

**APPROVED**

**Independent Living Fund Scotland: Board Meeting**

**Video Conference (COVID-19)**

**Tuesday 26 April 2022 ~ 11:00am – 12:30pm**

**Present**

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

**Apologies**

Anne-Marie Monaghan	Board Director
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**In Attendance**

Peter Scott	Chief Executive Officer
Harvey Tilley	Chief Operating Officer
Jim Maguire	Finance Director
Paul Hayllor	Director of Digital and Information Services
Robert White	Director of Self-Directed Support
Linda Scott	Director of Policy, Improvement and Engagement
Aileen McNiven	Head of Business Services (Secretariat)

## **Welcome, declarations of interest and apologies**

Susan Douglas-Scott (Susan) warmly welcomed everyone to the 26<sup>th</sup> ILF Scotland Board Meeting. Susan noted the apologies received from Anne-Marie Monaghan.

### **Declarations of Interest (DoI)**

No additional Declarations of Interest were received outwith DoI Register.

### **Chair's Introductory Remarks**

Susan opened the meeting with an update on Q4 noting the following key points ahead of further discussion during the meeting:

Following extensive work over a long period of time submissions on re-opening the 2015 fund are sitting with Ministers in both Scotland and NI. Updates are expected imminently from Scottish Government (SG).

Susan informed the meeting of the forthcoming meeting today when Susan and Peter Scott (Peter) will meet Humza Yousaf, Cabinet Secretary for Health and Kevin Stewart, Minister for Mental Wellbeing and Social Care.

Susan confirmed the next board development day is scheduled for 3 May with the agenda to be discussed later in the meeting.

The consequences of the pandemic continue to have a disproportionate impact on disabled people, including those supported via ILF Scotland. The team are learning more of this as they return to physical in person reviews.

The requirement for Assessors to take LFTs twice weekly has been removed. ILF Scotland have attempted to secure a continued supply of test kits via Scottish Government, but this has been unsuccessful. ILF Scotland believes it is important to continue testing before visiting people at home given the high prevalence rates at present so intend to purchase test kits for assessors and require them to test prior to every review visit.

The NI £500 thank you payments project is now underway. It is a significant piece of work but is being managed well. There are a few issues to resolve to ensure success, and these are being worked through at present.

The latest social care wage uplift has been implemented for ILF Scotland funded PAs. The same approach for care providers as in previous years is being used. CCPS have written to Peter with concerns about this approach and have subsequently written directly to SG requesting they instruct us to approve a blanket uplift for all.

Susan raised concerns about the implications of the ILF policy divergence between Scotland and NI, particularly in the context of wider developments in NI. The Senior Team have secured agreement from our NI Sponsor Team to exceed the maximum award in limited circumstances, which will help. Susan confirmed further discussion would take place during the meeting with an opportunity of questions.

Finally, the Chair thanked the Business Services team for inviting both Susan and her daughter Jillian to speak at the inaugural Health Awareness Session on the subject of Menopause and Endometriosis on 5 May 2022.

## **1. Minutes of Previous Meeting (refer to paper)**

The Board approved the Board Minute of 01 February 2022.

## **2. Matters Arising**

None

## **3. Annual Executive Summary & Operational Report 2021-22**

Susan invited Harvey Tilley (Harvey) to speak to the Annual Executive Summary and Operational Report 2021-22.

Harvey spoke of the current challenging landscape for disabled people in Scotland and Northern Ireland acknowledging it is a complex situation with the cost-of-living crisis adding to those difficulties. This is making life more challenging and problematic to navigate. Harvey reiterated that the re-opening

of the funds in Northern Ireland and Scotland would make a profound difference to the lives of disabled people.

Harvey referred the Board Directors to the paper and highlighted the following key points with additional input from other Executive Directors:

**Scottish Living Wage (SLW):** Considerable resource has been given to implement 2 SLW uplifts this year with both being implemented successfully.

**Transition Fund Applications 2021-22:** The TF has seen a 25% increase in applications during 2021-22. However, this has not translated into TF grants being awarded which in part may be due to lack of local support for applicants (e.g. schools closed due to COVID-19) which applicants previously received. Harvey apprised the Board that further solutions are being considered to turn this around.

**SG ‘Thank –you’ payment:** The SG ‘Thank-you’ payment which ILF Scotland helped facilitate is nearing completion with the project recognised as successful by stakeholders.

**NI – Special Recognition Payment (SRP):** Following a slow start the NI SRP is progressing well with the helpline being facilitated by ILF Scotland Operations Team. This project is expected to run till June 2022 when it is expected to wind down and close.

**Recipient reviews:** Robert White (Robert) gave a detailed summary of the complex issues surrounding the return to face-to-face reviews, explaining the extended role our assessors have assumed over the last two years.

Compromised Local Authority supports, as a consequence of the pandemic, has resulted in ILF Scotland Assessors taking on additional work, going beyond their usual role to ‘do the right thing’ to support our recipients. Robert acknowledged Assessors will return to their historic practice, with LA’s hopefully picking up pre-pandemic care management responsibilities as soon as possible. Assessors will pick up the tempo of recipient reviews with a view to returning to the pre-pandemic rate of 1900 per year.

Robert outlined the challenge and complexity of unravelling the policy changes which were and still remain appropriate and supportive during the pandemic.

The Board discussed the issues outlined by Robert, raising questions on the changing role of Assessors. Peter clarified ILF Scotland will continue with the

same role and responsibilities and awaits the National Care Service Consultation outcome.

**Northern Ireland and Scotland Flexible Use Policies:** Linda apprised the Board of the confirmation of the use of the Flexible Use policy to the end of June 2022. The extension was noted and welcomed by the Board.

**Policy 4: Available Income:** A brief summary was given with Linda detailing the divergence between Northern Ireland Available Income contribution (maximum £103.00 per week) and Scotland Available Income contribution (maximum £43 per week). Northern Ireland continue to follow the old version of Policy 4 which is more complex and has no waiver (e.g. terminal illness, financial hardship or exceeding maximum award waiver).

Linda confirmed that it is hoped the divergence in Northern Ireland will change if the fund re-opens with changes to Policy 4 already included in the re-opening submission to the Northern Ireland Administration.

The Board noted and acknowledged the inequity of the divergence and will continue to work towards balancing this.

Harvey apprised the Board that ILF Scotland awaits a decision on the re-opening of the 2015 Fund by both the Scottish Government and the Northern Ireland Administration. Peter confirmed he would hope to hear by mid-May either way.

Harvey thanked Linda, Aileen, Paul and Robert for the support and hard work over the last 12 months being cognisant that this last year has been the busiest and most complex to date.

**The Board noted the Annual Executive and Operational Report – 2021-22.**

### **3a. Annual Efficiencies – Q4**

Susan invited Paul to speak to the paper.

Paul introduced the paper which identifies the efficiencies and improvements made during Q4 with an overall review of FY 2021-22 and the COVID operational efficiencies.

Paul explained the efficiencies are now largely as efficient as they can be within the confines of the current systems and resources available. Over 1500 hours have been saved with efficiency changes over the last year.

As discussed at recent meetings there is a compelling business case to implement the Digital Transformation Programme to make further efficiencies with submissions for capital funding not yet approved. In recent days the SG Health Finance have asked Paul to submit an updated business case and financial modelling refocussing on the re-opening of the funds (using doubling and quadrupling figures).

Paul referred the Board to the updated Digital Transformation-service delivery model business case (v1.3) – 01 March 2022 now uploaded on Huddle for information.

The Board thanked Paul and his team for the continuing work on efficiencies.

**The Board noted the Annual Efficiencies 2021-22 Report.**

### **3b. Information Governance Dashboard – Q4**

Paul updated on the Information Governance work within the team, highlighting the recent joint cyber security phishing trial with Scottish Government. ILF Scotland has been noted as having the lowest 'strike' rate of all organisations taking part in the trial and subsequently top of the leader board! This was in part due to recent Cyber Security training and on-going awareness campaigns and staff vigilance. The Board commended Paul, his team and the wider staff for their heightened awareness with regard Cyber Security.

**The Board noted the Information Governance Dashboard – Q4.**

## **4. Audit & Risk Committee (ARC) Report**

### **Audit & Risk Committee Meeting – 11 April 2022 - Verbal Report**

Following a positive and full meeting on 11 April 2022 Alan Dickson (Alan), Chair of Audit & Risk Committee, highlighted the key areas discussed:

- Audit Plan is on target with a good response to Audit actions.

- An additional Risk Workshop is being planned for the next few weeks to discuss and agree the reporting detail for future papers focussing on the risks and not the process.
- Self-Effectiveness exercise for the Audit & Risk Committee will be circulated in due course.
- Finance / Management Accounts – following discussion during the recent Audit & Risk Committee it was agreed ILF Scotland Finance / Management Accounts should continue to be presented to ARC. The Board Directors noted that good governance suggests separate Audit & Risk and Finance Committees but felt the current structure continues to be effective and an additional committee was not at this stage required. However, if ILF Scotland 2015 funds reopen there will be further consideration given to the committee structure.

#### **Paper 4**

#### **Financial Commentary - Management Accounts (to March 2022) (refer to paper)**

Jim spoke to the Financial Year-end 2021-22 Management Accounts assuring the Board there are no major issues arising.

As previously highlighted, the Transition Fund (TF) remains the only area of concern with challenges to spend the allocated fund for 2021-22 resulting in a significant year end surplus. The Board discussed how to manage TF applications becoming TF grants with several solutions suggested.

Susan spoke of the shared ambition across the organisation to ensure TF grants reach the disabled people who need them. Peter confirmed the TF is on the agenda for the forthcoming meeting with Humza Yousaf, Cabinet Secretary for Health today, and they would hope to discuss possible solutions e.g. change in criteria.

**The Board noted the Management Accounts and Finance Commentary to March 2022.**

#### **Paper 4a**

#### **Risk Register (refer to paper)**

Susan invited Paul to speak to the Risk Register paper.

Paul outlined the changes in line with the Boards suggestions to improve the Risk Register reporting. The Chair invited comments from Board Directors. Susan asked for confirmation that sufficient assurance has been given to inform that current risks are managed within the Boards set tolerances. The Board agreed all risks appear to be well managed.

The Board commended the updated Risk Register and commented on the excellent way risk is now presented.

**The Board noted the Risk Register.**

## **Paper 4b**

### **Grant in Aid 2022-23 (refer to paper)**

Jim introduced the Grant in Aid paper stating the funds included in the Grant in Aid letter is in line with the budget and the requested funds from the Scottish Government.

**The Board noted the Grant in Aid 2022-23 letter.**

## **5. Remuneration Committee (refer to papers)**

### **Remuneration Committee (draft minute 28 March 2022)**

Mark Adderley (Mark), Chair of the Remuneration Committee, spoke briefly to the paper outlining the key areas of discussion during the recent Remuneration Committee meeting which included:

- Scottish Government Finance Pay Policy 2022-23
- CEO – review of Job Description and benchmarking in line with other similar Tier 2 NDPBs
- Staff Survey 2021
- Working Families – Top 10 Flexible Working Organisations – Benchmarking 2020-21
- Board Succession Planning

**The Board noted the Remuneration Committee update.**



## **5a. Board Succession Plan Summary (refer to paper)**

Susan invited Peter to speak to the paper. A brief outline was given updating on Board responsibilities during the Board Succession planning which is primarily led by the Public Appointments Team, Sponsor Team and the Chair. Peter advised the primary responsibility of the Board is to identify skills and experience required to fill each vacancy whilst ensuring equality and diversity is also front and centre of decision making.

The Board agreed to defer the Board Succession Planning discussion to the forthcoming Board Development Day which will take place virtually on 3 May 2022.

**The Board noted the Board Succession Plan Summary.**

## **6. Terms of Reference Review (refer to paper)**

### **Board - review Terms of Reference (refer to paper)**

Peter spoke to the paper highlighting the key changes outlined in the paper.

The Board agreed the following changes to the Board – Terms of Reference be made:

Para 5: A quorum for meetings of the Board is three ILF Scotland Board Directors, which includes either the Chair or Vice Chair.

Para 12: Sub-committees must be chaired by an ILF Scotland Director other than the Board Chair.

Para 15 (a) bullet 3 – Following brief discussion the Board agreed Peter should reword and circulate for approval out with the Board Meeting.

**Action 1: Board ToR - Amend para 5, 12 and 15 in line with suggested changes above.**

**The Board approved the Board – reviewed Terms of Reference for publication subject to the above changes.**

## **6a. Remuneration Committee – review of Terms of Reference (refer to paper)**

Peter outlined the revised Terms of Reference as recommended by the Remuneration Committee at Appendix 1 in the paper.

**Following a brief discussion of the recommended changes the Board approved the Remuneration Committee reviewed Terms of Reference for publication.**

## **7. Mainstreaming and Equalities Outcome Report 2022-24 (refer to paper)**

Linda spoke to the paper updating the Board on the impact and continuing challenge Covid-19 has had on the planned progress of actions outlined in the report. However, Linda reported good progress had been made on current actions with many completed or partially completed.

Linda referred the Board to the Pre-Submitted Comments and Questions paper which was submitted by Mark asking how we measure diversity in our recipient profile. Linda confirmed that ILF Scotland already requests equalities monitoring information for TF applications and the team are working to update this following further guidance from Scottish Government.

Etienne d’Aboville (Etienne) raised concerns regarding some social equality definitions / wording throughout the document and agreed to forward for editing prior to publication.

**Action 2: Etienne to review changes of the Equality Mainstreaming Outcome Report with regard to social equality definitions / wording and will forward to Linda for final formatting prior to publication.**

The Board suggested consideration be given to building community capacity and also work with the Centres of Independent Living (CiL’s) (see Para 5.3 – 2015 Fund Engagement).

**Action 3: Linda will discuss with Jim Elder-Woodward, Chair of the Scotland Advisory Group to consider incorporation of building community capacity when engaging with disabled recipients and their representatives.**

The Board requested the photographs of the Chair and CEO used in the Report should be updated as they are now out of date.

**Action 4:** Update photographs of the Chair and the CEO in the Report prior to publishing.

**The Board approved the Mainstreaming and Equality Outcome Report 2022-24 subject to the changes at Action 2 & 3 above.**

## **8. Corporate Parenting Plan (refer to paper)**

Linda reported progress against the Corporate Parenting Plan 2021-24 and advised of good progress following the annual review on the action plan.

Following a brief discussion Linda referred the Board to the Pre-Submitted Comments and Questions paper which states that ILF Scotland is at an early stage of development and have begun to establish key relationships with other corporate parents and organisations with direct contact with care experienced young people. Also included are further measures in the Plan for 2022 / 23 and it is planned to be able to build further on this in 2023 / 24.

**The Board approved the Corporate Parenting Action Plan 2021-24.**

## **9. Charter for Involvement (refer to paper)**

Linda spoke to the paper recapping on the Charter for Involvement signed off by the Board in 2018. Linda advised the Charter for Involvement action plan was co-produced by the Advisory Group, with good progress already made and further work continuing next year.

**The Board noted the Charter for Involvement.**

## **10. Health & Safety Report (refer to paper)**

Aileen advised the Board of the current hybrid principles which have been put in place to support the staff team as the organisation transitions out of the pandemic.

**The Board were reassured by the Health & Safety Report thanking the team for the hard work.**

## **11. MiCase & PQs (refer to paper)**

The Board noted the Ministerial Correspondence received from Robin Swann, Minister of Health, and Northern Ireland to Kevin Stewart, Minister for Mental Wellbeing and Social Care. The letter received requested Scottish Government / Northern Ireland Government continue the current arrangements for the management, administration and payment of the Independent Living Fund for the incoming financial year to recipients in Northern Ireland using ILF Scotland's infrastructure.

Peter confirmed a positive response had been sent from Minister Stewart to Minister Swann confirming the arrangements will continue for a further year.

**The Board noted the MiCase & PQs.**

## **12. AOB**

### **Equality Committee**

As part of ILF Scotland Equality Duty Action Plan, one action is to establish an Equality Committee to ensure equality, inclusion and diversity across the organisation. Membership for the committee was suggested as CEO, Board Director, Advisory Group (Scotland) and / or Stakeholder Group (Northern Ireland) member and several representatives from the staff group.

Peter invited a Board Director to join the Equality Committee as a Board representative with Mark volunteering to attend the twice-yearly meetings. Peter thanked the Board for their consideration and welcomed Mark to the Equality Committee.

## **Board Development Day – 3 May 2022 (10:30am-1:00pm)**

The Board agreed the following agenda for the Board Development Day:

1. Introduction
2. Feedback from meeting with Cabinet Secretary for Health and Minister for Mental Wellbeing and Social Care
3. Board Self-Effectiveness
4. Meet a Recipient
5. Summarise & Close

### **Thank you**

Peter repeated Harvey's earlier thanks to Aileen, Linda, Robert and Paul, and thanked both Jim and Harvey for their hard work, support and leadership over the last year, commending the quality of their work.

Susan ended the meeting acknowledging the work from Peter and the team for an outstanding Annual Executive Summary 2021-22.

### **Important Board Dates:**

Next: Audit & Risk Committee: ZOOM, 10:30am, 13 June 2022

Next: Board Meeting: ZOOM: 11:00am, Tuesday 28 June 2022

Next: Remuneration Committee: Venue tbc 11:00am-12:30pm, Monday 19 September 2022

Next: Development Day: Venue tbc 1:00pm – 4:00pm, Monday 19 September 2022

### **Actions**

**Action 1:** Board ToR - Amend para 5, 12 and 15 in line with suggested changes.

**Action by:** Peter / Aileen

**Timescale:** June 2022

**Action:** Complete. 5 May 2022: Board Directors approved the wording change / move to Para 15 to Para 17- CEO.

**Action 2:** Etienne to review changes of the Equality Mainstreaming Outcome Report with regard to social equality definitions / wording and will forward to Linda for final formatting prior to publication.

**Action by:** Etienne / Linda

**Timescale:** April 2022

**Action:** Complete

**Action 3:** Linda will discuss this further with Jim Elder-Woodward, Chair of the Scotland Advisory Group to consider incorporation of building community capacity when engaging with disabled recipients and their representatives.

**Action by:** Linda

**Timescale:** June 2022

**Action:** Complete

**Action 4:** Update photographs of the Chair and the CEO in the Report prior to publishing

**Action by:** Aileen / Linda

**Timescale:** June 2022

**Action:** Complete