

Education Scotland Management Board (MB)

Minutes of meeting held – 14:00 on 13 December 2017

Present	Gayle Gorman Alan Armstrong Graeme Logan Janie McManus Elizabeth Morrison Moi Ali Kate Dunlop Mike Ewart John Fyffe Linn Phipps Stephen Ross	Chief Executive (Chair) Strategic Director Strategic Director Interim Strategic Director Interim Strategic Director Non-executive Board Member Non-executive Board Member Non-executive Board Member Non-executive Board Member Non-executive Board Member Non-executive Board Member
In attendance	Maureen Gore Mary Hoey Gillian Howells Roz McCracken Nina Hyslop	Assistant Director Assistant Director (item 9 only) Head of Finance & Procurement Head of Governance Secretary
Apologies	Stuart Robinson	Assistant Director

Welcome and apologies

1. The Chair welcomed everyone to her first meeting of the Management Board. It was to note that this was the first Management Board meeting attended by the newly appointed Non-Executive Board Members, John Fyffe and Stephen Ross.
2. Apologies were noted for Stuart Robinson. Gillian Howells attended in respect of item 10 - Finance Report.
3. The Chair invited introductions from members and attendees, for the benefit of all.

Minutes of previous meeting and action log: 12 June and 13 September 2017

4. The minutes from 12 June and 13 September were noted as accurate for the record.
5. The action log
 - Item 4 – Business planning 2017-18 – to be added to future agendas to look at priority programmes and strategic discussions.
 - Items 6 and 10 – forward a calendar of meetings and events, highlighting those which Non-executive Board Members should contemplate attending, and which should be added to an agenda to be discussed at an away day for members to reflect a change to approaches for support and challenge
 - Item 12 - Stakeholder analysis. Non-Executives stressed again the need for effective stakeholder analysis. .

Action Add business planning to future agenda, to review priority programmes, and strategic discussions. Roz - 01/02/18

Action Ensure the calendar of meetings and events is regularly made available to Non-executive Board Members, which should note those for them to prioritise. Nina – 10/01/18

Declarations of interest

6. No declarations of interest to note.

Strategic and horizon scanning

Chair's update – the strategic environment

Education and Skills Committee appearance – 13/12/17

7. The Chair shared her experience as the new Accountable Officer of Education Scotland in front of the Education and Skills Committee in Parliament earlier that morning. The Chair attended along with Graeme Logan and Mike Ewart. It covered a range of topics, with some repeated questions from previous appearances at Committee. Additional questions on the Regional Improvement Collaboratives, Northern Alliance, conflicts in the governance structure, and on inspection and review were raised. The Committee also brought up the subject of the Agency's People Survey results. The Chair felt that overall the event had gone well, especially in light of being the newly appointed Chief Executive.

8. Graeme Logan and Mike Ewart agreed that this had gone well and overall had been a very positive appearance, despite being drawn into some of the issues which had been raised at previous appearances.

9. The Committee raised the question around the delay of published minutes from the Management Board. Roz acknowledged the delay and would request minutes be uploaded in a timely fashion.

10. The Chair noted apologies from Karen Reid, Interim Chief Executive. Whilst Karen was no longer a member of the Management Board, she had offered to attend this meeting as support to the Chair and to thank the Board for their support during her period as Chief Executive.

Action Secretary to ensure that future Board minutes are uploaded to the Agency's website in a timely fashion. Nina – 20/12/17

Chair's update – the strategic environment

11. The Chair advised that a review of the strategic environment, and how to support staff, stakeholders, teachers and practitioners from discussions and debate, support and challenge was to move forward. It should be noted that it will not be an overnight change, but we would require further consideration on how the Regional Improvement Collaboratives would work to deliver on the National Improvement Framework and Scottish Attainment Challenge. This message had been shared at the all staff event: Equalities for All, which had taken place on 12 December. The Chair was keen that discussions take place with the Non-executive Board Members through one-to-ones and at an away day to identify some quick wins and to empower the system.

12. Graeme Logan echoed the comments made by The Chair, highlighting the need to move to the regional delivery model to deliver the business. John Fyffe, Mike Ewart and Moi Ali would join the business planning forum on how best to take this forward with staff, noting past lessons learned. The initial RIC plans and ES response, would be scoped out by the end of January, and finalised by the end of September.

13. Moi Ali highlighted that simplicity would be essential to deliver the core messages, and allow engagement with the staff and external stakeholders.. Alan Armstrong agreed, and noted we know what was expected, however staff were weary following a year of substantial organisational change, and we would require to set out a very clear sense of direction. Kate Dunlop acknowledged the constant change on emphasis with everything we do, which would require clear messaging, improving relationships and instilling greater confidence to allow satisfactory progress.

Draft Corporate Plan and Transformation Plan

14. Janie McManus provided an update on the various elements of the draft plans, with a commitment to address concerns identified through the People Survey, various working groups, and directly from staff feedback at events. We would engage with stakeholders, Non-executive Board Members, and professional associations to review, refocus, and strengthen our staff commitment. Janie welcomed the feedback provided, and it was noted that whilst we had deliberately slowed the pace in producing these documents, this was at the request from staff to ensure that we tackle the right areas, and furthermore to take feedback from the new Chief Executive on appointment.

15. Linn Phipps thanked Janie for the work which had been undertaken to date, but noted her surprise at the lack of SWOT analysis, and risks and opportunities. Additionally, between the documents there were three sets of different key priorities. We should consider having only one set of identified key priorities for the Agency. Also requested that we look at how we could baseline these priorities, to be able to assess our performance in delivering the priorities. She also recommended bringing the mission statement forward to earlier on in the document. John Fyffe echoed Linn's comments on the work which had been carried out. The document should focus around the Agency's core purpose, showing a common narrative and the distinction between the documents should be clearer. Kate Dunlop noted that the mission statement was not very ambitious and wondered whether this could be strengthened, and made clearer. We would require to show how we demonstrate our values. Mike Ewart emphasised that the need to establish buy-in and evidence what had been done, and to celebrate this.

16. Janie thanked the Board for their comments on the draft documents, and that these would be helpful to take the documents to finalisation. Furthermore, she would engage with some external stakeholders for informal discussions to assist with finalising them.

17. The Chair echoed the points made, and that further work would be required to make succinct points to measure and celebrate by 'you said, we did'. Members also noted the appropriateness of a Ministerial introduction when considering the relationship between the Agency and Ministers. The Chair stated that she would also be keen to have a children and young people's version.

18. Stephen Ross noted that these were both large documents. Perhaps consideration should be given to providing a summary document with infographics. Moi Ali agreed that a focussed summary would be more manageable for stakeholders to engage with.

Action Consider one set of key priorities to share between the Corporate Plan and Transformation Plan. Janie – 01/02/18

Action Add a baseline to the commitments, to demonstrate those we have delivered on and review the mission statement location and content. Janie – 01/02/18

Transformation of business planning to a regional delivery model

19. Maureen Gore provided an update on the work which had been undertaken, with an overview of the new approaches which were:

- Developing a new business delivery model, moving the Agency to a regional model of delivery;
- Working to collaborate with the new Regional Improvement Collaboratives, to ensure this was needs driven; and
- To increase inspection numbers.

20. It was to be noted that the Agency had worked with Scottish Government colleagues to discuss resources and staff deployment. It had been determined that the programme approach was no longer appropriate, due to the Regional Improvement Collaborative set up. A business planning day was scheduled (18/01/17) with a focus on the regional and national offer, with agreement to develop regional teams for the Regional Improvement Collaboratives. A mix of staff roles would be included in the regional teams and that the ES offer would be streamlined, and bespoke for each local authority. A review of staff skills and experience, to lead and manage the change would be essential. Assistant Directors were working on exit strategies for a considered withdrawal from those programmes that would no longer continue. The aim was to identify these by the end of December. Every educationalist would be involved.

21. The commitments identified so far were:

- We would have six Regional Lead Officers.
- We would require to undertake 250 school inspections.
- There would be 32 named Attainment Advisors – agreed with policy colleagues.
- We would have eight curriculum based senior education officers.
- We would require a service level agreement with the Scottish Funding Council.

22. Stephen Ross raised the issue of how moving to the regional approach would work in respect to local authorities and the QI staff. Members agreed that there needed to be real clarity around the level of the offer on offer from ES and RICs if we were to ensure that escalation for support was through the appropriate channels. John Fyffe agreed, highlighting the excellent work of the Tayside Collaborative and the Northern Alliance who each undertake their support differently, showing that different approaches would be required across the RICs.

23. The Chair advised the Board that she would be writing to all Directors of Education as well as other key stakeholders around sharing the approaches, and being clear on collaboration. However, careful handling would be required to position Education Scotland for the different journeys which would be required to ultimately reach the same outcome, listening and responding to what is needed. Alan Armstrong confirmed there would need to be a national offer to mobilise what is happening, and help existing collaboratives identify useful resources.

24. Janie McManus highlighted that it was challenging to be fully aware of the resource management on who we have and what we are able to do, particularly when considering school days, and available weeks in regards to inspection. The exit strategies should help us identify what resources we have.

25. Kate Dunlop and John Fyffe both acknowledged that Education Scotland had historically been compliant when requests had been received in-year to undertake additional work, but due the finite resource and budgets, we should rebalance in discussions with policy colleagues when agreeing to new commitments.

People Survey results (presentation)

26. The Chair acknowledged the poor results from the People Survey and committed to address the issues raised and lead in a different way. The results were a major problem for the organisation and would be a priority for change.

27. Results from questions around 'My Manager' and 'My Work' have improved. However, the 'Leadership and development' and 'Managing Change' had contributed significantly to the overall poor results. Exemplars of success to be shared with the Non-executive Board Members, learning from other areas of the Civil Service who have managed poor results.

28. Graeme Logan and Alan Armstrong agreed that there was a need to demonstrate change, through action plans, and to consider existing cultural and behaviour issues on groups; from both leaders and staff.

Action Share exemplars of success with Board Members to learn from other areas of Scottish Government. Maureen/HR

Equality Strategy – report and policy

29. Mary Hoey presented three documents to the Board; Equality Mainstreaming Report (inwards, outwards, and forwards focus), Equalities Policy (sets out roles and responsibilities), and the Equality Strategy and action plan (shortened focussed strategy for action). This work started in response to last year's People Survey results. The work which has been undertaken with our equality and diversity partners, and who contributed to the Equalities for all event held earlier in December, was commended.

30. The Equalities Policy sets out the roles and responsibilities with the strategy and policy specific to Education Scotland, but does not supersede the Scottish Government Equalities Policy. A quality improvement assessment had been carried out, which was essential for our Corporate Plan development, to progress our strategy. .

31. Linn Phipps asked who the audience for these documents would be, and whether we had considered summarising them. Mary Hoey responded that the key audience is internal colleagues, but that we would ensure a requirement of our equities that we would engage with our protected characteristics stakeholders. The mainstreaming report would be for our external audience.

32. Elizabeth Morrison asked that the record note her thanks for the hard work and excellent quality from colleagues, which Kate Dunlop confirmed that the document would stand up to scrutiny. John Fyffe confirmed that through his recent similar experience with his own council, that this was a quality job.

33. Mary Hoey acknowledged the thanks of the Board, recognizing the time taken to get the job done, but that this had been essential to do justice to it properly.

34. The Chair raised the question on the refresh cycle for reviewing policies, how and when. Mary confirmed that an A-Z of policies had been prepared to ensure timely review, and that this would fall within the Policy Governance Policy which the Head of Governance holds. It was further advised that policies would be approved at the Senior Leadership Team Board meetings, with recommendation where the policy would require endorsement at Management Board. All policies are dated, and work was in progress to identify appropriate review dates.

35. Members were happy to approve the Policy.

Items for information and discussion

Finance Report

36. Gillian Howells clarified that the report presented was for October, as work for November hadn't been completed at the date of submission.

37. The Agency's core budget was £23.3m. During October it was identified that £1m VAT refund would be received, however due to HMRC rules, there would be a possible £1m increase to the organisation's underspend, potentially bringing it to £1.9m. This was related to the VAT issue following the HMRC case. This matter would require further investigation, and as such was not yet detailed in the Finance Report. It was clarified that given we are on target for an underspend, it was likely that Scottish Government would reuse the budget, as finance rules did not permit the Agency to carry forward the unspent budget into the next financial year.

38. Additionally to note were in-year budget transfers, which were not guaranteed year-on-year, thus carrying a risk, and impacting on ability plan effectively.

Annual Review

39. It was confirmed that the Annual Review was published on 12 December 2017. This summarises the Agency's key activities from last year.

40. Kate Dunlop appreciated the clarity and content of the Annual Review. Others liked the infographics detailing our activity, and commended the direction of travel, but to note that it should also include impact and outcomes, along with some softer measures which would expand the context.

41. Discussions returned to the Corporate Plan, and the need to deliver KPIs and performance, with examples invited on clear KPIs.

Audit and Risk Committee update (6 December 2017)

42. The Interim Chief Executive's update to Non-executive Board Members at the Audit and Risk Committee was noted, around irregularities regarding payment for services provided for the National Improvement Hub, and the actions which would be progressed. The Chair acknowledged the issue and confirmed that Education Scotland was engaging with Internal Audit and Audit Scotland to review the issues raised.

43. Non-executive Board Members had expressed concern around the gap of over six months between the Audit and Risk Committee meetings, arising from the significant leadership changes over the last months. With the appointment of the new Chief Executive, the Agency would ensure regular confirmed Board meetings going forward.

44. There were no issues of concern from Internal Audit at this time.

45. In regards to the Finance report, issues around the budget monitoring and therefore reputational risk were noted.

46. Further to the Head of Governance issuing the self-evaluation questionnaire, it was requested that a deadline date for the return be advised to the Non-executive Board Members in early course.

47. It was noted that the Risk Registers had not been updated recently in regards to the risk owners, following several staff departures.

48. The Secretary to investigate a suitable date in January/February for a Risk Workshop, with a view to refreshing the strategic objectives. Additionally the Risk Registers format should be discussed with amendments or improvements to be considered for clarity.

49. Health and Safety Sustainability Report changes were noted, detailing the expansion to include Sustainability with environmental indicators added. Non-executives noted that they were content with the content of the report.

Action A deadline date for the return be advised to the Non-executive Board Members for the self-evaluation form. Roz – 08/01/18

Action A risk workshop date to be identified to consider the risk register content and strategic objectives. – Nina – 15/01/18

Any other business

50. The Head of Governance raised the matter of getting key messages from meetings out to staff, which the Chair agreed should be a priority following meetings – to consider using the agenda to inform updates.

51. It was noted that forward planning for Board meetings for 2018-19 would progress immediately, as the pace of change in education was increasing. The Head of Governance noted that the Terms of Reference stated four meetings per year, but that discussions around Committee structures would form part of the process, to identify whether this was sufficient.

52. Linn Phipps notified her apologies in regards to 8 March Board meeting, due to another commitment.

53. Graeme Logan highlighted that the official response to the Governance Bill would be prior to the next Management Board meeting.

54. Non-Executive Board Members invited feedback from the new Board members on their initial Management Board attendance. It was advised that the agenda content was what was expected – strategic in terms of planning but some items which would require to be followed up. They agreed that meeting date planning was of the essence due to commitments in diaries, and further discussion would be required in terms of how best to serve and provide support and challenge to the Agency. Thanks were given by the new Non-Executives Board Members confirming that they had enjoyed the meeting.

Action Terms of Reference identifying regularity of Management Board meetings and securing dates to be drafted - Roz

Date of next meeting

Next meeting 7 March 2018, 13:30-16:30, Boardroom, Denholm House.

Nina Hyslop
Secretary
17 December 2017