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| Present: | Judith Robertson (Chair) (JR)  Susan Kemp (SK)  Jane-Claire Judson (JCJ)  Alan Mitchell (AM) |
| In Attendance: | Tiia Kontro (Minute Secretary) (TK)  Kavita Chetty (KC)  Emma Hutton (item 7 only) (EH)  Liz Gibb (items 7, 12 and 14 only) (LG) |
| Apologies: | There were no apologies |
| List of Acronyms: | EHRiC: Equalities and Human Rights Committee  ICCPR: International Covenant on Civil and Political Rights  NHRI: National Human Rights Institutions  SNAP: Scotland’s National Action Plan for Human Rights  SPCB: Scottish Parliament Corporate Body |

1. Welcome / Declarations of Interest

There were no declarations of interest.

1. Minutes of previous meeting

The minutes of the meeting held on Monday 2 December 2019 were approved, with minor amendments.

It was agreed that the final version of amended minutes from previous meetings should be circulated with the Commissioners before publishing on the Commission website.

1. Matters Arising

The matters arising report was discussed and the following points noted.

**3.1.** JR has shared the Commissioners’ views on the Commissioner attendance at the 4 NHRI meetings. No feedback has been received from any of the other NHRIs yet.

**3.2.** JR has now drafted the official response to SPCB regarding the Business Case. JR will share the draft with the Commissioners in due course.

1. Events Calendar

The Commission discussed the upcoming events in the Commission Planning Calendar.

1. Staff Update

JR updated the Commission on recent staffing news. The following points were noted.

**5.1.** The Commission welcomes back Diego Quiroz, who will be returning from secondment in February.

**5.2.** The Commission discussed the future recruitment activities that are commencing due to maternity cover requirements.

1. Outcomes Report

JR introduced the Outcomes Report. The report was discussed and the following points noted.

**6.1.** The Commission discussed the Tracker Tool delivery. It was pointed out that this will be linked to the SNAP development tool, conversations of which are still ongoing. JR will update the Commissioners as soon as there are any developments.

**6.2.** SK suggested the Outcomes Report should be organised differently as the outcomes and activities in the current format are not clear enough. KC agreed and pointed out that a new way of reporting will be developed to support the new operational plan.

**6.3.** The Commission discussed the positive commentary the Commission has received in media and with MSPs.

1. Quarter 3 Financial Report

LG joined the meeting.

LG introduced the Quarter 3 Financial Report to the Commissioners. The report was discussed and following points noted.

**7.1.** A prediction of underspend has been made for the last quarter. This underspend has been identified to be due to the lack of capacity to complete certain pieces of work and spend the money that was budgeted for this. LG has identified appropriate ways of reallocating the money.

**7.2.** The Commission discussed the prevention of any future underspend due to lack of capacity to complete pieces of work.

1. ICCPR

EH joined the meeting.

EH introduced the ICCPR report to the Commissioners. The report was discussed and the following points noted.

**8.1.** SK suggested mentioning Scottish Parliament in the target audiences. JCJ suggested also including organisations that work with women and children..

**8.2.** EH pointed out that we have always tried to make our treaty report available for everyone who may wish to benefit from it. The Commission discussed the options to reach out to civil society more effectively. The potential of holding a larger civil society meeting was discussed.

**8.3.** MSP involvement was discussed. KC updated that the Commission is currently involved in Human Rights Based Approach training with the MSPs.

**8.4.** The next stage will be the ICCPR Committee meeting in Geneva at the end of March. JR pointed out that the list of issues created by the Committee will hopefully be something that the Commission can use to support the concerns raised in the Commission’s ICCPR report.

**Action:** EH to update the ICCPR communications plan to incorporate feedback from the Commissioners.

1. Prison Meeting Update

JR shared a verbal update on the conversation about the Commission’s work in prison. The following points were noted.

**9.1.** JR pointed out that over the years of involvement, our work in the prisons has evolved. We are proposing to shift to doing more thematically focused inspections alongside some site-specific ones. The Commission has identified certain thematic areas that require focus from a human rights perspective.

**9.2.** The Commissioners agreed that the thematic approach would be a positive direction, but that it is important to make sure the approach and each theme are clear. The practicalities of the thematic approach were discussed.

**9.3.** AM shared an update on the reports about solitary confinement. Conversation on the topic and the Commission’s potential involvement followed.

1. Accreditation Update

KC updated the Commissioners on the NHRI Accreditation Process.

**10.1.** The Commission’s Legal Officer will be overseeing the process and the required pieces of work have been allocated to different team members.

**10.2.** KC is due to send all the detailed documents for Commissioners to review for the May Commission Meeting.

**10.3.** The Commission discussed the potential impact of the upcoming Governance Review on the Accreditation Process.

**10.4.** JCJ requested to find out more about the potential concerns and the expectations of the Accreditation Process. KC agreed to give a further update on the topic in the March Commission Meeting.

**Actions:** KC to provide a further update on the Accreditation Process for the Commissioners in the March Commission Meeting. KC to send the fully detailed documents for Commissioners to review in the May Commission Meeting.

1. SNAP Update

JR shared a short verbal update on SNAP 2 and the recent Development Working Group meeting with Scottish Ministers which confirmed Scottish Government commitment for engaging with SNAP 2 going forward.

1. Policy Schedule and Review of Policies

LG joined the meeting.

LG shared the Policy Review Schedule with the Commissioners. The Commission discussed the Schedule and the following points were noted.

**12.1.** A question was raised about the prioritisation of each policy in the review schedule. LG clarified that policies that have been updated more recently and more frequently have not been prioritised as there are other policies that have not been reviewed as recently.

**12.2.** JCJ queried the Commissioner involvement in the annual Health and Safety Audit. It was agreed that LG would inform Commissioners when this was happening.

**12.3.** The Union’s role in the policy approval procedure was discussed. It was agreed that the procedure should state clearly where although the Commission has no statutory requirement to consult the Union, good practise determines the Union is consulted.

**12.4.** SPCB’s role in the approval process was discussed.

**12.5.** The Commission discussed the amended Equality Policy. The Commission suggested some minor changes to clarify the policy.

**Actions:** LG will amend the Policy Review Schedule and the Equality Policy according to the Commissioner feedback.

1. Governance Review

JR shared the Terms of Reference for the upcoming Governance Review with the Commissioners.

**13.1.** A discussion was had about which of the stakeholders should be included in the interviews and why. It was agreed that this section of the Terms of Reference should be expanded to explain the selection process and to explain why certain stakeholders are engaged in this process.

**13.2.** JR pointed out that the Commission should look at whether it would be useful to attempt to bring more lived experience directly into the Governance. This is one of the questions that should be answered in the Governance Review and that impacts the stakeholders included in the interviews.

**13.3.** The Commission continued to discuss which stakeholders should be included in the stakeholder interviews. Scottish Government, EHRiC and the Financial Auditors were suggested as stakeholders to be added to the list.

**13.4.** AM raised a question about who will complete the Governance Review. JR confirmed that this is yet to be decided.

**13.5.** JR suggested JCJ to be nominated as the other Commissioner participating in the Governance Review. This proposal was supported by JCJ and all other Commissioners.

**Actions:** JR to ask the Financial Auditors for their input on the Governance Review.

1. Resources Review

JR shared an update on the Resources Review with the Commissioners. The Commission discussed the new proposed organisational structure as well as the new proposed roles and the following points were noted.

**14.1.** JR explained that the amount of money received from SPCB is from the contingency fund for 2 years. JR shared a new proposed organisational chart.

**14.2.** JR explained the rationale behind the new structure. The proposed changes seek to increase senior strategic leadership and human rights legal capacity, as well as providing additional delivery capacity in key functions identified as priorities for the new Strategic Plan.

**14.3.** The Commission discussed the job descriptions and the practicalities of filling the new positions.

**Action:** JR to seek out advice from Law at Work on various aspects of the new roles. JR to share the updated job descriptions with the Commissioners once all the necessary amendments have been completed.

1. AOB

No AOB.