

APPROVED

Independent Living Fund Scotland: Board Meeting

Video Conference

Tuesday 31 January 2023 ~ 11:00am – 12:15pm

Present

Susan Douglas-Scott, CBE	Chair, Board Director
Alan Dickson	Board Director
Liz Humphreys	Vice Chair, Board Director
Mark Adderley	Board Director
Anne-Marie Monaghan	Board Director (1pm-2pm)
Betty McAtear	Board Director
Étienne d'Aboville	Board Director

Apologies

Paul Hayllor	Director of Digital and Information Services
Robert White	Director of Self-Directed Support
Linda Scott	Director of Policy, Improvement and Engagement

In Attendance

Peter Scott	Chief Executive Officer
Harvey Tilley	Chief Operating Officer
Jim Maguire	Finance Director (to 12:10pm)
Aileen McNiven	Head of Business Services (Secretariat)

Welcome, declarations of interest and apologies

Susan Douglas-Scott (Susan) welcomed everyone ahead of opening formal business for the 29th ILF Scotland Board Meeting.

Susan referred the meeting to the email sent on 12 January explaining the rationale for the shortened agenda.

Declarations of Interest (DoI)

No Declarations of Interest received.

1. Minutes of Previous Meeting (refer to paper)

The Board approved the Board Minute of 18 October 2023.

2. Matters Arising

No matters arising not covered on agenda.

3. Finance Commentary to December 2022 (refer to paper 3)

Jim Maguire (Jim) spoke to the recently scrutinised Management Accounts and Finance Commentary (Audit & Risk Committee (ARC)) advising on the key points covering the award funds and administration management accounts to the Q3 end position (December 2022).

The Board were advised of the substantial surplus for the '2015 Fund – Scotland' of approximately £3m.

ILF Scotland had hoped to utilise £2m of surplus funds to reduce the Available Income charge for recipients to zero for a 6-month period (01 October 2022-31 March 2023), as requested by the Scotland Advisory Group and in recognition of the disproportionate impact of the cost-of-living crisis on disabled people.

Following a letter to the Minister from the Group's Chair, Jim Elder-Woodward, the Minister has confirmed that the requested waiver is not authorised.

Jim advised that £2m of ILF surplus has been requested to be returned to the Scottish Government for other use. Therefore, ILF Scotland is unable, at this point, to reduce the Available Income charge.

The Board discussed their responsibility to support and champion ILF Scotland recipients and to use our resources to maximum effect in their interests. The Board therefore seeks, in the strongest terms, to express disappointment and dissatisfaction that funds allocated to ILF Scotland recipients will not be used for the purpose it was given, despite the evidenced affordability.

The Board agreed to collectively write a letter to Humza Yousaf, Cabinet Secretary for Health & Social Care sharing their collective frustration at the decision not to reduce the Available Income.

The Board thanked the ILF Scotland team and the Scottish Government Sponsor Team for their extensive and pro-active endeavour to reduce the Available Income charge for ILF Scotland recipients.

The Board noted the Finance Commentary to December 2022.

ACTION 1: Peter Scott (Peter) and Harvey Tilley (Harvey) will prepare a letter to be sent to Humza Yousaf, Cabinet Secretary for Health & Social Care for collective signing by the full ILF Scotland Board.

4. Draft Budget 2023-23

Commentary (refer to paper 3a)

Key Assumptions (refer to paper 3b)

Jim spoke to the paper outlining the budgetary requirements for 2023-24.

In advance of the Grant in Aid (GiA) letter Jim has received confirmation from the Scottish Government Sponsor Team that the GiA 2023-24 (Scotland) is expected to be set at £44.55m for the 2015 Fund awards, and the Transition

Fund set at £4.3m (plus £700k – Admin). Jim also reported a 2015 Fund Admin budget of approximately £4.1m.

The Board welcomed the news commending Jim and the team for their work to secure the requested funding which also supports the Scottish Living Wage increase (01 April 2023).

Jim has requested the Scottish Government Sponsor Team include the Digital Transformation funding approval of £925k and the previously approved capital spend of £150k in the GiA letter for 2023-24.

Following full and detailed scrutiny during the recent Audit & Risk Committee (ARC) Alan Dickson (Alan) gave assurance to the Board with a 'recommendation for approval' of the Budget for ILF Scotland 2023-24.

The Board approved the Draft Budget for 2023-24 subject to receiving the GiA letter in due course.

5. Corporate Business Reporting – Q3

Q3 Corporate Report (refer to paper 4)

Harvey introduced the Q3 Corporate Report.

The following key points were highlighted during the presentation of the paper:

- Harvey spoke of Q3 being the busiest quarter experienced due to workload and increased staff absences including two members of the Senior Management Team (SMT). Harvey thanked the rest of SMT for pulling together with an increased workload. Linda Scott (Linda), Jim and Harvey were specifically thanked by Peter and Susan for their hard work and commitment during this period. It is believed that the current Health & Wellbeing offering has supported our workforce positively during this period to keep the sickness absence rates as low.
- Harvey reported positive news from Northern Ireland (NI): Available Income reduced in line with Scotland from £103 to £43. The Maximum Award in NI has also been increased: Grp 1 to £1000 and Grp 2 to £600 which has

been welcomed. The team are also working through implementing a backdated PA rate increase of 12% to 01 April 2022.

ACTION 2: Corporate Report to be amended to Grp 1: £1000 and Grp 2: £600 – typo.

- Reviews continue to be increasingly complex due to rebalancing work with Local Authorities (LAs). It has been reported that LAs, in some cases, are struggling to reach the minimum threshold.

Harvey and Peter Scott (Peter) spoke of the possibility of some awards being suspended temporarily or stopped if LAs do not rebalance packages. The teams are working hard to ensure this does not happen. The consequential impact is disabled people currently in receipt of ILF awards may lose their ability to live independently.

The Board noted the risk to recipients if awards are suspended temporarily or stopped should packages not be rebalanced by LAs in line with ILF Scotland Policy.

Peter reported that he had drafted a letter for the Northern Ireland Sponsor Team to circulate to Trusts to attempt to address the rebalancing issues there. The option of sending a further letter to the 32 LAs in Scotland for a second time will be considered.

- Cyber Essentials achieved in Q2 with current work ongoing to achieve Cyber Essentials Plus in Q4 2022-23. The Board congratulated the Digital team on this achievement.
- Peter apprised the Board of the planned Scotland Advisory Group and Northern Ireland Stakeholder Group event. This high-profile event is expected to take place in Scotland during September 2023. Work is going on to secure an MSP sponsor and a venue of Holyrood/Parliament being explored.
- PCS (ILF Scotland recognised Union) will strike on 1 February 2023. Risk Assessments have been submitted for the Scottish Government with no

impact on service delivery anticipated for ILF Scotland. This is due to the small numbers (8) of PCS members.

Digital Transformation - ALPHA – Executive Summary (refer to paper 4a)

Harvey spoke to the paper updating on the Digital Transformation project. He then confirmed the £925k had been approved and the project was progressing well. The Transformation Lead, Alex Bunch started at the beginning of January with the first Project Board meeting early in February 2023.

Peter thanked Paul Hayllor (Paul) along with Jim in their extensive work in supporting the securement of the capital funds to support the project.

ACTION 3: One amendment to the Digital Transformation Executive Summary was noted: Harvey to change ‘Senior Risk Owner’ to ‘Senior Responsible Owner’.

The Board welcomed and noted the Digital Transformation Executive Summary.

6. Shortened Hours Working Week (refer to paper 5)

Mark Adderley (Mark) spoke to the paper.

Mark explained the proposal has been scrutinised following several submissions to the Remuneration Committee.

Following this detailed scrutiny and a brief discussion Mark confirmed the Remuneration Committee is recommending the ‘Shortened Hours Working Week’ to the Board for approval.

The Board approved the Shortened Hours Working Week with an implementation date of 01 April 2023 following submission to the Scottish Government Sponsor Team and Finance Pay Policy for final sign off.

7. AOB

a) Papers noted by email

Due to SMT absences the following papers were circulated in advance and **noted by email** due to the shortened Board meeting referred to on Pg. 1.

- **Medium Term Financial Plan**

Jim asked the Board to note the inclusion of the planned Available Income reductions in fiscal periods: 2024-25 and 2026-27. This effectively reduces Available Income to £0.00 in line with the Scottish Government commitment in their manifesto to reduce charging to £0.00 by 2026. The Sponsor Team have agreed this is a sensible approach to include this in the forecast.

- **Health & Safety Report**
- **MiCase & PQ's**
- **Annual Register of Interests**

b) Letter: From: Humza Yousaf, Cabinet Secretary for Health & Social Care to Susan Douglas-Scott CBE, Chair, ILF Scotland. (Refer to letter)

During the last Board Development Day in 2022, Mark and Susan were asked to write to the Cabinet Secretary for Health & Social Care to enquire about the possibility of extending the Chairs 8-year ILF Scotland Board term due to the possible extenuating circumstances and expectation of the '2015 Fund' re-opening within the next 12 months.

Susan referred to the disappointing response received from the Cabinet Secretary regarding Board Chair term extension and the re-opening of the ILF Scotland 2015 Fund.

ACTION 4: Aileen to circulate the letter to the Board for information.

The letter's key message stated that the Scottish Government are currently unable to re-open and sustain a re-opened 2015 Fund due to the significant financial pressures they face. There are therefore no exceptional

circumstances that would require the Chair's current appointment to be extended beyond October 2023.

The Board accepted the decision not to extend the Chair's term of appointment, unanimously recognising her outstanding leadership over the last 8 years.

The Chair spoke of the Board's responsibility in recognising and supporting disabled people's human, civil and disability rights, and how ILF Scotland could make a significant contribution in this area through the 2015 Fund reopening. All Board Directors expressed their individual frustration and anger at the failure to reopen the Fund.

The Board expressed great concern for disabled people that ILF Scotland was not to re-open at this point in time. Collectively the Board agreed to include this concern, and their frustration, in the planned letter to the Cabinet Secretary.

The Board also requested that Peter write to the ILF Scotland Sponsor Team to seek clarity about the strategic direction of ILF Scotland.

ACTION 5: Peter to write to the Scottish Government Sponsor Team seeking clarity about the strategic direction of ILF Scotland.

ACTION 6: In addition to writing to the Cabinet Secretary for Health about Available Income (Action 1) Peter to include the Boards concerns about the Government decision not to reopen the 2015 Fund at this time – this to be approved and signed by all Board Directors.

Close of Meeting

Next Board Meeting Dates:

Next Remuneration Committee: 11am, Friday, 31st March 2023 (AQ4- Atlantic Quay, Ground Floor, Conference Rm 1)

Next Board Development Day: 1:00pm, Friday, 31st March 2023 (AQ4- Atlantic Quay, Ground Floor, Conference Rm 1)

Next Audit & Risk Committee: 10:30am, Monday, 17 April 2023 (virtual)

Next Full Board Meeting: 11am, Tuesday, 25 April 2023 (virtual)

Action Points

ACTION 1: Peter Scott (Peter) to prepare a letter to be sent to Humza Yousaf, Cabinet Secretary for Health & Social Care for collective signing by the full ILF Scotland Board.

Action by: Peter

Timescale: February 2023

Action: Completed

ACTION 2: Q3 Corporate Report to be amended to: Grp 1: £1000 Grp 2: £600

Action by: Harvey

Timescale: Immediate

Action: Completed

ACTION 3: One amendment to the executive summary was noted: change 'Senior Risk Owner' to 'Senior Responsible Owner'.

Action by: Aileen

Timescale: Immediate

Action: Completed

ACTION 4: Aileen to circulate the letter to the Board for information.

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ACTION 5: Peter to write to the Scottish Government Sponsor Team seeking clarity about the strategic direction of ILF Scotland.

Action by: Peter

Timescale: February 2023

Action: Completed

ACTION 6: In addition to writing to the Cabinet Secretary for Health about Available Income (Action 1) Peter to include the Boards concerns about the Government decision not to reopen the 2015 Fund at this time – this to be approved and signed by all Board Directors.

Action by: Peter

Timescale: February 2023

Action: Completed