

Present:

Judith Robertson (Chair, JR)

Anna Black (AB)

Jacqueline Kinghan (JK)

Jane-Claire Judson (JCJ, item 4 only)

In Attendance:

Tiia Kontro (Business Support, Minute Secretary) (TK)

Emma Hutton (Head of Communications and Engagement, EH)

Barbara Bolton (Head of Legal and Policy, BB)

Liz Gibb (Head Corporate Services, LG items 1-6 and 8-9 only)

Luis Felipe Yanes (Legal Policy Development Officer, LFY)

Alison Hosie (Research Officer, AH item 7 only)

Lauren Bruce (Project Worker: Policy and International, LB item 7 only)

Apologies:

No apologies

List of Acronyms:

COO: Chief Operating Officer

FRAC: Finance Review and Audit Committee

FOI: Freedom of Information

NHRI: National Human Rights Institution

NPM: The UK National Preventive
Mechanism

LELG: Lived Experience Leadership Group

SNAP: Scotland's National Action Plan for
Human Rights

SPCB: Scottish Parliament Corporate Body

UPR: The Universal Periodic Review

1. Welcome / Declarations of Interest

No declarations of interest.

2. Minutes of Previous Meeting

The minutes of the meeting held on 7 February 2022 were approved with minor changes.

3. Matters Arising

The Matters Arising Report was introduced.

- 3.1. It was noted that some of the actions had been completed the morning of the Commission meeting.
- 3.2. Wording regarding meeting with SNAP Leadership Panel and LELG was clarified.

4. Transition planning

JCJ joined the meeting.

- 4.1. JR started the discussion from the Operational Plan Prioritisation paper.
- 4.2. BB noted that in previous conversations, the Commission had decided to pause all work that the Commission is currently not engaging in. This decision has been made to alleviate some of the resource pressures during the gap before new Chair is in position.
- 4.3. The Commission discussed NPM involvement during the gap and it was agreed that AB would sit in for the Commission at NPM meetings.
- 4.4. EH suggested drafting an interim operational plan to reflect the work that will be carried out. EH noted that an interim operational plan would also aid in accurate outcomes reporting as well as annual reporting. The Commission supported this and agreed that the management team should draft an interim operational plan, to be circulated over email in April and tabled at May 2022 Commission Meeting.

Action: Management team to draft interim operational plan, circulate with Commission over email in April, to be officially tabled at the May 2022 Commission Meeting.

- 4.5. JR moved the discussion to ways of working and decision making processes.
- 4.6. The Commission discussed that part-time Commissioners will be providing additional time during the gap before new Chair is in position.
- 4.7. It was noted that JCJ will be stepping down early as a part-time Commissioner.
- 4.8. It was also noted that JK will be stepping down as a part-time Commissioner.
- 4.9. The Commission thanked JCJ and JK for their efforts and work as part-time Commissioners.
- 4.10. The Commission discussed plans to appoint an interim Chief Operating Officer (COO), on secondment from the SPCB, to cover accountable officer duties, as well as corporate services line management and other duties. It was agreed that the secondment agreement will include a section regarding confidentiality and information sharing to enable appropriate ways of working for both parties.

Action: LG to draft the secondment agreement and add a section regarding information sharing, with EH assistance.

- 4.11. The Commission discussed lead commissioner roles during the gap before the new Chair is in post. It was agreed that AB will act as a first point of contact to staff with day-to-day decision making and triage any necessary issues to the other Commissioners.
- 4.12. The Commission agreed that weekly catch-ups with the management team will continue, with an agenda to be drafted by management team in advance to enable focussed discussion.
- 4.13. JR noted that a draft induction programme for the new Chair has been circulated with the Commission. It was noted that the completed induction plan will need to take into consideration the recruitment of new part-time Commissioners.

- 4.14. Commissioner feedback will be taken into account as part of the induction programme for the new Chair.
- 4.15. The Commission discussed what learning could be drawn from the changes happening within the Commission staff team. It was agreed that the Commission should carve out some time for reflection where possible.

5. Scheme of delegation

LG shared the updated scheme of delegation and explained the main changes in the document include reflecting the interim COO role as an accountable officer.

- 5.1. The Commission discussed the policy in detail and dedicated sign off processes to both Commissioners and interim COO as appropriate.
- 5.2. It was noted that as many activities would be delegated to staff team where possible.

Action: LG to amend the Scheme of delegation as per Commission feedback and circulate for final sign off over email.

6. SNAP

The Commission approved the SNAP Memorandum of Understanding with the Scottish Government.

7. UPR Update

AH and LB joined the meeting.

AH shared an update on the past UPR activities as well as current process in producing and submitting the Commission's report by 31st March 2022.

- 7.1. The Commission discussed possible post-submission activities. LB shared some of the activities the Commission engaged in after the last report.

- 7.2. EH noted that the Commission will be discussing joint communications and any potential shared activities with other UK NHRIs to work together where possible.
- 7.3. The Commission discussed the possibility of engaging rights holders in the post-submission activities. It was agreed that rights holder engagement would have potentially large impact, but would also have significant resource implications that need to be considered further.

8. FRAC Update

LG shared an updated Risk Register following the most recent FRAC meeting.

- 8.1. It was noted that SPCB has decided to postpone the Independent Review of Resources in relation to the Commission's recent budget bid. The Commission discussed the impact and risks involved.
- 8.2. The Commission discussed the risk register. It was agreed that risks regarding Brexit need to be reworded to better reflect the current circumstances and current discussions relating to HRA.

9. AOB

- 9.1. LG raised a question for final sign-off for Data Protection and FOI Policies. The Commission signed off the policies.
- 9.2. The Commission discussed the paper on Women's Commissioner.

Action: JK to re-review the Women's Commissioner paper and send feedback to BB who will amend according to Commissioner feedback.

- 9.3. The Commission acknowledged and thanked JR for her efforts as the Commission chair in the last 6 years.