

APPROVED**Board Meeting****TEAMS****Tuesday 22 October 2024 11:00am - 1:30pm****Present**

Anne-Marie Monaghan
Étienne d'Aboville
Mark Adderley
Stephanie Hayle
Alison Nicolson
Kirsty Aird

Board Chair
Board Director
Board Director
Board Director
Board Director
Board Director

In Attendance

Peter Scott
Harvey Tilley
Jim Maguire
Paul Hayllor
Linda Scott
Robert White
Aileen McNiven

Chief Executive Officer
Chief Operating Officer
Finance Director
Director of Digital and Information Services
Director of Policy, Improvement and Engagement
Director of Self-Directed Support
Head of Business Services

1. Welcome, declarations of interest and apologies.

Anne-Marie Monaghan (Anne-Marie) welcomed everyone to the 37th ILF Scotland Board Meeting.

Anne-Marie referred the Board Directors to the 'Pre submitted Questions and Comments' at Appendix A.

2. Apologies

No apologies received.

Declaration of Interest

No declarations of interest received.

3. Chairs Remarks

Today is the 1st meeting back for Anne-Marie following the loss of Anne-Marie's mum. Anne-Marie thanked the Board Directors and Executive Team for their kind condolences, support and flowers.

The Board Director recruitment concluded on 7th October with interviews held in Denholm House, Livingston. Appointment details are awaited from Maree Todd, Minister of Social Care, Mental Wellbeing & Sport and will be shared on receipt, organising induction ON-Boarding thereafter. Further recruitment will be commenced for one further Board Director with a focus on legal, welfare and human rights skills. Applications will also be welcomed from candidates from Northern Ireland.

4. Minutes of Previous meeting (refer to Paper 1, 2,3 & 4)

The Board approved the minute of the previous meetings outlined below with no changes.

- Board Meeting – 25 June 2024
- Special Board Meeting – 07 August 2024
- Special Board Meeting – 26 August 2024
- Special Board Meeting – 23 September 2024

5. Action Log (refer to Paper 5)

Anne-Marie briefly outlined the 4 actions confirming completion of the following :

Action 3 : Digital & IT Strategy : agenda item 13 (completed).

6. Urgent Matters

Scottish Government Emergency Spending Controls (verbal)

The Chair invited Alison Nicolson (Alison) and Peter to speak to the Scottish Government(SG) Emergency Spending Controls.

Alison updated on discussions at the recent Audit & Risk Committee, outlining nine increased risks due to SG Emergency Spending Controls. Significant concern was raised as to whether the strategy can be delivered under such spending controls and the delay to the Workforce Implementation Plan with recruitment delayed.

Peter updated that following the Board's robust letter to the Cabinet Secretary for Health, reassurances were given that there is no risk to the remaining ILF funding in the year 2024-25. Peter gave a detailed appraisal of the current issues and mitigations in place:

- Staff Well-being – The travel expenses restriction has had the most impact on the Assessor team with the in-person reflective practice (1-2-1's) and the in-person peer group meetings stopping. (Those meetings are where mutual support and debriefs regularly take place.)

Mitigation: Due to the positive financial position and the demonstration of supporting SG this temporary restriction has been relaxed to support the meetings to reconvene in a controlled and sensitive manner with this being well received. Service delivery will not be impacted with normal business as usual.

- Transition Fund (TF) – Following the Special Board Meetings (26 August & 23 September) the £100k maximum spend per week has been reduced to £90k per week, which will result in reduced expenditure of £240k by year end. Peter has taken forward the Boards actions:
 - a) Requested additional TF funding from SG to reduce the backlog. The Sponsor Team clarified there will be no further in year funding for 2024-25.
 - b) Requested inflationary increase for TF, backdated to 2014 when the £5m allocation was first announced by SG. The Sponsor Team will give due consideration to this as part of the budgetary discussions for 2025-26.
- External Recruitment: All external recruitment is currently on hold; however consideration will be given to recruiting to specific critical posts where this is deemed operationally essential, potentially with a view to appointments being in place from 01 April 2025. (2025-26)

Discussion ensued with the Board agreeing to delay any further communication to the Cabinet Secretary until budget negotiations are underway and a picture of the 2025-26 budget starts to emerge. Should there be any concerning changes a further Special Board meeting should be called. The Board agreed with the actions the Executive Team have taken to support the workforce, ensuring service delivery continues with as little impact as possible.

7. Audit & Risk Committee Update (ARC) (verbal update)

Alison gave a verbal update on the most recent Audit & Risk Committee meeting (14 October 2024) highlighting the following key points:

- Management Accounts to September 2024 show ILF Scotland finances to be in good shape. Alison outlined the reduction of £5.5m in the drawable funds and also a forecast overspend in the NI fund - detailed in the Management Accounts.
- External Audit : Reassurance was received that outstanding actions are moving forward in an expected timescale.
- Thanks were offered to Paul and the team acknowledging the risk management process is working well as illustrated by the impact of the emergency spending controls on the risk scorecard and register.
- The Audit & Risk Committee discussed the social care/social work crisis risk and suggested starting to quantify the impact extra review work is having on ILF. E.g. additional assessor time.

ACTION 2 : Harvey/Robert will consider the best strategy to collate the information on additional Assessor time due to the social work crisis and will report back.

- Internal Audit : Alison congratulated the team on two 'good' audits - equalities and diversity (with minor recommendations) and a clean data protection/freedom of information audit

- Due to the delay in the Workforce Plan Implementation the proposed Workforce Plan Audit Q4 2024-25 may be moved to Q1 2025-26 to allow an opportunity for the plan to be updated following the 2025-26 budgetary finalisation. Peter and Harvey will consider the options and feedback to the Audit & Risk Committee with further detail as appropriate.

ACTION 3: Consideration will be given by Peter and Harvey to whether the Workforce Planning Audit should be moved to Q1 2025-26, instead of Q4 2024-25.

The Board noted the Audit & Risk Committee update.

8. Remuneration Committee Update (refer to Paper 6)

Anne-Marie invited Mark Adderley (Mark) to speak to the Draft Remuneration Committee minute – held 25 September 2024. The highlighted key points included:

- The Staff Survey 2024 had a positive response rate of 84%. The Staff Survey Working Group are now working through the detail to consider areas of progressive change.
- A new dashboard presenting HR statistics will continue to be refined and developed offering a snapshot of appropriate statistics of the people data.

ACTION 4: Aileen to add a summary dashboard of the key metrics to the quarterly Board information and will include in the Corporate Report.

- Mark reported a Top 10 Working Families Benchmarking Award 2024 (7th year running in either Top 30 or Top 10) offering congratulations to the team.
- Work Force Implementation Plan has been delayed due to the Emergency Spending Controls, however, will resume as soon as controls are lifted or operationally essential.

The Board noted the Remuneration Committee update.

9. Management Accounts to September 2024 (refer to Paper 7)

Jim Maguire (Jim) spoke to the recently scrutinised, Management Accounts to September 2024 referring the Board Directors to the paper. No issues were reported.

Board Directors requested that the management accounts should include specific narrative on the opening page outlining the extensive actions and effort ILF Scotland is taking to contribute to the SG in year savings/emergency spending controls, specifically in relation to the significantly reduced drawdown of the allocated £9m re-opening funds.

ACTION 5: Specific descriptive narrative regarding Re-opening Fund spend/drawdown to be included on the opening page of the Management Accounts.

The Board noted the Management Accounts and Finance commentary to September 2024.

10. Summary Risk Report (refer to Paper 8)

Paul spoke to the paper which was recently scrutinised at the Audit & Risk Committee. The Board acknowledged the risk process is working well in drawing attention to pertinent issues.

Risk 3CLR, 15S and 7S were discussed highlighting the requirement to add explicit narrative supporting the rationale for the risk.

ACTION 6: 15S to include specific explanation regarding the ‘Loss of Strategic Leadership’ which will include ‘pay suppression’ – see para 5 (Matters Arising) . 7S : Remove risk as NDPB/SOPB status is now out of date.

The Board noted the Summary Risk Report

11. MiCase & PQ’s (refer to Paper 9)

The Board discussed the MiCase & PQ paper. Particular attention was drawn to the recent parliamentary questions. Linda Scott (Linda) explained the Scottish Government process which includes preparation of information from the Sponsor Team who respond to ILF related questions. It was noted that ILF Scotland has limited influence on how the answers are formally recorded in parliament, however we do provide information when requested. The board noted particular concern over potential misunderstanding arising from the Parliamentary Question asked by Pam Duncan-Glancy on 4th September 2024, which included:

“However, yesterday, the finance secretary told the Finance and Public Administration Committee that there are to be £13 million of cuts in adult social care, partly because uptake of the new independent living fund, which it delayed delivery of, was not what it should be. Those cuts will terrify disabled people.”

The board were concerned that this could be interpreted as meaning that ILF Scotland is responsible for the slower than anticipated uptake of the re-opened fund which is in fact largely a consequence of limited social work capacity to support applications.

ACTION 7: The Chair to consider contacting Pam Duncan-Glancy MSP to provide clarification. Linda Scott to discuss with the Sponsor Team.

The Board noted the MiCase & PQ’s.

12. ILF Fund Re-opening Report & Dashboard (refer to Paper 10 & 11)

Peter updated there have been 256 applications (to date) received to the re-opened fund with daily increases. An exceptional amount of engagement work continues with Local Authorities (LA’s) in order to increase applications, e.g. providing tool kits, communications support, presentations and one to one support. ILF Scotland has been advised from social work contacts/ILF Leads there will be a significant increase in applications in the forthcoming weeks and months.

The Care Component Subgroup of the Co-Production Working Group (CPWG) met 22 August to discuss the care component element of the re-opened fund and will make any recommendations to the CPWG in due course. This will be presented to the Board for endorsement.

Paul updated that the CPWG have asked ILF Scotland to gather 'unmet' need data from recipients to inform the level of 'unmet' need across Scotland. It is acknowledged that unmet need is difficult to define, and harder still to measure. ILF Scotland has developed a tool for the Assessors to use which will gather some of the data to help measure and gather this dataset.

ACTION 8: Peter to update the Board with any CPWG recommendations to the Minister to allow board consideration and hopeful endorsement.

13. National Care Service (NCS) & Social Care Crisis (verbal)

Anne-Marie spoke to the amended NCS Bill outlining the changes proposed and noting the 'Call for Views' extension to the end of September. [National Care Service \(Scotland\) Bill - draft Stage 2 amendments | Scottish Parliament Website.](#)

The Board noted the National Care Service Bill is no longer supported by COSLA. The Scottish Government are moving forward with the amended Bill expected to be approved in due course. The Board noted the NCS update.

14. Q2 2024-25 Executive Summary & Operational Report (refer to Paper 12)

Harvey referred the Board to Paper 12 highlighting key points which included:

- Emergency Spending Controls
- ICI Replacement
- Re-opening
- Business as Usual

Linda spoke of the agreement between the Northern Ireland (previously known as Northern Ireland Stakeholder Group) and Scotland Advisory Groups, recapping they will meet 3 to 4 times a year to discuss joint priorities which include: removal of Available Income charges; Northern Ireland re-opening; social care crisis in Scotland and Northern Ireland; personal assistant recruitment and related issues; ILF Scotland 2025-28 strategy discussions.

Linda also updated on the active recruitment for Northern Ireland Advisory Group members.

As part of the Charter of Involvement it was previously agreed an open invitation to Board Directors to attend any Advisory Group Meetings and for the Chairs of the groups to attend ILF Scotland Board meetings, on occasion. The Board, again, welcomed the invitations both ways.

ACTION 9: Board Directors to contact Linda to agree dates of Advisory Group Meetings they would wish to attend. Linda and Aileen McNiven (Aileen) will work with Anne-Marie and the Chairs of the Advisory Groups to confirm a date in the next 6-12 months.

The Board noted the Q2 2024-25 Executive Summary & Operational report.

15. Digital & IT Strategy (refer to Paper 13)

Paul spoke briefly to the paper, thanking Alison and Kirsty Aird (Kirsty) for their valuable comments and input.

The Board noted the draft Digital & IT Strategy and confirmed their willingness to approve subject to distribution of a final version with comments etc removed. Mark offered his support to Paul and the team with this final version.

Etienne suggested adding a reference to the policy re accessibility of back-office software e.g ensuring ICI replacement could be accessible using screen-reading software.

ACTION 10: The final version of the Digital & IT Strategy to be circulated to the Board for formal approval.

The Board noted the draft Digital & IT Strategy.

16. Health & Safety Report (01 July 2024 to 30 September 2024) (refer to Paper 14)

Aileen McNiven (Aileen) was invited to speak to Paper 14 giving Board Directors assurance on the Health & Safety operation of the organisation. The Board noted the Health & Safety Report.

17. Health & Safety General Risk & Compliance Audit – 2024) (refer to Paper 15)

The Board noted the clean Health & Safety Compliance Audit Report thanking Aileen and the team for the hard work throughout the year.

18. Net Zero Champion Update (verbal)

Stephanie Hayle(Steph) and Mark updated that the Draft Climate Change & Sustainability Strategy will be finalised for approval to the Board in due course. The Board noted the delay and look forward to viewing the final version.

ACTION 11: Draft Climate Change & Sustainability Strategy to be added to February Board agenda for approval. The Board noted the Net Zero Champion Update.

19. Cyber Security Champion Update (verbal)

Kirsty updated on recent meetings with Paul and Jo Leitch (Jo), reassuring the board that robust processes are in place to mitigate against cyber risks.

Kirsty reminded the Board and Executive team to remain vigilant through the IT Strategy transitions over the next 2 year as this is when risk is highest. The Board noted the Cyber Security Update.

Annual Board Director Appraisal Process & Forms (refer to Paper 16)

The Board approved the new Annual Board Director Appraisal Process & Forms, noting the process would be reviewed as the new process embeds.

20. AOCB

- **Workforce Plan Update** - refer to para 7 – Urgent Matters
- **Framework/Terms of Reference (ToR) Update**

Peter apprised the Board the new Framework Agreement has now been shared with our lawyers, Central Legal Office, and will be brought to the next board for scrutiny. The framework will be circulated for comment/edit course, with work on the Terms of Reference to follow.

The Framework Agreement and Board Terms of Reference are expected to be on the February Agenda for approval following Board input out with the meeting schedule. The Board noted the Framework and ToR update.

Anne-Marie thanked the Board Directors, Executive Team and wider staff team for their invaluable work for disabled people across Northern Ireland and Scotland and looked forward to the next meeting.

Close of Meeting: 1:30pm

Next Board Meeting Dates:

Next Audit & Risk Committee: 10:30 am, Tuesday 11 February 2025 (virtual)

Next Board Meeting: 11:00am, Monday, 24 February 2025 (virtual)

Next Board Development Day: 10:00am – 4:00pm Monday, 24 March 2025 (Denholm House)

Next Remuneration Committee: 11am, Tuesday 01 April 2025 (virtual)

Action Point -	Action by	Timescale	Action
ACTION 1: Mark Adderley(Mark) Remuneration Committee Chair will email the Sponsor Team to try to ensure an agreed solution is realised urgently.	Mark / Harvey	Immediate	Complete . Agreed solution realised in December 2024.
Action 2 : Harvey will consider the best strategy to collate the information on additional Assessor time due to the social work crisis and report back.	Harvey	February 2025	Post Christmas
ACTION 3: Consideration will be given by Peter and Harvey to whether the Workforce Planning Audit should be moved to Q1 2025-26, instead of Q4 2024-25. Feedback to ARC.	Peter/Harvey	November 2024	Moved to Q1 2025-26 (w/c 14 April 2025)
ACTION 4: Aileen to add a summary dashboard of the key People metrics to the quarterly Board information.	Aileen	February 2025	Complete
ACTION 5: Jim to include specific descriptive narrative regarding Re-opened Fund spend to be included on the opening page of the Management Accounts.	Jim	November 2024	Complete

ACTION 6: Risk Register : 15S to include specific explanation regarding the 'Loss of Strategic Leadership' which will include 'pay suppression' – see para 5 (Matters Arising) . 7S : Remove risk as NDPB/SOPB status is now out of date.	Paul	February 2025	In hand and all risks currently being reviewed as part of migration to new resilience tool
ACTION 7: The Chair to consider contacting Pam Duncan-Glancy MSP to provide clarification. Linda Scott to discuss with the Sponsor Team.	Anne-Marie/Linda	November 2024	Anne-Marie considered and did not contact Pam Duncan-Glancy.
ACTION 8: Peter to update the Board with any CPWG recommendations to the Minister to allow board consideration and hopeful endorsement.	Peter	Timeously	On-going and up to date
ACTION 9: Board Directors should contact Linda to agree dates of Advisory Group Meetings they would like to attend. Linda and Aileen McNiven (Aileen) will work with Anne-Marie and the Chairs of the Advisory Groups to confirm a date in the next 6-12 months.	Board Directors/Linda/ Aileen	By November 2025	On agenda – item 7 – Action Log (1)
ACTION 10: The final version of the Digital & IT Strategy to be circulated to the Board for formal approval.	Paul	February 2025	Complete
ACTION 11: Draft Climate Change & Sustainability Strategy to be added and submitted to the 24 February 2025 Board agenda for approval.	Paul/Aileen	February 2025	On agenda