

<b>Present:</b>	Ian Duddy (Chair, ID)  Jim Farish (Commissioner, JF)  Shelley Gray (Commissioner, SG)  Claire Methven O'Brien (Commissioner, CMO)
<b>In Attendance:</b>	Jan Savage (Executive Director, JS)  David Lees (Head of Commission Secretariat and Business Support, DL)  Sheilanne Rose (Business Support, Minute Secretary)  Judy Fladmark (Media and Communications Officer, JFL, Item 4 only)
<b>Apologies:</b>	No apologies
<b>List of Acronyms:</b>	SPSO: Scottish Public Services Ombudsman  ARC: Audit and Risk Committee  SPCB: Scottish Parliament Corporate Body  SLWG: Short Life Working Group  ED: Executive Director  AO: Accountable Officer

## 1. Welcome / Declarations of Interest

- 1.1. ID noted that in light of his new position with the Scottish COVID-19 Inquiry he had recused himself from all Commission business in relation to the Scottish Covid-19 Inquiry for the last few months and would continue to do so until he left office.
- 1.2. No other declarations of interest were made in relation to the Commission Meeting Agenda.

## 2. Minutes of Previous Meeting

- 2.1. The minutes of the meeting held on 15 May 2023 were approved with minor amendments. JF requested that the rolling action log be available for review. DL agreed to review at Commission meetings.

**Action** – Action log to be available for review at Commission meetings.

## 3. Matters Arising

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

- 3.1. ID updated that Simon Routh-Jones will be presenting initial findings to the Commissioners and the Team in feedback sessions to be scheduled in early July. The report would then be issued to the Commission in advance of discussion at the next Commission meeting on the 17 July.
- 3.2. JS provided an update on the agenda and date for the Commissioners Away Day, which will now be scheduled for 16 June.

**Action** – Arrange date in July for initial governance review findings feedback sessions and confirm arrangements for Commissioner Away Day on 16 June.

## 4. Audience Insight Research - Participation

- 4.1. JFL presented the main findings and outcomes of the audience insight research recently undertaken by YouGov on behalf of the Commission. It was unanimously agreed that this type of research was essential to monitor perception and impact, and the insights were highly valuable in supporting the Commission's strategic work plan. The Commission agreed that this research should be undertaken periodically in the future. JS confirmed the research would be published on the 28 August with a formal launch and communications plan to target key audience groups.

## 5. Commissioner Work Programme

- 5.1. DL noted with thanks that objectives had now been received from Commissioners and these will be incorporated into the Commissioner Work Programme approved at the last meeting. The Programme will be shared with the Team in due course.

**Action(s)** – Publish incorporated Commission Work Programme. Align to Commissioner appraisal process.

## 6. Code of Conduct

- 6.1. JS stated that a Short Life Working Group (SLWG) was now in place to develop the Commission's Code of Conduct, with the first meeting scheduled for Tuesday 6 June. A Terms of Reference has been developed, and the plan is to convene a maximum of 2-3 meetings, with work being shared and progressed online where necessary. The intention is to complete the Code of Conduct work in advance of the publication of the Governance Review. The Group's membership is JS as chair, Commissioners SG and CMO to provide oversight, Nikki McLean from SPSO, with substantial experience of corporate governance, and DL. JS also confirmed that Internal Audit will be invited to contribute to the process to quality assure the desk-based research elements.

**Action** – Develop Code of Conduct through SLWG and implement in line with Governance Review.

## 7. Interim Arrangements

- 7.1. Following the formal announcement of the departure of the Chair to a new role as CEO with the Scottish Covid 19 Inquiry, the interim arrangements following ID's departure were discussed. ID stated that the SPCB have proposed the appointment of JS as Accountable Officer (AO) for the Commission, and the Parliament have accepted this recommendation.
- 7.2. Parliament will write to JS in due course to confirm this arrangement. This will take effect as of 1 July.
- 7.3. ID confirmed that the Financial Scheme of Delegation had been updated in line with the current structure. Appropriate levels of financial approval authority were in place for JS, DL and other senior team positions to ensure continuity and effective governance.
- 7.4. ID confirmed that SPCB would manage the process of appointing the new Chair, but there were no updates on this at present. ID stated that the current legislation does not allow for the appointment of an interim Chair.
- 7.5. The appointment of JS as Accountable Officer, in addition to the substantive Executive Director (ED) role, is critical for maintaining effective corporate governance, continuity of business as usual and ensuring approved strategic and operational plans will be progressed.
- 7.6. As the legislative mandate does not provide for an interim Chair arrangement, options were discussed in relation to managing the Commission's business in this interim period. The substantive requirements are chairing monthly meetings, including approving agendas and minutes for publication, and signing off Commission outputs within the context of collective responsibility. Commissioners agreed to rotate responsibility for chairing monthly Commission meetings between them; Commissioners would agree a schedule for this with JS.

7.7. CMO commented that the Chair's role includes more than chairing meetings and signing off the agenda and minutes. ID confirmed this was the case, but the Chair was currently a full-time role which could not be fully replicated by a Commissioner working 1-day per week. ID said the legislation did not allow for the appointment of an interim chair, therefore interim arrangements for Commissioners will be focussed around the chairing, oversight and approval required for Commissioner meetings on a rotational basis, and supporting JS as Accountable Officer and Executive Director to discharge her duties to ensure that the Commission delivers its workplan and strategic planning process. Responsibility for media work and external engagement should rest with the Executive Director, who would draw on Commissioner support as required for approvals. JS highlighted that as there is a Commission-approved Transition Strategy and Work Plan, which provides an overview of the Commission's planned outputs on a monthly basis. If an unplanned requirement emerges, this will be managed on a case-by-case basis with Commissioner input as required, depending on who is on rotational Chair that week. On this basis, any additional Commissioner input in the interim period should be largely contained within the responsibilities for chairing the monthly Commissioner meetings on a rotational basis.

**Action** – Commissioners to agree rotational schedule for chairing monthly Commission meetings.

## **8. AOB**

8.1. JS thanked Commissioners for their comments so far and advised that the deadline for responses to the Misogyny Bill had been extended by Parliament to 23 June and the team were working toward this.

8.2. JS updated on the Proliferation of Commissioners Discussion paper and confirmed this would be circulated soon to enable publication in June 2023. It was noted there had been

positive feedback from stakeholders on recent outputs from the Commission, including the blog about the 23/24 workplan.

8.3. JS and DL updated on the work surrounding the Vision, Mission, Values and Behaviour's following an all staff meeting on the 31 May. It was noted this would soon be completed and presented to Commissioners to inform the Code of Conduct development.

8.4. ID noted this would be his last Commission meeting and offered thanks to the team and Commissioner colleagues, with best wishes for the future strength of the Commission, and the continued endeavours in promoting and protecting Human Rights in Scotland.

8.5. **Date of Next Meeting**

8.6. The date of the next meeting is scheduled for 17 July 2023.

8.7. No Commission meeting will be scheduled in August 2023.

8.8. Commission meetings up to the end of the calendar year are currently scheduled as follows;

4 September 2023

2 October 2023

6 November 2023

4 December 2023