

## Executive Board meeting minutes

Meeting held on 14 September 2022 by Microsoft Teams

### Present:

David Harvie (Chair)	Crown Agent
Stephen McGowan	Deputy Crown Agent, Specialist Casework
Anthony McGeehan	Deputy Crown Agent, Operational Support
Keith Dargie	Head of Business Services
Sarah Carter	Director of Human Resources
Marlene Anderson	Director of Finance and Procurement
David Watt	Non-executive director
Annie Gunner Logan	Non-executive director
Fiona McLean	Non-executive director
Vanessa Davies	Non-executive director
Rob Tinlin	Non-executive director

### In attendance:

Frances Ross	Head of Corporate Communications
Jonathan Shebioba	Director of Support Services
Andy Shanks	Procurator Fiscal, Local Court
Michael Maguire	Legal Assistant to the DCA, Operational Support
Ann Marie Henderson	Secretariat
Mairi Boyle	Secretariat

### Apologies:

John Logue	Deputy Crown Agent, Local Court
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## Agenda Item 1 – Welcome and Apologies

1. The Crown Agent opened the meeting and welcomed all colleagues. Apologies were noted from John Logue.

## Agenda Item 2 - Minutes of previous meeting

2. The minutes of the meeting held on 17 August 2022 were approved and can be published. There were no conflicts of interests.

### Action tracker

3. Item 1 – DCA Serious Casework will provide an update at the November meeting.
4. Item 2 – DCA Serious Casework will provide an update at the December meeting.
5. Item 3 – DCA Local Court will provide an update at the December meeting.
6. Item 4 – dealt with under Agenda item 5.
7. Item 5 – dealt with under Agenda item 6.

## Agenda Item 3 - Finance Update

### Finance Update

8. The Director of Finance and Procurement introduced paper EB22/23(30). She reported that the annual accounts and report are complete, and the accounts to be signed today. She gave more detail about the forecast overspend and explained that proactive measures are being taken to scrutinise spending, including the creation of a short life working group to monitor posts. On staffing generally, the staff vacancy rate is not sufficient to meet forecasts. We will also have the additional pressure of mirroring SG pay settlements and the Lord Advocate is to write to the Cabinet Secretary for Justice on this point.
9. Discussions with SG continue in the lead up to 2023/24 budget bilaterals. DCA Operational Support noted that having clarity on budget is necessary in the development of the Strategic Plan. There may be value in raising with SG our aspirations for the Plan in budget discussions.

### Overtime Update

10. The Director of Finance and Procurement introduced paper EB22/23(31). She noted the significant drop in overtime. Non-elective on call costs are currently 49% of the overtime budget which is ahead of projections. That alone puts pressure on the overtime budget.

## Agenda Item 4 – Strategic Plan

11. DCA Operational Support introduced paper EB22/23(32) and explained the context for the Plan in terms of SG and COPFS plans, RSR as an indicative financial picture and the ongoing budgetary process for next year. The Plan looks to provide continuity to 2027 though it may have to flex in terms of the financial and political context. Head of Corporate Communications outlined the process and timeline for finalising the Plan. The draft Plan is currently with Law Officers after which there will be consultation with stakeholders. It is hoped the Plan can be finalised by the end of the calendar year. In terms of content, there is a focus on what our vision is for COPFS in 2027, and on supporting the SG Vision for Justice. There is focus on engagement with victims and witnesses; compassion and trauma-informed practice; transformation and reform; transparency; and better use of data. The Board considered the work on the Plan was on the right track.

## Agenda Item 5 – Health and Wellbeing

12. Director of HR introduced paper EB22/23(33). She noted that absence rates have increased since last year but that those related to mental health have decreased. There has been a large increase over the last months in VT support referrals which is open to all staff irrespective of their role, though there are targeted interventions. There will be more of an update on grievance cases in the coming months, with the focus in such cases being on resolution of conflict. Head of Business Services explained the detailed work the Health and Wellbeing Committee are doing on the matters addressed in this paper.
13. Director of HR explained that the 38% response rate to the See Me In Work survey meant that See Me required further internal work before taking actions. Some areas, including Mental Health training for managers and awareness of MH policy, were highlighted for improvement. There will be further work on this with the aim of conjoining with See Me to produce a report by the end of the calendar year or early in the New Year.

## Agenda Item 6 – Ballater Street Refurbishment: Business Case

14. Director of Support Services introduced paper EB22/23(34) and explained the thinking behind the amended business case. There was wide-ranging discussion about the amended business case and all of the options. It was agreed that the Board would support the enhanced business case. The Board asked for some further work to be done before the outline business is submitted to SG:

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- business case to address value for money head on and why the public finance option remains the preferred option given marginal benefits of other options;
- check whether we have explored with landlord option of surrendering the lease and entering other arrangement with the Landlord in more modern premises in the vicinity
- OBC to be submitted soon, the intention is to submit before the start of October.

## Agenda Item 7 – Balanced Scorecard and Absence Figures

15. The Board noted paper EB22/23(35).

## Agenda Item 8 – Service Improvement Update

16. Procurator Fiscal, Local Court introduced paper EB22/23(36). He explained the remit of the working group and the areas that will form part of the delivery framework, which is in the early stages of development. The Group has met 6 times. There is enthusiasm for the work and the challenge is harnessing good ideas and coordinating and transforming these into outcomes that benefit our service users. The Group is mindful of other projects in this area, including the VIA review. There have been some frustrations in identifying a suitable survey, but an ICS product is now available and a survey in November is planned. Head of Business Services noted that digital transformations will underpin this service improvement work. The Crown Agent asked Head of Business Services and the DCAs to ensure there is governance around this so that this work maximises its contribution going forward.

## Agenda Item 9 – Committee Updates – Resources

17. The Board noted paper EB22/23(37).

## Agenda Item 10 – Committee Updates – Business Improvement

18. The Board noted paper EB22/23(38).

## Agenda Item 11 – Committee Update – Audit and Risk Committee

19. The Board noted paper EB22/23(39).

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## Any other business

20. The Crown Agent thanked the Executive Board for all their support during his time as Crown Agent and advised that John Logue would be taking over from him as Interim Crown Agent.

September 2022

**EXECUTIVE BOARD**  
**SEPTEMBER 22 MEETING**  
**FINANCE UPDATE**

## Purpose

1. This paper provides the Resources Committee with an update on:
  - The Financial outturn for the annual accounts for 2021-22.
  - Budget considerations for 2022-23.
  - Resource Spending Review.

## Finance update 2021-22

2. Audit has completed with changes to results required for provisions. (Appendix A)

## Budget 2022-23

3. The fourth forecast for 2022-23 has been completed (Appendix B). The forecast reflects a current residual overspend forecast of £440k which has moved from £1.47m forecast overspend for June 22 forecasts. The forecasts have been adjusted to reflect agreed actions and controls that have been implemented as well as known funding drawdown.
4. The following proactive measures implemented are:
  - The Finance Business Partners and HOBMs scrutinise all non-staff costs for any options of savings to offset inflation driven pressures;
  - Business process reviews are continuing to be carried out by the transformation teams and individual directorates. Head of MAP met with Heads of Business Management to discuss the costing of identified savings from transformation projects. This will be reported later in the autumn as pilot schemes are launched and more scrutiny around time savings are carried out and analysed;
  - Teams continuing to consider options for/implementing restructures to facilitate more efficient working/reallocation of work (informed by the work carried out by transformation teams and individual directorates) to realise further savings;
  - The Resources Committee established a short life working group to analyse and present staff budget and vacancy management options measured against the 2022/23 budget and RSR budget modelling scenarios. The Workforce Planning Group will continue its work in monitoring posts, staff attrition and applying relevant post based control mechanisms to support

the necessary corporate approaches and the checkpoints for assessing staffing priorities and affordability over coming months.

- Overtime continues to be scrutinised and controlled to ensure that it does not add to budgetary pressures.
5. Our budgeted FTE in 2021-22 was 2,397.33. The proposed baseline FTE is now 2,433.4 due to reconfiguration of posts. The above actions may result in a fluctuation in FTE to address the overspend position.
  6. A bid for additional funding for the COVID Deaths Investigation Team (CDIT) was submitted to Scottish Government and in year funding has been approved, with the 23-24 and 24-25 requirements being subject to normal budget bilateral discussions.

#### Risks:

- Staff vacancy rate realised is insufficient to produce required savings to balance the budget;
- As COPFS has agreement with Scottish Government to keep pace with Scottish Government pay rates, any pay settlements that are higher than pay policy (at SG or COPFS) would result in further financial pressures;
- Toxicology – the transition to SPA for toxicology is currently on track. If any deviation from planned transition occurs, this would have a financial impact for COPFS where using extended contracts.

## Resource Spending Review (RSR) and Budget Planning

10. As a reminder, the RSR was published at the end of May with COPFS results as follows:

	2022-23	2023-24	2024-25	2025-26	2026-27	Total
Resource	169.8	170.0	170.0	170.0	170.0	849.8
Capital	5.3	11.3	9.3	6.3	Not yet allocated	32.2
<b>Total</b>	<b>175.1</b>	<b>181.3</b>	<b>179.3</b>	<b>176.3</b>	<b>170.0</b>	<b>882.0</b>

Note: The above table shows cash resource and capital, and does not include the non-cash ring fenced allocation for depreciation and audit fees.

11. The RSR allocations show flat cash until 2026-27. It is to be noted that this is not our final budget allocations as the allocations will go through the annual budgeting process, including bilaterals to determine our final allocations each year.
12. We do, however, need to plan as far as possible on this basis and take steps to ensure that we maximise efficiencies to ensure that we are as close as practicable to the RSR envelope indicated above.

## Conclusion

**13. The Executive Board is asked to note the progress towards concluding the 2021-22 Annual Accounts.**

**14. The Executive Board is invited to note, and if it wishes, comment on the 2022-23 forecast position.**

**15. The Executive Board is asked to note, and if it wishes, comment on the RSR budget planning process.**

Finance Directorate

8 August 2022

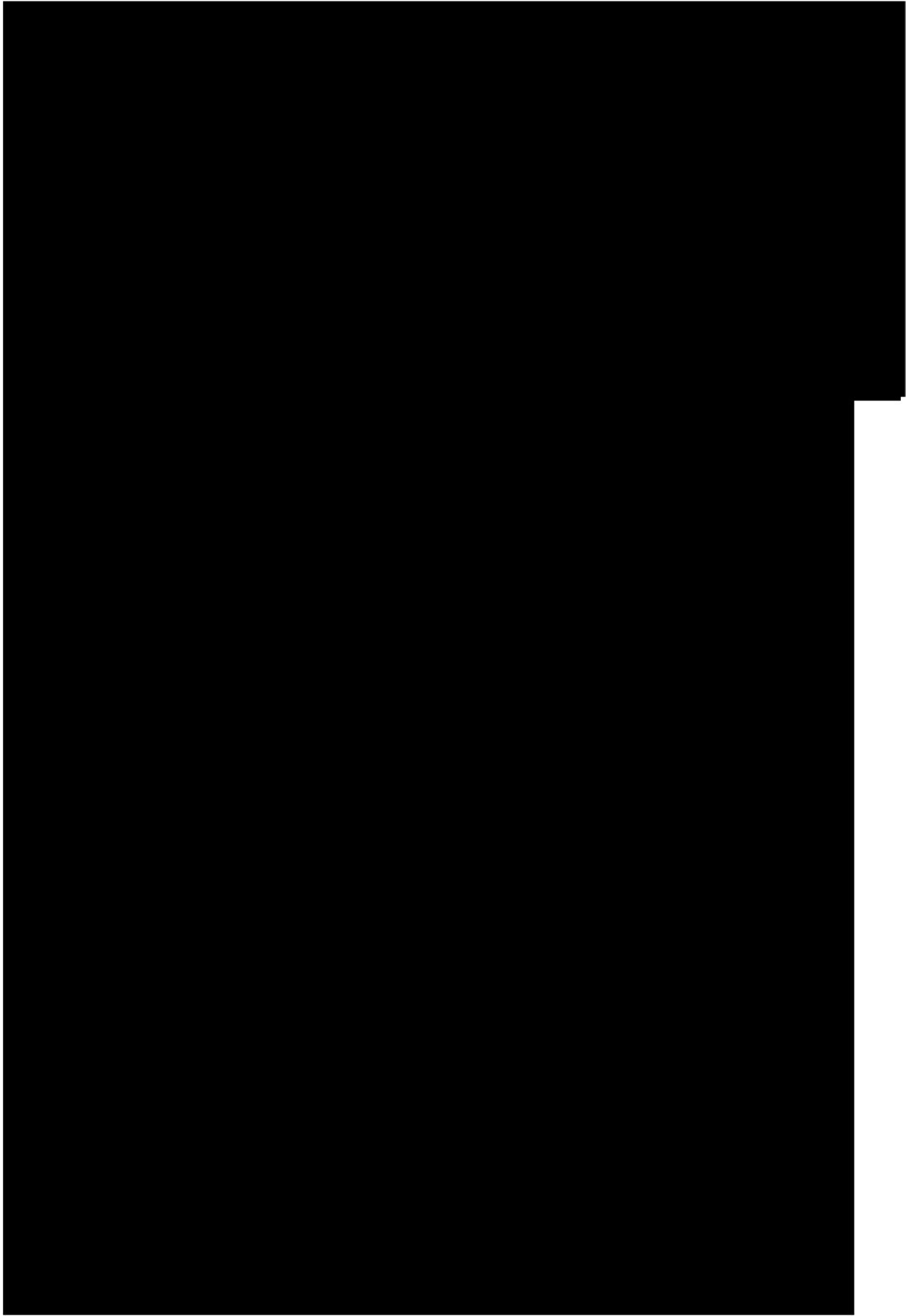


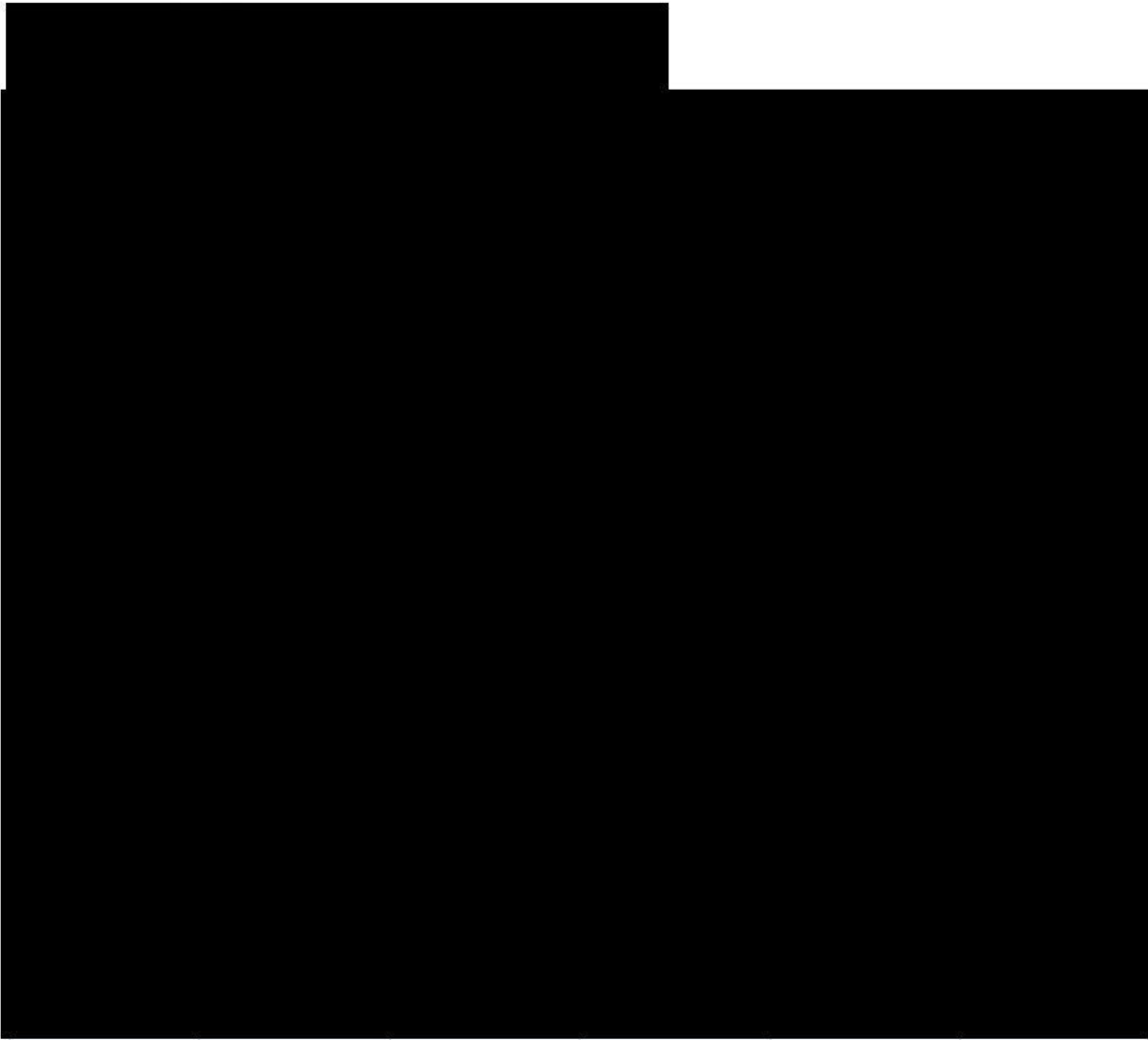
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OFFICIAL SENSITIVE

**APPENDIX A**

The budget and outturn for 2021-22 is as follows:





Reconciliation between outturn and known additional funding:

	<b>£000's</b>
Overspend as per forecast	-3,136
Funding draw down:	
Evidence by Commissioner	214
IONA non staffing	625
ISD transfer to capital	300
Other income	57
CDIT internal transfers	1,500
Residual overspend	-440

Non Staffing expenditure has moved from a projected overspend of £308k to a forecast overspend of £682k excluding Major Cases and IONA, £625 spend relating to IONA will

be funded by Scottish Government and we have secured funding for Evidence by Commissioner of £200k at Autumn Budget Revision with the balance being funded at Spring Budget Revision, bringing this projected overspend down to a balanced position.

There is a movement of at least £300k staffing from Resource budget to Capital budget for software development projects which will reduce the staffing budget.



CROWN OFFICE  
& PROCURATOR  
FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

DRAFT initial framework for consultation

# Strategic plan 2023-27

# Our strategy will support the Vision for Justice in Scotland

## Vision for Justice in Scotland

## Priority actions

- Women and children in justice
- Hearing victims' voices
- Shifting the balance between use of custody and justice in the community

## Strategic aims

- Safe
- Prevention and early intervention
- person centred and trauma-informed
- Rehabilitation
- Covid-19 recovery

# Vision for COPFS - emerging themes from Law Officers and SET discussion

Compassionate with improved engagement with victims, witnesses & nearest relatives

Achieved transformation and reform:

- Covid deaths investigated
- Backlog reduced
- Transformation of justice system

Independence and transparency

Digital organisation with better use of data

Skilled workforce with culture of continuous learning

Reputation for uniformly providing excellence

Maximising resources

Experienced and resilient staff

Effective partnership working

## Draft vision

We work together across a transformed and effective justice system to meet the needs of the public.

We are compassionate and readily engage to support victims, witnesses and bereaved nearest relatives.

We always act independently and in the public interest as Scotland's prosecution service and death investigation authority.

Our people are skilled and resilient, strive for continuous improvement and feel supported to consistently deliver excellence.

We work digitally and maximise our resources to deliver a high quality public service.

# Overarching goals

Improve our  
service

Deliver high  
quality  
casework

Support our  
people



# Activities and commitments

## Improve our service

Sexual Offences Review

VIA modernisation programme

Transparency & accountability

Digital Transformation: Witness Gateway, Defence Agents Service, Digital Evidence

Summary justice reform

Support court recovery and reduce backlog

Measurement & reporting

## Deliver high quality casework

Dorrian review

Covid deaths investigation

Legislation changes

Alternatives to prosecution

## Support our people

Emphasis importance of service delivery and public engagement focused culture

Continue to support and enhance staff wellbeing

Improve skills and strive for continuous learning

Digital tools and processes

Paper to Executive Board

## Development of a new Strategic Plan for COPFS

### Purpose

- To provide the Executive Board with information about the process to create a new Strategic Plan for COPFS for the period 2023-2027.
- To seek the Executive Board's input on elements of the Strategic Plan ahead of wider consultation.

### Context

We published the current COPFS Strategic Plan 'Securing Justice', in 2020 and it covers the period 2020-23.

SET has proposed that the new corporate strategy for COPFS should cover the period from 2023-24 to beyond the next scheduled Scottish elections in May 2026. This would provide continuity during any change of Government.

The new plan will be the first that the current Law Officers have published since they joined COPFS in 2021. The plan is an opportunity for Law Officers to set the strategic aims of COPFS during their leadership.

In February 2022 the Scottish Government published a new Strategic Plan for the Justice System in Scotland until 2026, "The Vision for Justice in Scotland". The Scottish Government's Strategic Plan recognises the importance of; treating victims, witnesses and those accused with respect and compassion, recognising the impact of trauma, imbedding a trauma informed approach to how justice services are provided, recovering from the pandemic with a transformed justice system and emphasises the important role that digital technology now has in the justice system.

The Vision is currently accompanied by a year one delivery plan and headline plan for 2023-26. Elements of the year one delivery plan e.g. consultation on Lady Dorrian's review of the management of sexual offences and the headline plan for 23/26 e.g. review how offending is dealt with by the summary justice process, will directly impact on the work of COPFS over the coming years and would be expected to feature in the COPFS Strategic Plan.

In May 2022 the Scottish Government published the Resource Spending Review (RSR). The RSR covers the years 2023 – 2027 and sets out the Scottish Government's public spending framework. The RSR is not a Budget and final spending plans will be confirmed as part of Annual Budgets. However, the RSR currently describes a challenging budgetary picture for COPFS. The Scottish Government's expectation is that public sector organisations will deliver improved outcomes with less. It is essential for COPFS to meet these challenges and reasonable public expectations from the historic provision of additional resources and to innovate, improve and deliver.

## About the plan

### Product

- COPFS's next Strategic Plan will set the corporate direction for COPFS, outline high level goals and planned activities for the plan period. It will also detail the resources and controls in place to deliver those goals.
- We propose that the plan will continue to be framed around the three high level goals we included in our 2020-23 plan (deliver high quality casework, support our people and improve our services). We believe these goals are still relevant and are useful in both testing proposed improvements and getting our message across.
- The plan will be created consultatively. Law Officers will set the vision for the plan from the outset of the process and approve the final strategy. The consultation process is designed to ensure that the plan reflects the priorities and views as appropriate from the COPFS Executive Board, senior COPFS leaders, COPFS employees, service users, partner organisations and external stakeholder groups.
- The plan will be for the period 2023/24 to 2026/27. However, the content of the plan will be subject to necessary reflection and change as appropriate e.g in the event of a significantly changed resource picture.
- We will produce a written plan, with alternative versions of the plan in accessible formats – such as easy read and HTML.

### Process

To create our plan, we will:

- Hold workshops the Law Officers and SET as the first step in determining the overall vision and strategic goals, priority actions, and any useful context to be included. We will share the outputs from these workshops with the Executive Board to seek their input and endorsement.
- Consult with COPFS colleagues on their priorities for our next strategy. We will use an online survey to ask all staff what is important to them. We will seek out more in-depth views from different audiences including our senior leaders and staff equality networks. We will also ask for input on the key elements of our plan with external stakeholders and the public through a public questionnaire – sent to stakeholders and published on our website - and by running stakeholder webinars.
- Use the priorities that emerge from these initial exercises to create our draft strategy.
- Share this initial strategy document with internal and external stakeholders with a short survey checking for endorsement of key plan elements and asking for any in depth feedback.

- Feedback will be used to create a final version of the plan for endorsement by the Law Officers.
- The plan will be professionally graphic designed into an engaging product.

### Timings

- August / early September 2022: Workshops with Law Officers and SET, paper to Executive Board
- September – early October 2022: Consultation with internal and external stakeholders
- October 2022: Drafting of plan content informed by Law Officers priorities and stakeholder consultation
- November 2022: Second consultation with internal and external stakeholders on draft plan document
- December 2022: final version of plan presented to Law Officers for endorsement
- Jan / Feb 2023: graphic design of plan document plus any other collateral

### Executive Board consultation

Last month we held a workshop with the Law Officers to seek their input on the priorities for the plan.

This workshop sought their views on:

- the elements of the vision for justice that should be incorporated into the COPFS plan
- vision statement for COPFS
- overarching goals and priority activities for COPFS

The outputs from this session are attached as an initial framework document.

The Executive Board are asked to review the framework document and provide feedback.

### Action

The Executive Board are invited to:

- Note the process and timeline for the creation of the new Strategic Plan.
- Review and feedback on the Law Officer / SET workshop outputs and draft consultation framework.

**EXECUTIVE BOARD**  
**SEPTEMBER 22 MEETING**  
**HEALTH AND WELLBEING UPDATE**

### Purpose

1. To provide the Executive Board with an update on:
  - Wellbeing Dashboard
  - The See Me in Work audit
  - Trends in absence including management time and support
  
2. The Wellbeing dashboard up to June 2022 has been discussed at the August Corporate Health and Wellbeing Committee and is included below.

WELLBEING MEASURE	CURRENT	COMPARATOR
<b>Overall Absence Rates (Average Working Days Lost)</b>	July 2021 – June 2022 11.3 days  (Difference +3.7 days)	July 2020 - June 2021 7.6 days
<b>Working Days Lost</b>	July 2021 – June 2022 24,090 days  (Difference +10,051 days)	July 2020 - June 2021 14,039 days
<b>FTE</b>	2,266 As at June 2022 (Increase +321 FTE)	1,945 As at June 2021
<b>Of Overall Absence, % -- Mental Ill Health</b>	July 2021 – June 2022 37.2%  (Difference -8.3%)	July 2020 – June 2021 45.5%
<b>Of Mental Ill Health, % - Stress Related</b>	July 2021 – June 2022 52.0%  (Difference +3.0%)	July 2020 – June 2021 49.0%
<b>Of Mental Ill Health, % - Work Related Stress</b>	July 2021 – June 2022 31.9%  (Difference -0.1%)	July 2020 – June 2021 32.0%

<b>Of Mental Ill Health, % - Family / Situational</b>	July 2021 – June 2022 16.1%  (Difference -2.9%)	July 2021 – June 2021 19.0%
<b>Turnover</b>	July 2021 – June 2022 143 leavers 6.29%  (Difference +1.64%)	July 2020 – June 2021 93 leavers 4.65%
<b>Vicarious Trauma Support Referrals</b>	<u>April - June 2022</u>  92 Referrals Made* <i>*35 reports received</i>	<u>April – June 2021</u>  15 Referrals Made
<b>Employee Assistance Programme</b>	<u>April - June 2022</u>  New 11  Re-Referrals 4	<u>April - June 2021</u>  New 23  Re-Referrals 12
<b>Workplace Adjustment Passports Completed</b>	<u>2022 to Date</u>  10	<u>Total in 2021</u>  13
<b>PAR Completion (% All COPFS Employees)</b>	<u>April 2021-2022</u>  Q1- 71.8% Q2 – 71.4% Q3 – 70.8% Q4 – 70.5% EoY – 71.4%	<u>April 2020-2021</u>  Q1- 59.5% Q2 – 61.7% Q3 – 68.4% Q4 – 75.8% EoY – 78.1%
<b>Grievance Cases</b>	<u>April - June 2022</u>  Open Disciplinarys 3  Open Grievances 3	<i>No comparator stats currently as started collecting in March 2022.</i>
<b>Alternative Working Arrangement Requests</b>	To be developed pending new HR System	To be developed pending new HR System

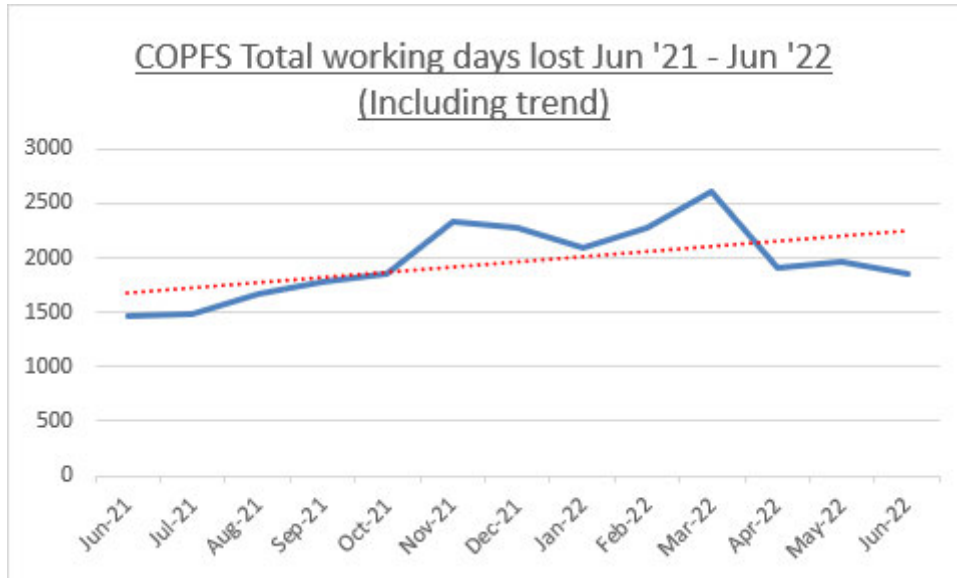
3. This dashboard is under regular review. An identified measure for inclusion over the next quarter is the number of missed vicarious trauma appointments VT with reasons. There is an ongoing concern that appointments are missed and delays in knowing when to arrange a follow up appointment as needed.

## See Me in Work audit

4. COPFS has committed to taking part in the See Me in Work programme to tackle mental health stigma and discrimination in the workplace. See Me have been contracted to assess the quality of mental health understanding at COPFS and provide recommendations about how to develop this. The audit is delivered in two parts, the first is an assessment of how things are – a survey was carried out in March of this year - and the second is for See Me to work with COPFS to find ways to continue eliminating mental health discrimination.
5. The response rate was 38% (893 respondents' of 2305 employees) in March 2022.
6. The overall final scoring was 'amber' suggesting, 'some gaps in confidence, skills, and awareness'. The question areas (the 'Seven Building Blocks') included:
  - Senior leadership, commitment, and engagement
  - Conditions for safe, effective, and permanent disclosure
  - Mental health awareness and literacy
  - Effective mental health training approaches
  - Confident and informed line management
  - Effective implementation of reasonable adjustments, and
  - Stigma-free organisational culture and ethos
7. Following a consultation visit by See Me in June, we understand the scores are marginally below the average of 'Other Public Sector' organisations in Scotland. Specific responses highlighted for improvement and action are:
  - 29% of employees had received mental health training. Of these 47% received mental health awareness training and 21% on Mindfulness
  - 24% of all staff thought management mental health training was effective.
  - 51% of staff knew about the Mental Health policy.
8. COPFS did not meet the recommended employee-survey sample of 40%, which See Me advises makes it less than reliable without some further focus groups being arranged. HR will work with the Mental Health Ambassador Lead and Wellbeing Champion to discuss what the main priorities should be in the next stages of engagement with See Me, which will include focus groups, then a final report and recommendations. The timescale for the finalised report will be towards the end of 2022 / early 2023.

## Trends in sickness absence

9. The last 12 months are showing a general upward trend in staff sickness absence; although the last three reportable months (April, May, June) have shown a decrease. COPFS is currently sitting above the Scottish Government aggregate average for working days lost.



## Working days lost

10. The table below shows the number of actual days lost per month, which has seen a steady increase from June 2021 through to April 2022. There was a significant jump during the cold and flu season between November 2021 through to March 2022. The total number days lost per month has settled around 1900 days over the last three months. It should be noted that the FTE in June 2022 is approximately 16.5% higher than June 2021, so we would expect to see an increase in the actual number of days lost per month.

Month	Working days lost	% change from previous Month
Jun-21	1467.86	
Jul-21	1476.77	0.6%
Aug-21	1662.45	12.6%
Sep-21	1776.4	6.9%
Oct-21	1861.02	4.8%
Nov-21	2334.12	25.4%
Dec-21	2270.54	-2.7%
Jan-22	2100.89	-7.5%
Feb-22	2285.29	8.8%
Mar-22	2605.07	14.0%
Apr-22	1904.00	-26.9%
May-22	1968.71	3.4%
Jun-22	1845.03	-6.3%

Month	Working days lost	% change from previous Year
Jun-19	1348.83	
Jun-20	702.28	-47.9%
Jun-21	1467.86	109.0%
Jun-22	1845.03	25.7%



## Absence reasons

11. The following table provides information relating to the reason for absences over the 12-month period 1 July 2021 to 30 June 2022 and a comparison with the previous 12 month period. This information is gathered on a quarterly basis and the groupings are in line with Cabinet Office data request categories.

Illness Type	01.07.2020 - 30.06.2021 (AWDL 7.6)	01.07.2021 - 30.06.2022 (AWDL 11.3)	Increase/Decrease from previous 12 months (+3.7)
1. Pregnancy Complications	2.5%	2.0%	-0.5%
2. Symptoms Ill-Defined*	17.4%	15.3%	-2.1%
3. Mental Ill Health	45.5%	37.2%	-8.3%
- Stress Related Illness	49.0%	52.0%	+3.0%
- Stress Work Related	32.0%	31.9%	-0.1%
- Family/Situational	19.0%	16.1%	-2.9%
4. Muscular	6.6%	5.4%	-1.2%
5. Cancer Related	2.9%	3.0%	+0.1%
6. Digestive System	0.9%	1.8%	+0.9%
7. Injury & Poisoning	4.2%	1.9%	-2.3%
8. Respiratory	2.7%	6.6%	+3.9%
9. Infection	1.6%	1.1%	-0.5%
10. Other**	4.5%	4.5%	0.0%
11. Awaiting Certification	3.7%	5.3%	+1.6%
12. Pandemic (COVID)	7.7%	15.8%	+8.1%

\*Symptoms ill-defined covers where reasons given which are not specific to categorise e.g. debility, exhaustion, mobility problems, nausea, operation and general sickness

\*\*Other covers reasons surrounding skin complaints, heart conditions, gynaecological problems and nerve complaints – these as individual headings are equal to 1% or less for each category

12. There has been a decrease in mental ill health absences compared to the previous 12 months, however the breakdown shows a very slight increase in the percentage of work related stress

13. This 12 month period has seen an increase in both respiratory and COVID illnesses, compared with the previous 12 month period.

14. Mental ill health and muscular absences have seen a decrease in the percentage of absences from the previous 12 months

## **Management time and support**

15. Attendance management accounts for approximately 75% of HR employee relations team caseload with 94 ongoing attendance management cases, of which 55 are long term absence cases, and 39 are short term absence cases (including appeal of warnings, employees at work with a health issue, Attendance Improvement Notices, Individual Stress Risk Assessments, OH referrals and work-related stress cases). This results in approximately 218 hours of HR time spent in managing attendance, including providing advice and support to line managers each month.
16. It is more difficult to estimate how much time line managers will spend on attendance management, as it will depend on how many employees they have, and the types of case they are dealing with. It will also depend on their experience, or lack of it, and how proactive they are.
17. Significant work is taking place within Local Court and Serious Casework Functions to enhance managerial confidence to be able to address absence and support staff effectively.
18. Additional support is made available to staff through provision of training and access to mental health first aiders, mental health ambassadors and regular staff communications such as the Health and Wellbeing monthly newsletter prepared by Diversity, Inclusion and Wellbeing team in HR.
19. PCS and FDA are represented on the Corporate Health and Wellbeing Committee and have raised specific issues on wellbeing, including the impact of the cost of living crisis, which are actively monitored at that committee and at Employee Relations Committee in addition to regular engagement with union representatives via partnership working arrangements.

## **Conclusion**

- 20. Executive Board is invited to note, and if it wishes, comment on the Wellbeing Dashboard.**
- 21. Executive Board is invited to support the proposed next steps in response to the See Me in the Workplace audit.**
- 22. Executive Board is invited to note, and if it wishes, comment on the trends in sickness absence and ongoing work in support of staff and managers.**

## **Human Resources**

**5 September 2022**

**BALANCED SCORECARD – Quarter 1 – 2022/23**

<b>PEOPLE</b>					
	Current Quarter (Apr - Jun 2022)	Previous Quarter (Jan - Mar 2022)	Variance from last Quarter	Current FY to date (2022/23)	Previous FY (2021/22)
<b>Staff Numbers (FTE)</b>					
Permanent employees	2202.86	2152.63	2.3% increase	2210.3	1876.56
Temporary employees	63.2	68.07	7.2% Decrease	61.92	68.14
Total Employees	2266.06	2220.7	2.0% Increase	2272.22	1944.7
% Temporary employees	2.8%	3.1%		2.7%	3.5%
	<b>As at 30/06/22</b>	<b>As at 31/03/22</b>		<b>As at 31/07/22</b>	<b>As at 30/06/21</b>
<b>Staff Turnover Rate</b>	1.7% (0.2% Involuntary 1.5% Voluntary)	1.58% (0.04% involuntary 1.54% voluntary)	7.6% Increase	1.9% (0.2% Involuntary 1.7% Voluntary)	1.22% (0% involuntary 1.22% voluntary)
	<b>Apr – June 2022</b>	<b>Jan-Mar 2022</b>			<b>Apr-Jun 21</b>
<b>Absence Rate</b>	Average WDL = 11.3 Short Term = 4.2 Long Term = 7.1	Average WDL = 10.9 Short Term = 3.7 Long Term = 7.2		AWDL 11.3	Average WDL = 7.6 Short Term = 1.7 Long Term = 5.9
Average working days lost				<b>As at 30/06/22</b>	<b>As at 30/06/21</b>
<b>QUALITY</b>					
	Current Quarter (Apr – June 2022)	Previous Quarter (Jan – Mar 2022)	Variance from last Quarter	Current FY to date (2022/23)	Previous FY (2021/22)
<b>Right to Review</b>	45 received 25 issued	43 received 42 issued	+2	85	175
<b>Complaints</b>	50 Received 3 = upheld 8 = Partially upheld (=22%)	74 Received 5 = upheld 18 = Partially upheld (=31%)	-24	81	376
<b>Payment Performance</b> % paid in 10 working days					
Invoices	99.87%	99.63%	0.24%	99.87%	99.63%
Witness Payments	100%	100%	-	100%	100%
Travel & Subsistence claims	100%	100%	-	100%	100%
<b>DELIVERY</b>					
	Current Quarter (Apr - June 2022)	Previous Quarter (Jan – Mar 2022)	Variance from last Quarter	Current FY to Date 2022/23)	Previous FY (2021/22)
<b>Performance Targets</b>					
% indictments served within statutory time limits	100%	100%	-	100%	100%
% Take and Implement Decision within 4 weeks (75%)	76%	77%	-1	76%	73%
% CAAP cases closed within 6 months (75%)	91%	92%	-1	91%	87%
% Deaths investigated within 12 weeks (80%)	61%	44%	+17	61%	50%
<b>Right to Review</b>	85%	76%	+9	89%	65%
<b>Complaints</b>	74%	67%	+7	77%	59%
<b>Freedom of Information</b>		92%			
<b>FINANCE</b>					
	Actual spend to date	Current end year forecast	Full year budget	Variance	
<b>Running Cost Expenditure</b> (includes cash and non-cash)	£36.9m	£177.1m	£175.7m	-£1.4m	
<b>Capital expenditure</b>	£0.7m	£5.3m	£5.3m	£0.0m	

Quarterly Data as at the end of the quarter unless otherwise noted.

Financial Year Data is shown at the end of the relevant period (year to date or full year).

Andy Shanks  
PF for Grampian, Highland & Islands  
15 September 2022

Executive Board

## **SERVICE IMPROVEMENT IN COPFS – UPDATE**

### **Purpose**

1. To provide Executive Board with an update on service improvement progress over the past 6 months.

### **Background**

2. At the meeting of 18 August 2021, Executive Board were fully briefed on the progress COPFS had made on service improvement to that date the plans to increase corporate commitment to service improvement going forward. It was agreed at that meeting that a progress update would be provided every six months and the first update was provided at the Board meeting of 16 February 2022.

### **Progress update**

#### *(a) Service Improvement Working Group*

3. The corporate Service Improvement Strategy and a Framework for Delivery of priority actions is still under development. It is still considered essential that both the Strategy and Delivery Framework are fully informed by a baselining exercise that will include internal staffing and external customer surveys, both of which will be supported by the Institute of Customer Service (ICS). These surveys are scheduled to occur in November 2022 (internal) and the early part of 2023 (external), in order that the Strategy and Delivery Framework can be finalised by the end of the current financial year.

4. A public commitment to this effect was included in the recently published Standards of Service for Victims and Witnesses Annual Report 2021-2022. In respect of Service Standard 1, we have committed that:

*We will launch a corporate Service Improvement Strategy in 2022/2023 with a supporting framework for the delivery of priority actions. The COPFS Service Improvement Board, with the support of the Institute of Customer Service, will ensure both the strategy and framework are properly informed by a clear understanding of our current standards of service and how engaged and equipped our staff are to deliver those standards.*

5. In the interim period, the Service Improvement Board agreed that there was valuable service improvement work to be taken forward during performance year 2022/23. In April 2022, the Service Improvement Working Group was established in order to take forward this interim work and, from April 2023, to take responsibility for the full Delivery Framework.

6. The Interim Work Plan is separately attached for your information. You will wish to note in particular:

- The Working Group is led by [REDACTED], and includes representation from across the organisation;
- The interim project remit for 2022/23, detailing the six specific areas the Board have asked the Working group to progress; and
- The early development of workstreams under each of these six topics.

7. Going forward, the main purpose of the Working Group will be to oversee, promote and co-ordinate activities within COPFS that ultimately benefit our service users. The Service Improvement Strategy will include a set of agreed service improvement outcomes, and the Delivery Framework will ensure that all ongoing service improvement activities across COPFS are consistent with those outcomes. The work captured in the Delivery Framework will be a mixture of existing corporate activities being taken forward by other parts of COPFS and specific products being initiated by Working Group members.

*(b) Survey progress*

8. The ICS provide standard internal and external survey formats, in order to facilitate comparison against industry standards and to assist in the process of accrediting the organisation. Although ICS prefer adherence to this standard format, they also fully recognise the unique relationship that COPFS have with members of the public and the need to provide survey formats that are relevant to our needs and provide the best evidence to inform our future strategy.

9. Executive Board will recall from the last update that efforts were being made earlier this year to adapt the standard ICS internal staff survey product ("ServCheck") to make it more suitable for COPFS for baselining and future audit purposes. Unfortunately, ICS were ultimately unable to facilitate the number of changes we considered to be necessary to make the survey clear and relevant to our staff. ICS were reluctant to depart from the standard survey product for industry standard comparison purposes. Therefore, the plan at that stage to run the survey in March 2022 had to be cancelled.

10. After further discussions with the ICS, it became clear that ICS were considering producing a new, shorter and clearer version of the ServCheck standard survey. COPFS volunteered to pilot this new product and it was agreed that we would make it available on a test basis to a small number of staff.

11. The pilot survey was opened to a group of 47 members of staff for a 2-week period in April and May. All members of staff who completed the pilot product were then separately asked for detailed feedback on how suitable they felt it would be for COPFS purposes. Feedback was generally positive and, on that basis, the Service Improvement Board agreed in July that the new ServCheck survey should be opened for all COPFS staff at the earliest possible opportunity. In light of the Civil Service People Survey period in September/October, the first suitable window is in mid-November. The new ServCheck format will also be suitable for future audit survey purposes.

12. An external survey will be completed in the early part of 2023. The external survey will be a challenging undertaking, requiring careful consideration of content, timing, format and target groups. The Service Improvement Board have already provided a very clear steer on how these issues should be approached and we are again taking these requirements forward with ICS in order that a version of the standard external survey can be provided that meets our needs.

(c) *Communications Plan*

13. Last year, the Service Improvement Board approved a Communications Plan, the aim of which was to reintroduce the topic of service improvement to COPFS staff, provide a basic overview for staff of the expected standard of customer service and the resources and training available. This Plan has now been fully updated in anticipation of the Servcheck survey and ensuring as many members of staff as possible are engaged in the topic and participate in the survey.

14. Specific aims during the next period are to:

- Raise awareness of our commitment to delivering great service and the ongoing improvement work in this area;
- Promote examples of customer service best practice;
- Promote National Customer Service Week (3-7 October 2022), encouraging colleagues to attend ICS webinars and to organise their own local events to gain feedback from local stakeholders
- Promote newly developed and existing guidance and training for customer service
- Promote the Servcheck survey to deliver at least a 40% response rate

### **Conclusion**

15. Executive Board are invited to note the progress made to date, in particular:

- The Service Improvement Working Group and Interim Work Plan, separately attached;
- The service improvement surveys scheduled to occur in November 2022 (internal) and the early part of 2023 (external); and
- The updated Communications Plan.

Andy Shanks  
PF for Grampian, Highland & Islands  
5 September 2022



CROWN OFFICE  
& PROCURATOR  
FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

## Resources Committee minutes

### **31<sup>st</sup> August 2022 meeting, held via Microsoft Teams**

Releasable under the Freedom of Information (Scotland) Act 2002 after the next meeting.

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## Present

### Members

- Anthony McGeehan, Deputy Crown Agent (Operational Support) (Chair)
- Keith Dargie, Head of Business Services & Chief Digital Officer
- Graham Kerr, Head of Business Management (Local Court)
- Thomas Lindie, Head of Business Management (Serious Casework)
- Elaine Hales, Head of Business Management (Operational Support)
- Jonathan Shebioba, Director of Support Services
- Sarah Carter, HR Director
- Sharon Davies, Head of Management Accounting and Planning
- Fiona McLean, Non-Executive Director

### In attendance

- Ali Caddis, Secretariat

### Apologies

- Marlene Anderson, Director of Finance and Procurement
- Doreen Crawford, Head of Workforce Planning and Reward

## Welcome

The chair welcomed everyone to the meeting and noted apologies.

## Minutes from meeting held on 19<sup>th</sup> July 2022

The Committee confirmed that the minutes were an accurate reflection of the meeting.

## Action Log

The Committee agreed the following regarding the Action Log and noted progress with the remaining actions



Action 015 – The Head of Business Services (HoBS) confirmed this action has been completed. A new action to reflect continuing to monitor staffing against budget and any additional funds from Scottish Government

Action 016 – Closed

Action 019 – Action can be closed

## **Finance Update 2021-22**

Head of Management Accounting and Planning (HoMAP) informed the audit process has been completed with accounts expected to be signed on 14<sup>th</sup> September, 2022.

## **Budget 2022-23**

HoMAP presented the paper for information, and advised Finance Business Partners have arranged meetings with budget holders to consider the non-staffing budget.

Overtime has increased slightly and continual monitoring is required to manage this. There was a lengthy discussion in relation to the overtime increase and in particular the elective overtime requirements.

## **HR Update**

The HR Director (HRD) introduced and provided information on the HR paper. HRD advised there has been an increase in maternity leave. The number of staff leaving the organisation has seen a slight reduction. In relation to sickness absences, the HR team continue to work closely with local managers however noted that absence due to mental health has decreased from this time last year.

## **Estates Update**

The Director of Support Services (DoSS) presented the Estates paper, advising this focussed on other estates activities separate from Glasgow and Edinburgh. DoSS informed a Spend and Timescale RAG will be submitted at the next meeting. The updated Risk Register will be circulated following the meeting with the minutes of the meeting.

## **Corporate Risk Register**

HoBS introduced the Corporate Risk Register paper and highlighted key risks to the Committee. HoBS stated a requirement to review the Corporate Risk register in light of resource challenges and informed Head of Business Management (Operational Support) (HoBM)(OS) is engaging with colleagues across the organisation

### **Any Other Business (AOB)**

HoMAP provided an update on period poverty which was previously discussed at an earlier meeting and advised Procurement have negotiated with Servest to provide products across the estate and requested approval from the Committee on the contract.

The Chair recorded agreement.

**Date of the next meeting:** 28 September 2022

**EXECUTIVE BOARD**  
**BUSINESS PROCESS IMPROVEMENT COMMITTEE**  
**SEPTEMBER 2022 UPDATE**

**Purpose**

1. To provide the Executive Board with an update on the progress of the work of the Business Process Improvement Committee (BPIC).

**Priority**

2. Routine.

**Update**

3. BPIC last met on 8 July and is next scheduled to meet on 18 October 2022. This update provides an overview on the business improvements and digital transformation priorities for 2022/23.

**Business Process Improvement and Digital Transformation Programme for 2022/23**

4. An overview of the business process improvements and digital transformation programme for 2022/23 is available at [Annex A](#).
5. BPIC will review the business and process improvement delivery priorities at its meeting in October. This will reflect planning for key projects, including the Next Generation Digital Casework project (with funding confirmed for 2023/24 and 2024/25), and will factor resources and capacity to deliver. Not all projects are planned for completion during the corporate year, with some projects involving initiation in 2022/23 or multi-year delivery.

**Delivery Updates**

6. Progress updates for some of the key digital business solutions and improvements implemented or in advanced delivery or planning over Q1 - 2 are summarised below:

Improvements or projects completed

- New COPFS website launched;
- Implementing new HR digital system and products;
- Hate Crime Bill Aggravators – impact assessment and solutions agreed with Justice Partners;
- Vulnerable Witness Notices Pilot;
- Launching a new Overtime and On-call Claims App to replace current paper and manual processes [Pilot commenced July];
- Completion of Digital Workplace Exchange Online migrations;
- Digital Meeting Rooms technologies installed and available in all main offices to deliver the Digital Strategy vision and support new Agile working policies and ways of working;

Improvements or projects in advanced delivery or development

- Development of the Electronic Reporting to Crown Counsel digital casework solutions for implementation to agreed plans later this year [scheduled for live release from October];

EB22/23(38)

- Launching a new Desk Booking Corporate App enabling staff to digitally book a desk to support agile working [Pilot evaluations Q3];
- Summary Case Management solutions [Q3];
- Designing, planning and implementing Digital Evidence Sharing Capability (DESC), supporting a pilot commencing in Dundee as part of phased evaluation and national rollout from spring 2023 (Ongoing; Pilot launch date to be confirmed at DESC Programme Board meeting on 13 September);
- Deploying a new version of the CMiC App for use in Sheriff and Jury cases;
- Publishing detailed project plans in September/October for implementing the new Witness Gateway and the Defence Agent Service (DAS) digital portal to transform services to witnesses and defence agents [implementation from Q3-4];
- Launching ISD's extended hours of support and new ISD service desk services [October];
- Implementation on a phased delivery of the Microsoft Teams integrated corporate telephony digital solutions [Q3];
- Implementation of Vulnerable Witness Notices solutions (Data Extract Framework) [November 2022];
- Advanced technical work and planning to enable the migration of the first of the onsite datacentres to a new offsite datacentre [Q3];

#### **Decisions/Actions required by Executive Board**

7. The Executive Board are invited to note delivery progress and comment as appropriate on BPIC's portfolio priorities for 2022/23.

**John Logue**

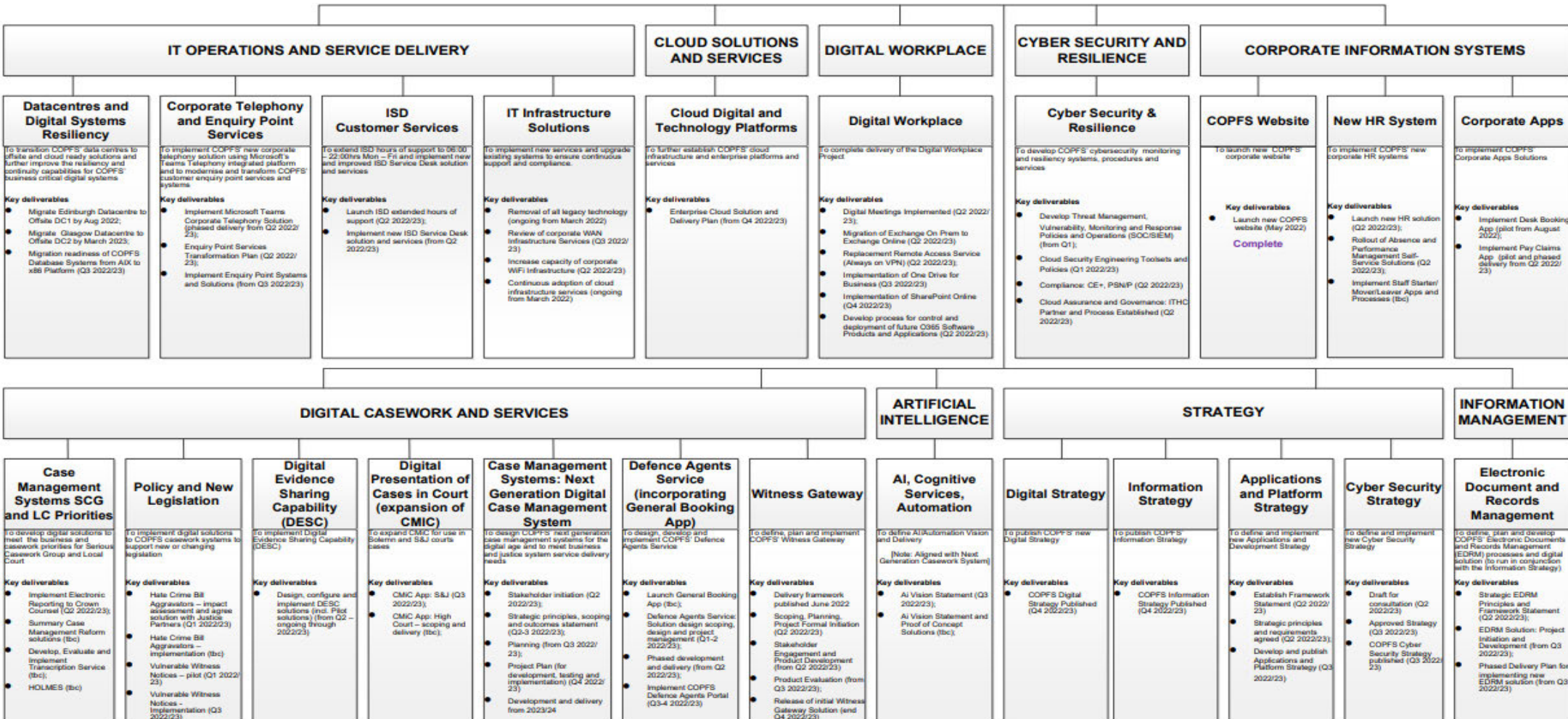
Deputy Crown Agent - Local Court

**7 September 2022**



# COPFS Digital Transformation Programme 2022/23

July 2022



Contact: Chief Digital Officer, Information Services Division

**Minutes of the**  
**COPFS and QLTR Audit and Risk Committee Extraordinary Meeting**  
**for the Approval and Signing of the COPFS and QLTR Annual Accounts 2021-**  
**2022**  
**held on Wednesday, 24 August 2022 at 11:00 hours (via Microsoft Teams)**

**Members**

Robert Tinlin	Non-Executive Director (Chair)
David Watt	Non-Executive Director
Vanessa Davies	Non-Executive Director

**In Attendance**

David Harvie Officer	Crown Agent, Chief Executive and COPFS Accountable
Robert Sandeman	QLTR Accountable Officer
Keith Dargie	COPFS Chief Digital Officer and Head of Business Services
Marlene Anderson	COPFS Director of Finance and Procurement
Jim Montgomery	Audit Manager, SG Internal Audit Directorate
William Wilkie	Senior Auditor, SG Internal Audit Directorate
Gillian Woolman	Audit Director, Audit Scotland
Esther Scoburgh	Senior Audit Manager, Audit Scotland
Katie Gibson	Audit Scotland QLTR Lead
Sharon Davies	COPFS Head of Management Accounting and Planning
Nikolaos Koutris	COPFS Head of Financial Accounting and Systems
Clair Lumgair	COPFS Finance Business Partner
Ian Palmer	COPFS Secretariat

## **Apologies**

None tendered

1.

### **Welcome / Declarations of Interest**

The Chair welcomed attendees.

There were no declarations of interest.

2.

### **Governance of response to HM Inspectorate of Prosecutions Scotland reports**

DH (CA) apologised for the late submission of **ARC Paper 29A** (2022) and that the associated documents were not the most up to date versions.

The committee welcomed the general direction of travel outlined in the report and agreed that discussion will be continued at the November 2022 ARC Meeting once administrative details and up to date documents have been finalised.

#### **Action:**

**Secretariat to re-schedule Governance of response to HM Inspectorate of Prosecutions Scotland reports to November 2022 ARC Agenda.**

3.

### **Internal Audit**

#### **ARC Paper 30** (2022) DIAA Progress Update Report to ARC

ARC noted the report and looked forward to receiving further updates for discussion at future ARC Meetings

In relation to the Gateway Review of COPFS Procurement of Mortuary and Pathology Services, WW reported that the planning meeting took place on 18 August and the review scheduled for 7 – 9 September 2022.

The review report will be presented for discussion at the ARC meeting in November.

Ongoing work includes a review the Court Recovery Programme, Digital Resilience and a follow up to the Wellbeing Review 2020-21.

Audit resource capacity and availability issues are being looked at.

ARC will continue to receive update reports in regards to these issues.

General discussion followed.

During discussion it was identified that in relation to assurance mapping it would be of some value to look at having a review of the framework of Fraud Risk Assessment.

The undernoted papers had been submitted for information and were noted by the Committee:

**ARC Paper 31 (2022)** DIAA Annual Report 2021-22

**ARC Paper 32 (2022)** DIAA Annual Assurance Report 2021-22  
(SG Corporate Systems)

**ARC Paper 33 (2022)** DIAA Quarterly Bulletin (August 2022)

4.

#### **COPFS Annual Report and Financial Statements as at 31 March 2022**

It was reported that the final version of the COPFS Annual Accounts and Report for 2021-22 had not yet been completed for final presentation and approval.

The finalised document will now be presented to the committee for approval on **14 September 2022 at 11 am**

In the interim, MA presented a draft version of **ARC Paper 34 (2022)**

It was reported that the majority of the draft document reflects what will appear in the final version subject to the inclusion of some additional/updated data.

It has been arranged that the presentational style of the document will be reformatted for final website publication.

Marlene gave an overview of the document which included

- 77% of resource spending is on staffing. This evidences a commitment to the maintenance of core business and contributing to the overall progress of Court Recovery.



- Increasing serious and complex caseloads which attracted additional funding
- Efficiency savings achieved in non-staffing costs.

ARC noted the draft documents and welcomed the increasing level of detail and the planned presentational enhancements to be made prior to final publication.

A general discussion focussed on the utility of the annual report.

Recommendations had been made earlier in the year in relation to the contextualisation of performance and outcomes. Discussion followed on how these might be incorporated and strategic planning.

ARC thanked the teams involved for their work in preparing the draft reports and looked forward to receiving the final version for discussion in September.

## 5

### **Report to those charged with governance (ISA 260) and COPFS Annual Audit Report 2021-22**

GW gave a verbal update

Some ongoing case related expenditure submissions have yet to be concluded before the Audit Report and Opinion can be finalised and presented. Liaison work is ongoing in this regard.

Subject to the relevant information being submitted and audit methodologies being concluded it is anticipated these documents will be ready in advance of formal presentation at the 14 September ARC Meeting.

Key messages included:

- Audit went well and thanks given to all participants for the co-operation and support received.
- Audit plan was presented on 3 March 2022 and there are no changes to the audit risks identified at that time.
- Audit was conducted remotely with a final meeting held in person.
- Given personal circumstances which necessitated interaction with a service of COPFS, it is anticipated that the final report will be subject to Audit Scotland peer review to ensure objectivity.

6.

### **Presentation of QLTR Annual Accounts 2021-22**

SD presented **ARC Paper 35 (a)** (2022)

She reported there were a couple of minor amendments to the documents in the meeting pack and these have been incorporated in the final papers submitted for approval.

SD conveyed her thanks to all colleagues involved in the preparation of the report and accounts.

SD gave a brief overview of the paper and general discussion followed.

A review of enhancing the utility of the QLTR Performance Report is planned for October 2022.

It was agreed that it may also be opportune to plan a review around the governance structures of QLTR.

The annual accounts were approved.

ARC thanked all staff involved in the production of these accounts and for the hard work and dedication shown by the QLTR team.

7.

### **Report to those charged with governance (ISA 260)**

#### **QLTR Annual Audit Report 2021-22**

ES presented **ARC Paper 36 A** and **B** for approval.

KG and ES gave an overview of the report and minor adjustments noted.

General discussion followed and the report was formally approved.

8.

### **Approval and Recommendation to sign the QLTR Annual Accounts for 2021-22**

The committee approved the papers and agreed a recommendation of assurance that the accounting officer may sign the QLTR accounts for 2021-22.

ARC will next meet for the formal approval of COPFS Annual Accounts and Report 2021-22 on **14 September 2022 at 12.30 pm**

DRAFT