awards. ILF Scotland also gained Cyber Essentials Plus for a second year. This external recognition is due to the hard work and professionalism of staff, always going the extra mile to make a real, positive, impact for disabled people in Scotland and Northern Ireland.
- Susan advised the Board of the resignation of Fiona O'Donnell (Fiona), Board Director and Chair of Remuneration Committee since 01 November 2015. Fiona has decided to take some time away from work commitments for family reasons and informed Susan she would resign with immediate effect. Fiona's final day was recorded as 23<sup>rd</sup> January 2020. The Board all wished Fiona well, with the Chair thanking Fiona for her commitment, compassion and supportive intelligence over the last 4 years and said she would miss her great wisdom. The Board asked for a thank you card to be sent to Fiona and all signed it.

Susan also informed the Board she had submitted a request for a replacement for Fiona O'Donnell. Jamie MacDougall indicated that this may not be approved, however would consider this.

- **ACTION 1:** Elaine to clarify with Jamie MacDougall, Scottish Government (SG) Deputy Director Social Care Support Division if the Board Member who resigned can be replaced.
- Susan informed the Board of the sad and life-changing diagnosis of Hodgkin's Lymphoma which our CEO, Peter Scott (Peter) received just before Christmas. The Board were apprised of the diagnosis, prognosis and treatment plan for Peter over at least the next 6 months. The Board asked Susan to pass on their best wishes for a speedy recovery.

Susan confirmed she will attend the Northern Ireland Co-Production and other events with Harvey to support the organisation in Peter's absence. Susan and Harvey Tilley (Harvey) are in regular contact either by phone or face to face during this time.

The Board were comforted that all relevant bodies and stakeholders had been informed of Peter's illness and were content with the new arrangements for Harvey to formally cover for Peter over this period.

### **Cyber Security Presentation** – Paul Hayllor, Head of Digital and Information Services

Paul Hayllor (Paul), Head of Digital and Information Services delivered a short session on the approaches currently taken by ILF Scotland to ensure the safety and security of the data it holds. It covered the three components of People, Processes and Technology and described how the current hosting on Scottish Government infrastructure provided a high degree of confidence and protection for the day to day operation.

The key message was making "cyber" matters real for everyone and making it a whole organisational responsibility, not just the remit of the IT team.

The next step is to embark on an organisational wide resilience programme which will see risk, business continuity, disaster recovery, communications, exercise and test and training all come under one strategic theme and an external partner has been procured to support us through this work.

The Board briefly discussed the presentation and the possibilities of using cloud based applications with a question and answer session. The following key points were noted:

- Board Directors and Executive Team to consider the use of smart secure devices/email addresses/ Office 365 to support Board and ILF Scotland work.

**ACTION 2:** Susan/Paul/Harvey to discuss the use of smart secure devices/email addresses for Board Directors to support Board work.

The Board congratulated Paul on his presentation and his comprehensive and diligent hard work in the Digital Transformation/Cyber Security space over the last few years. The Board acknowledged the positive external standing Paul has in the Cyber Security environment across the UK.

## 1. Minutes of Previous Meeting

The ILF Scotland Board approved the Board Minute of 29<sup>th</sup> October 2019 as an accurate account of the meeting.

## 2. Matters Arising

### From Minute of 29<sup>th</sup> October 2019:

BD 291019 Action No 2: Complete:

A meeting has been confirmed and diarised with Susan and Elinor Mitchell, Director of Health & Social Care for 2<sup>nd</sup> April 2020 in St Andrews House, Edinburgh.

BD 291019 Action 2: Complete:

Elaine Black (Elaine) advised that a revised Grant in Aid (GiA) letter is with Health Finance for approval and circulation. Elaine also advised the letter will be with ILF Scotland by the end of the financial year.

BD 291019 - Action 3: Complete:

Susan will raise the possible reduction of the published ILF Scotland budget with the Director of Health & Social Care on 2<sup>nd</sup> April 2020.

BD 291019 - Action 5: Wheelchair Access in Scottish Government Buildings. Susan acknowledged the receipt of the response from Jamie MacDougall, Deputy Director Social Care Support Division about matters related to ILF Scotland Available Income. The letter also included advice from SG Occupational Health and Safety Division colleagues regarding wheelchair access to SG Buildings.. Following detailed feedback from Anne-Marie Monaghan (Anne-Marie) and Etienne d'Aboville (Etienne) Susan will write formally to Jamie MacDougall, Deputy Director of Health and Social Care. This communication will reflect the views of the Board and include reference to 'going backwards (in years)' and a 'point of refuge for disabled people'.

**ACTION 3:** Susan to formally write again to Jamie MacDougall, Deputy Director of Health and Social Care regarding wheelchair access in Scottish Government buildings. (SG Occupational Health and Safety Division lead in this area of work.. ILF Sponsor Team are happy to assist in directing any correspondence )

BD 291019 - Action 6: Susan commented that although there has been ministerial commitment to the reduction of Available Income – no time commitment has been received. The Board remain positive this will be forthcoming in a timely manner.

## 3. Audit Committee Report (refer to papers)

Alan Dickson introduced the Audit Committee Report, commenting on key points from the Audit & Risk Committee held on the 22<sup>nd</sup> October 2019.

### • Minute (20 January 2020)

Alan Dickson briefly summarised the recent Audit & Risk Committee Meeting held on 20<sup>th</sup> January 2020 commenting on key points from the meeting.

Alan commented on the professional and positive approach to ILF Scotland from both external and internal auditors which was welcomed from the Audit & Risk Committee and the Board as a whole.

The Board **noted** the verbal update of the Audit & Risk Meeting of 20 January 2020.

#### • Risk Register

Harvey explained the rationale relating to the moving/increasing risks outlined in the Risk Register summary.

**ACTION 4:** The Board requested future Risk Register reports to include a brief narrative with rationale on moving and increasing risks outlined in the Risk Register summary.

The Board **noted** the Risk Register.

#### • Management Accounts (to December 2019) ( refer to paper)

Jim introduced the Management Accounts to December 2019.

Jim advised the Audit & Risk Committee had scrutinised the Management Accounts thoroughly at the recent Audit & Risk Committee with no major concerns to flag up. The Management Accounts for this reporting period are on target.

Discussion ensued with regard the re-opening of the Northern Ireland fund. Colin Dunlop (Colin) assured the Board that appropriate funds would be made available should the proposal to re-open the fund be approved.

The Board **noted** the Management Accounts to December 2019.

#### • Draft Budget 2020/2021

Jim introduced the paper advising again the Audit & Risk Committee had examined in detail the Draft Budget at the recent meeting in January 2020.

The Board discussed the Grant in Aid (GiA) due in 2020/21 with Elaine apprising the Board that the Sponsor Team, Health Finance, ILF Scotland Executive Team are currently working closely on 2020/21 GiA. An indicative GiA of £46.8m is being discussed by the Sponsor Team and ILF Scotland Executive Team and will be agreed in due course.

A detailed explanation was given with regard to the year on year increase. The areas of increase for 2020/21 are salaries and IT, due to the following:

- escalating workload (increase of 1000 recipients/applicants over the last 4 years)
- future proofing digital and cyber security
- business continuity and risk planning

Questions were tabled around efficiency savings and the continuation to ensure savings are identified across the whole organisation. Harvey advised an efficiency plan had recently identified the areas of savings covering the last 9 months.

**ACTION 5:** Harvey to circulate the efficiency Plan to the Board Directors.

The Board **approved** the Draft Budget in principal ahead of discussions with the Sponsor Team and Health Finance.

#### **4. Quarterly Corporate Report (refer to paper)**

Harvey spoke to the Quarterly Corporate Report highlighting key areas of activity between 1<sup>st</sup> October and 31<sup>st</sup> December. The Board were directed to the report and questions were welcomed.

Key activities (outwith Chairs Opening Remarks)

- Foundation work carried out towards the reopening of the 2015 Fund in Northern Ireland
- Tender for risk / resilience work completed and digital transformation planning started
- Signing off work completed for the 2016-2020 Strategic Plan
- Concern raised again regarding the lack of progress to the Available Income submission to Scottish Government
  - Completion of research work in Northern Ireland which includes Social Return on Investment (SRI). Harvey confirmed full details of the research will be submitted to the Board for scrutiny at the Development Day on 10<sup>th</sup> February 2020.
- Harvey spoke sadly of the loss of our colleague and Freelance Assessor, Chrissie Plastock (Chrissie). Several Board Directors had previously worked alongside Chrissie and they conveyed their depth of loss too. Following a suggestion from Anne-Marie the Board asked the Executive Team to consider an annual 'Chrissie Plastock Award for Excellence' for a staff member or group.

**ACTION 6:** Executive Team to investigate setting up an Award in Chrissie's name. Feedback will be submitted to the Board in due course.

Although the absence rates remain low, the Board requested the figures also show 'work days lost' in future reports.

**ACTION 7:** Aileen to provide 'Sickness & Absence: Work days Lost' in future reports.

Etienne d'Aboville (Etienne) suggested a change in wording under the 'Our People – Organisational Demography' section, with regard to 'Staff Registered Disabled'. The suggested and **agreed** wording will be 'self-identifying– disabled'. The Board agreed this be a more appropriate use of terminology.

**ACTION 8:** Aileen to update 'Our People – Organisational Demography' section to include 'self-identifying – disabled'.

Discussion developed regarding the accepting/rejection of Transition Fund (TF) applications and the rationale for applications being declined or withdrawn which at 21% appeared high to the Board.

**ACTION 9:** Harvey to submit a detailed breakdown of the withdrawal/rejections rationale of TF applications to the next Board in April for further understanding.

Debate around statutory responsibilities (transport for young people in education) developed, challenging Section 12A - SW (Scotland) Act 1968 and where responsibility lies in the funding of transport for young people to get to and from their place of study. The Board acknowledged this may be a grey area with no definitive answer.

**ACTION 10:** Robert White (Robert) will investigate and report findings.

The Board acknowledged the unexpected volume of work by staff to raise awareness of the TF and which is now starting to show positive results.

The Board **noted** the Quarter 3 Corporate Report.

#### **4a. Quarterly Corporate Business Plan (refer to paper)**

Harvey spoke to the Business Plan Q3, advising that all areas are on target to be delivered by the end of the Financial Year, with the exception of the Available Income submission and the external newsletter. This was acknowledged as due to external pressures.

The Board **noted** the Q3 Business Plan.

#### **5. 2020-2023 Strategy (draft) and Co-Production Report (refer to paper)**

Harvey outlined the journey to reach this current point in the creation of the Outline Draft Strategy which will be discussed and debated at the Board Development Day on 10<sup>th</sup> February 2020.

Events were held in Scotland and Northern Ireland last autumn and were attended by recipients, applicants, stakeholders and professionals. All events followed the same format asking the same questions. The draft strategy has been supported by Bruce Tait Associates in the collating of feedback and initial drafting of the strategy following the completion of the co-production events.

The next steps will be to consult with the Board, Management Team and All Staff at various Development Days during February.

The Board are excited and focused on setting a positive, forward thinking, cognisant and realistic Strategy and Business Plan for 2020-2023 which will support disabled people to live independently across Scotland and Northern Ireland. The Board also **noted** they are looking forward to completing and publishing this work over the next few months.

The Board **noted** the outline Draft Strategy and Co-Production Report.

## **6. MACC's & PQQ's**

The Board noted that no MACC & PQQ's had been received for the period 1<sup>st</sup> September 2019-31<sup>st</sup> December 2019.

## **7. Health & Safety Report & Annual Audit (refer to paper)**

Aileen McNiven (Aileen) advised the Lone Working protocols and procedures will again be highlighted on the 6<sup>th</sup> February (Practice day) to the Assessors to ensure staff health and safety is at the forefront of each review they attend, should they be lone working.

The Board **noted** with assurance the Health & Safety Report and Annual Audit.

## **8. Annual – Directors Register of Interests**

The Board **noted** the Annual Statutory Declaration of Interest Register (DoI) subject to amendment from Anne Marie Monaghan.

**ACTION 11:** Elaine and Aileen to check if active Political Party membership/activity should be publicly noted on the DoI Register.

**ACTION 12:** Aileen to forward Anne-Marie's DoI form for checking and update DoI Register as appropriate.

## **9. AOB**

### **Interim Accountable Officer**

See Chairs Opening Remarks above.

Susan assured the Board that relevant bodies and stakeholders had been apprised of Peter's illness. All have been very supportive of the proposal of Harvey Tilley to be appointed as Interim CEO and Accountable Officer during the period of Peter Scott's illness.

A paper has been submitted for approval to the Remuneration Committee (10<sup>th</sup> February 2020) to support the delivery of the new strategy titled 'Re-alignment of Managerial Responsibilities' which will also support the extra work as a result of Peter being absent.

Elaine advised final approval is awaited from the Permanent Secretary via Health Finance.

The Board **approved** the proposal of Harvey Tilley to be appointed as Interim CEO and Accountable Officer.



## Chair – Remuneration Committee

Following the resignation of Fiona O'Donnell and the creation of a vacancy of Chair of the Remuneration Committee, Susan notified the Board of the appointment of Chair of the Remuneration Committee as Mark Adderley. Susan advised the Board of Mark's relevant skills and experience in Human Resources and Organisational Development and the suitability of Mark to carry out this role competently. Mark was delighted to accept the position.

The Board **noted** the appointment of Mark Adderley to Chair of the Remuneration Committee.

## Close of Meeting

### Important Board Dates:

Next: Audit & Risk Committee: 10:30am, Monday 16<sup>th</sup> March 2020. Radisson Blu, Glasgow

Next: Board Meeting: 11:00am, Tuesday 28<sup>th</sup> April 2020. Radisson Blu, Glasgow

Next: Remuneration Committee: 11:00am-12:30pm, Monday 14<sup>th</sup> September 2020. Radisson Blu. Argyle Street, Glasgow.

Next: Board Development Day: 1:00pm-4:00pm, Monday 14<sup>th</sup> September 2020. Radisson Blu, Argyle Street, Glasgow.

Action Point	Action by	Timescale	Action
<b>ACTION 1:</b> Elaine Black to clarify with SG Deputy Director Social Care Support Division if the Board Member who resigned can be replaced.	Elaine	March 2020	Jamie has advised that as two members were appointed from the last round of public appointments in September 2019 and given that the ILF Scotland Board is quorate a new member is not required to be appointed at this time.
<b>ACTION 2:</b> Susan/Paul/Harvey to discuss the use of smart secure devices/email addresses for Board Directors to support Board work.	Susan / Harvey / Paul	April 2020	Complete
<b>ACTION 3:</b> Wheelchair access in Scottish Government Buildings: Susan to formally write again to Scottish Government.	Susan	April 2020	c/f to June 2020 (due to Covid 19)
<b>ACTION 4:</b> The Board requested that future Risk Register reports include a brief narrative with rationale on moving and increasing risks outlined in the Risk Register summary.	Paul/Nadeem	April 2020	Complete

<b>ACTION 5:</b> Harvey to circulate the efficiency Plan to the Board Directors.	Harvey	February 2020	Complete
<b>ACTION 6:</b> Executive Team to investigate setting up an Award in Chrissie's name. Feedback will be submitted to the Board in due course.	Executive team	October 2020	Delayed due to COVID 19
<b>ACTION 7:</b> Aileen to provide 'Sickness & Absence: Work days Lost' in future reports.	Aileen	April 2020	Complete
<b>ACTION 8:</b> Aileen to update 'Our People – Organisational Demography' section to include 'self-identifying – disabled'.	Aileen	April 2020	Complete
<b>ACTION 9:</b> Harvey to submit a detailed breakdown of the withdrawal/rejections of Transition Fund applications to the next Board in April.	Harvey	April 2020	Complete
<b>ACTION 10:</b> Robert White (Robert) will investigate and report findings ref Section 12a- SW (Scotland) Act 1968.	Robert/ Harvey	April 2020	Complete – see below
<b>ACTION 11:</b> Elaine and Aileen to check if active Political Party membership/activity should be publicly noted on the DoI Register.	Elaine/Aileen	February 2020	Complete – Yes. Board Directors requested to submit by end of February.
<b>ACTION 12:</b> Aileen to forward Anne-Marie's DoI form for checking and update DoI Register as appropriate.	Aileen	February 2020	Complete - updated

Response: From Robert White, Director of Self-Directed Support

Action Point 10

Note for the Board: re Social Work (Scotland) Act 1968 S12/12A  
<http://www.legislation.gov.uk/ukpga/1968/49/part/II> and the ILF Scotland Transition Fund (TF)

The TF has paid for around 25 applications for college transport, work placements and apprenticeships. Local Authorities are, in general, no longer providing funding for such travel, even to their own day-care facilities, regardless of whether PIP mobility is in payment. The Transition Fund started to see a smattering of cases at the start of the college year, last August/September, with Fife Council being an early adopter of the position detailed above; it's education services were arranging college placement for young

people and then SW were denying them the funds to get to college. In 2 of the early cases the young people lived very rurally and would have had 3 buses and a 2½ hr journey at either end of the day to get to their placement. SMT agreed to fund these cases where the removal of the provision for travel to be funded by Local Authorities was seriously impeding the young person from meeting key outcomes. Where funds are given for this purpose, they are given only for the academic year (39 weeks) ,we also signpost young people who are eligible to the national concessionary travel scheme if they are unaware that they are eligible for this assistance.

In summary : each Local Authority can determine how much or how little of the individual's own resources they take into account when making a decision on what they will provide and there is no duty to provide transport and there has been no legal challenge of the current practice.

Recommendations for the Board

1. To agree that the TF continues to fund travel as above
2. That the Board raise this matter with the sponsor team for their information to share with SDS team.

Robert

NB S13ZA of the above act: this section enables a local authority in essence to do whatever is necessary to support someone without capacity and the emergency Coronavirus legislation extended this controversial section to potentially override the wishes of a Guardian. The Mental Welfare Commission will monitor each time the emergency power is used and it will primarily be used for quickly moving people from hospital.