

Education Scotland Management Board (MB)

Minutes of meeting held – 09:30 on 31 March 2017

Present:	Bill Maxwell (BM) Lesley Brown (LRB) Alastair Delaney (AGD) Kate Dunlop (KD) Mike Ewart (ME) Linn Phipps (LP)	Chief Executive (Chair) Strategic Director (SD) Chief Operating Officer (COO) Non-executive Board Member (NEBM) Non-executive Board Member Non-executive Board Member
In Attendance:	Nina Hyslop (NH) Laura Burman (LHB) Stuart Robinson (SAR) Mary Hoey (MH)	Secretary Acting Head of Governance Assistant Director (AD – for item 7) Assistant Director (for item 8)
Apologies	Graeme Logan (GL) Alan Armstrong (AA) Moi Ali (MA) Roz McCracken (RM)	Strategic Director Strategic Director Non-executive Board Member Head of Governance

Welcome and apologies

1. The Chair welcomed all members and attendees to the meeting. Apologies were noted from Graeme Logan, Alan Armstrong, Moi Ali and Roz McCracken.

Minutes of previous meeting and action log: 16 December 2017

2. The minutes of the meeting held on 16 December 2016 were approved subject to the following:
- confirmation of a date to return the revised Equalities Strategy and Policy with action plan to MB for the June meeting by GL.
3. Action log items
- Calendar of events and meetings prepared and shared with NEBMs – to be refreshed and reissued as required – closed.
 - Scottish Government (SG) had been advised that it was not ES NEBM Mike Ewart, who had been the author of Twitter comments – closed.
 - GL to provide an update for the action for MA to facilitate an introduction to CEMVO for ES.
 - GL to confirm whether a revised strategy and action plan will be available to discuss at the June meeting of MB.
 - LHB provided NEBMs with the improvement planning guide – closed.

Declarations of interest

4. No declarations of interest to note.

Chair's update – the strategic environment

5. Quality Improvement in Scottish Education (QuISE) was published on 27 March and was launched by BM at Larbert High School, which had received excellent and very good inspection ratings. DFM and SG colleagues had been briefed in advance of the

launch, for information only. The launch included BM interviews with press and media. LP asked if QuISE should be published more regularly, to which AGD responded that the report covered the period where inspections were conducted under the self-evaluation framework How good is our school? 3rd edition. Since August 2016, How good is our school? 4th edition has underpinned inspection activity from which a three-year cycle should commence as it should provide sufficient inspection data and scenarios to sample.

6. The report on strategic inspection of the education functions of Argyll and Bute Council was published on 21 March. The timing of the publication of the report was in consultation with DFM's office. ES will meet with the Council in due course, and the DFM has written to the authority to urge them to work closely with us. .

7. The Benchmarks have been published, with a series of engagements through the Scottish Attainment Challenge's nine regional events with GL and his team on the Pupil Equity Fund.

8. DFM has confirmed that he will release a statement in June on the Governance Review. Clare Hicks in SG will be leading on the options for DFM. Confirmation of the release of the review in June has not suppressed the opportunity for opposition parties to challenge the dual role of ES, however during the DFM's visit to Denholm House on 7 February, he had been very open with staff that he saw a strong role for the Agency going forward.

9. On 28 March, BM announced his retirement at the end of June. The process of appointing a successor, which will be taken forward by Scottish Government, was discussed and it was agreed that swift action would be welcomed, not least because it would reassure staff about the future of the agency. Paul Johnston (DG Learning and Justice) will meet with the Executive Team (ET), and KD suggested that careful consideration should be made as to where ET wanted the agency to be and that this should be consistent for succession planning purposes.

10. LP raised the issues around the Education and Skills Committee (ESC) appearance surrounding the pressures of opportunity versus cost of time spent and whether we have now reached a point whereby the ESC are satisfied or if questions would continue and whether we have access to the information to enable suitable responses to be provided? AGD and BM responded that until the Governance Review is launched, that the ESC will probably invite some members of the senior team to return to answer supplementary questions. Under the Improving our Organisation programme and recent spending review announcement, it is proposed that we improve and enhance our information and intelligence through the creation of an Information and Briefings function which would allow us to streamline and strengthen our capacity to respond to requests from Committees, Ministers and wider stakeholders.

11. Additionally, LP acknowledged the management of the agency's reputation and asked of our handling of media. BM noted that the Comms Team has built strong relationships with some of the higher quality as a vehicle for more proactive media coverage and have arrangements in place to respond to reactive media requests, and aware of the political media landscape.

12. It was to be noted that ES had undertaken a substantial exercise to develop and refine outcomes across programmes and that NEBMs would be invited shortly to engage with key staff at a performance management framework session.

Partnership working

13. LRB updated the MB that the Scottish Prison Service had approached ES, with a view to a fully paid secondment for Sue Brooks (Governor of Polmont Prison) for up to two years in ES. The secondment will provide Sue an insight into our organisation and the opportunity to broaden her experience. It will potentially provide us with valuable leadership experience and insight from a different but related context, with specialist knowledge of issues around young people, especially those experiencing social and emotional difficulties, and organisational development. The offer had been welcomed and accepted with appropriate terms and conditions in place for monitoring and review.
14. ME raised that the record should reflect that he knew Sue from the period when he was CEO of SPS and she worked in SPS HQ for community facing prisons. However, there should be no conflict in this respect.

Leadership Development Strategy

15. The MB was provided with an update on the next phase of the Leadership Development Strategy in ES. This phase will be focused on C Band staff. It was acknowledged that progress had been slow to date following focus groups and the staff survey, however 360 degree feedback has been requested from all of the Corporate Leadership Team (ADs and ET), and the results will be incorporated into the end year reviews which will take place by late May. The feedback will be collated and interpreted by an external organisation then discussed with each individual, which includes agreeing an action plan. ET will engage with particular strands of this (to be advised).
16. The FDA union have expressed appreciation of being involved in the learning and development work, and we will engage further with the unions in developing the framework. It is to be noted that the strategy will utilise a wide spectrum of learning approaches including use of our own staff, who have offered their expertise and interest in developing the framework by the summer. It will be launched at the staff conference in August.
17. It was previously advised that MA had offered to help with this, providing some support and challenge, and we will share key themes with NEBMs at the earliest opportunity. Themes being considered are; leading and managing staff, and managing challenging conversations. LP also suggested areas of managing pressure as well as conversations around influencing and understanding. It should be noted that ET members will be required to set expectations in monthly conversations and end of year reviews to address the themes of leading change and staff engagement as identified in the People Survey.

Business Planning

18. AGD presented this topic on behalf of Maureen Gore. The theme highlighted was the devolvement of responsibility to ADs, which had improved over time. The Board were pleased to note that a workable draft business plan had been developed earlier this year than in previous years. Following discussion, it was agreed that due to the nature of our business the business plan will be reviewed on a quarterly basis.
19. ME asked whether we intend to publish the changes, and suggested that changes be reflected in the Corporate Plan and Annual Review to demonstrate how our

priorities change in milestones. This will be put forward to discuss with the Planning and Performance Team.

20. LP asked about how we manage staff capacity and capability to halt areas of work where resources have been diverted to areas of higher priority. AGD advised that Sponsors (SD/COO) met with SROs (ADs) from other Sponsor areas to challenge. It was also noted that ES was revisiting the number of priority programmes and core business areas. Further discussions will be undertaken at the Leadership Forum which is to be held on 24 April to consider merging programmes and if some programmes require more than one SRO.

21. LP further raised whether we should align the programmes to the strategic objectives (SOs), or if the SOs should be reviewed, to which AGD confirmed that the SOs would be reviewed within the development of the Corporate Plan, which we plan to publish in the autumn when the findings of the Governance Review have been shared.

Action: Maureen Gore to consider publication of a summer revision of the business plan.

Action: NEBMs to be provided with a deadline of publications i.e. Corporate Plan, Governance Review, Annual Review etc for information. NH

HR

22. MB closed for a private matter.

Spending review and restructure

23. SAR attended MB to provide NEBMs with a spending review update, following the latest union meeting which had been held on 30 March. Also to note that embedded documents are not accessible to NEBMs and that papers should be sent in their own right.

24. Since the previous update, the voluntary exit scheme (VES) was virtually complete. There have been 26 supported VES applications and six rejected (following the SG criteria), and of the rejections two had appealed with the original decision having been upheld. The cost for VES will come from ES 2016-17 underspend, with any additional costs covered by DGLJ. Current vacancies, along with resignations/transfers from the organisation should minimise the numbers of displaced staff, and could possibly lead to the need for recruitment.

25. ES received a formal complaint from the unions over the lack of consultation and the timing of the announcement immediately in the wake of the announcement. We then agreed with the unions, however, that they would join an ES Change Board set up by AGD and SAR. The Change Board has agreed to issue joint communications to staff to inform them of developments and progress. Discussions have been constructive, and from the first meeting joint communications have been issued, along with a draft timeline, which staff had requested. Unions requested further discussions with a view to having final proposals out to staff by the end of April. ES will maintain strong engagement with the trade unions throughout this process and beyond.

26. AGD acknowledged that there would be a review of the changes in approximately six months assessing the benefits of the changes, with consideration of areas which require further bolstering.

27. Members found the key risks to be managed particularly helpful. This was a suitable case study for managing difficult change, and to note the diligence on the work which had been carried out to date.

Improving our Organisation

28. Mary Hoey presented the Policy A-Z as well as the Policy Governance Policy which has been developed as part of the Intelligence and Evidence. These had been approved at CMG in March.

29. The purpose of the Policy A-Z is to provide a reference list of key policies for staff. The Policy A-Z was created from the work undertaken by the team to review information on the ES website, ES intranet and SG Intranet as well as information provided by ES teams. An extensive quality assurance exercise had been undertaken, which included ES policies and SG policies adopted by ES.

30. The Policy Governance Policy clearly sets out procedures for all staff when developing or updating policies.

31. The policy stipulates that CMG will provide approval for new policies for endorsement at ARC or MB (as relevant) on a risk basis.

32. The Board were very impressed with the quality of the work undertaken. Clarity was requested around the protocol on cascading new policies or amendments. MH confirmed that staff communications would be released in relation to this.

Audit and Risk Committee update

33. KD provided an oral update from ARC, which took place on 9 March:

- It was formally recorded that the Audit Scotland plan and progress plan tabled was on target and no exceptions raised.
- The draft audit plan from Internal Audit was substantively agreed. To note the provisional level of assurance was substantial, with supplementary input provided at the NEBMs meeting with Internal Audit.
- Spending Review and restructure – NEBMs support ES endeavours.
- Finance and budget – no additional comments. Conscious of the pressures of ES and the need for careful management.
- NEBMs welcomed the ES Portfolio Board exemplars of papers, which provided a helpful insight into programme governance arrangements.

Any other business

34. No other business raised.

Date of Next Meeting

Next meeting 13 June 2017, Large meeting room, Denholm House.

Nina Hyslop (Secretary)
19 April 2016