



**The Supreme Court of the United Kingdom  
Management Board**

**Minutes of the meeting held on 22<sup>nd</sup> January 2020**

Attending: Mark Ormerod (Chair)  
Sam Clark  
Louise Di Mambro  
Paul Brigland  
Chris Maile  
Sanjeet Bhumber  
Janet Coull-Trisic  
Sophia Linehan Biggs  
Ian Sewell

Kathryn Cearns (Non-Executive Director)  
Tim Slater (Non-Executive Director)

**1. Apologies for absence.**

1.1 No apologies were received.

**2. Approval of the minutes of the meetings of 30<sup>th</sup> September 2019 and 25<sup>th</sup> November 2019.**

2.1 The minutes of both meetings were approved subject to minor amendments.

**3. Actions and matters arising not covered elsewhere on the agenda.**

3.1 Progress against each of the actions was considered and the Board noted the ongoing position of the actions.

**4. Declaration of conflicts of interests.**

4.1 No declarations of conflicts of interest were made.

**5. Chief Executive's Overview.**

5.1 The Board noted the contents of the overview, and in particular the following –

- The appointment of Lord Reed as President and the position regarding the appointment of the Deputy President.
- The Strategic Priorities for the administration should be considered in coming months.
- The financial position, whilst a little more certain for the rest of the financial year, still needed to be very actively monitored.
- There was a substantive paper later on the agenda to discuss the Transformation Project, but the scoping and planning for this would be time consuming and challenging.

## **6. Management Information Dashboard.**

6.1 The Board noted the contents of the dashboard and paper and in particular the following points were made –

- The status of PTAs detailed in the paper was noted however the months to which the date is referenced was incorrect and would be updated.
- The passage of PTAs through the Court was discussed. The Board recognised that the number of PTAs considered was in line with the previous five years. The number of appeals as of right had however, decreased.
- No UKSC appeals had been waiting for more than six months for judgment to be handed down. The overall numbers of appeals waiting for judgment appeared high but there were five sets of appeals which were heard together: these would all result in one judgment each. There were two appeals which had been waiting more than 3 months.
- The impact of the EU Withdrawal Bill was discussed and the potential impact on the work of the court and it was agreed this would be carefully monitored.
- The contents of the paper provided and the dashboard pertaining to Registry Statistics was discussed. Going forward the Board would like to see a one-page narrative to accompany the figures highlighting matters which should be brought to the Board's attention, for example any emerging trends or change in performance.
- The reduction in training and development undertaken in December was identified as a possible concern however, the activity over coming months in response to the staff survey results would support a more rounded and inclusive approach in this area.
- The position around sick absence was discussed and it was noted. The position regarding long term sick absence was noted and balanced against the positive position with short term sick absence. The Board were encouraged to hear that sick absence was being proactively managed in all areas and that the position should improve over the next few months.
- Other areas, including FOIs, outreach and visitor numbers were noted.

## **7. Risk Register.**

7.1 The Board noted risk register and cover. The following points were discussed –

- The most significant risks being managed by the UKSC continued to be Risk 2 (*Security and Safety*) and Risk 7 (*High Profile Failure*). Risk 1 (*Financial Sustainability*), whilst still marked high as a result of the timings of the paper had reduced as a result of the news regarding the Supplementary Estimate and this would be reflected in the next iteration of the Register.
- The Board noted the feedback following the Deep Dive of Risk 2 at the Audit and Risk Assurance Committee. There was a discussion about the purpose and extent of a deep dive and whether the approach enabled Committee members to be assured that the risk was being managed or mitigated against. It was recognised that undertaking deep dives was a new approach for the court so would need to evolve over the coming months and deep dives.
- Risk 6 (*Performance*) was discussed and whilst it was recognised as being on target, the effect on staff and the role they had to play in ensuring performance was not clear in any of the mitigation. It was noted that this did not link back to Risk 5 (*Capacity and Capability*) and that the risk owners must not lose sight of the people impact and supporting staff to deliver performance.
- The progress on the issues were noted.

## **8. Finance.**

8.1 The Board considered the finance report and noted the following points –

- The projection for the full year showed a forecast overspend of £376k on resource expenditure. This was a reduction in that reported to the November Board as a result of the forecast for depreciation as a result of the capital spend in 2019-20. The forecast for capital expenditure continued to project a balanced budget.
- Since preparing the paper the Court had been informed that the Supplementary Estimate for 2019-20 had been approved pending formal confirmation and the setting of conditions. Once confirmed this would significantly reduce the risk to the financial sustainability of the Court in the short to medium term, when combined with the SR19 settlement which had already been agreed.
- Work had commenced to ensure the effective devolving of budgets to Heads of Function for next financial year. This would enable a more business partnering approach to be adopted and enable greater accountability for financial matters.
- The Board thanked Sanj and his team for all they had achieved in a relatively short time, particularly the Supplementary Estimate agreement.

## **9. Press and communications.**

9.1 The Board considered the update and noted the media summaries which would be attached to the paper going forward. The following points were noted -

- Media wise, both November and December were busy period as there were key judgments published, the role of the Supreme Court discussed and key interviews including the Today programme featuring Lady Hale as guest editor. The NEDS suggested it would be helpful if they could be copied in on significant articles pertaining to the Court as and when they take place to ensure they were fully informed.
- The UKSC welcomed 7,381 in November and 7,449 in December. This represents a 17% increase on the same period in 2018. Between November and December 2019, we delivered 76 school and college group tours – compared to 74 last year. We also gave tours to 7 charged international educational groups.
- The Court’s 2019-20 Debate Day programme was underway and progressing well. Schools for ‘Ask a Justice’ had been selected and Justices had been approached. This year’s programme of 12 sessions would take place between February and May, including schools from the Midlands, North West England, North East England, Wales, Scotland and Northern Ireland. In addition, universities for the Supreme Court Moots has been selected and would take place between February and May.
- In November 2019, the UKSC website received 111,634 unique visitors – the 11<sup>th</sup> highest monthly total in the Court’s history. In December 2019, the website received 80,878 unique visitors, with over 8,000 visits on Wednesday 18 December when Lady Hale’s valedictory took place. The JCPC website received 10,612 unique visitors in November 2019 – a 18.94% decrease on the same period in 2018 – and 8,590 unique visitors in December 2019.
- Audiences across the Court’s social media channels continued to grow steadily. We have 263,292 followers on Twitter; 8,001 followers on Instagram; and more than 11,600 subscribers on YouTube.
- Four international visits were hosted in November and December and included judges from South Korea, Japan and Egypt. The Court also held an exchange with the German Supreme Court.
- The Supreme Court’s 10-year anniversary programme of events and activities had now concluded. However, in November and December, the Court hosted a series of four special lectures delivered by Lord Reed, Lord Lloyd-Jones, Lord Kerr and Lady Hale. The series was very well attended and feedback from attendees was overwhelmingly positive. A compendium for the anniversary is being developed on the UKSC website and is expected to launch later in January.
- Work had commenced at pace on preparations for the 2019-20 Annual Report and Accounts and the production schedule had been agreed with key contributors and the designers. The direction for this report was more visual and data lead with less narrative. This was in line with the approach agreed by the Board in 2018.

## **10. Human Resources.**

10.1 The Board noted the update from HR and in particular the following points –

- The new permanent Judicial Assistant, Rebecca Fry started on 13<sup>th</sup> January.

- The Judicial Assistants Campaign for 2020 had been launched advertising for up to 11 Judicial Assistants.. Trips were planned to promote the campaign in Northern Ireland and Scotland. The closing date for the campaign will be the end of March with interviews in May.
- Work had commenced to take engage across the Court following the staff survey results. Engagement champions for four key themes have been appointed. The key themes identified were: Team Work/Communication; Learning & Development; Management Capability and Pay, Benefits and Feeling Valued. A workshop style event would take place at the next All Staff Meeting on 24 January which would lead to the development of an Action Plan for 2020.
- We have received an Initial Assessment Report from the Government Property Agency on the Smarter Working Initiative. Whilst it confirmed we had an established culture for encouraging flexible working within the constraints of some roles and working in a Grade II \* listed building, they recommended we develop a clear Smarter Working Policy and have a Communications Strategy surrounding it. This will be taken forward over the coming months

## **11. Case update.**

11.1 The Board noted the oral update from the Registrar.

## **12. IT update.**

12.1 The Board noted the contents of IT Update and in particular the following points –

- Work to install the new speakers in the courtrooms had now been completed and were working well with much better sound distribution.
- A trial of working with the justices and increasing their use of SharePoint to access and review bundles had proved successful and plans were being put in place to ensure a proper plan was in place to take this forward.
- The Board’s attention was drawn to the overview of all infrastructure, systems and processes which would be considered over the next twelve months. It was explained that a lot was in train now and that at the next Board meeting a fully paper would be provided. In that paper it was asked that it be clear what elements were business and usual and what would or could require a project or some enhanced level of governance. The size of the organisation was reflected upon and the capacity to have multiple projects in train discussed.

## **13. Audit and Risk Committee update.**

13.1 The Board noted the oral update provided by the Chair of the Audit and Risk Assurance Committee and in particular the following -

- Updates were received from both internal and external audit. The Committee was broadly content with their findings as there were no areas of disagreement.

- The Audit of Risk Management and the substantial rating was discussed and the review and assurance process going forward was considered.

#### **14. Remuneration Committee update.**

14.1 The Board noted the oral update provided by the Chair of the Remuneration Committee.

#### **15. Transformation Project.**

15.1 The Board discussed the contents of the progress paper and in particular noted the following areas –

- The Shadow Transformation Project Board had been established to oversee the legacy activities from the Website Project and to lead the development of the Business Case to be submitted to HM Treasury. The priority activities were discussed.
- Work had already commenced to improve accessibility to the current UKSC and JCPC websites and this was running in parallel to the content audit.
- A temporary Project Manager had been recruited to produce the Strategic Outline Business case. The vision for the case comprised three main elements: the provision of digital services by default and design; a new case management system and new websites. To support this organisational and cultural change would be required.
- Going forward regular updates would be provided to the Management Board.

UKSC  
January 2020