

- Present:** Jim Farish (Commissioner, Interim Chair, JF)
- Shelley Gray (Commissioner, SG)
- Claire Methven O'Brien (Commissioner, CMO)
- In Attendance:** Jan Savage (Executive Director, JS)
- David Lees (Head of Commission Secretariat and Business Support, DL)
- Sheilanne Rose (Business Support Officer, Minute Secretary, SR)
- Simon Routh-Jones (Consultant SRJ) Item 2 only
- Apologies:** No apologies
- List of Acronyms:** SNAP: Scotland's National Action Plan for Human Rights
- HRB: Human Rights Bill
- CoC: Code of Conduct
- SLWG: Short Life Working Group
- SPS: Scottish Prison Service
- SPCB: Scottish Parliament Corporate Body
- NHRI: National Human Rights Institute

1. Welcome / Declarations of Interest

No declarations of interest in relation to the Commission Meeting Agenda were made.

2. Governance Review

- 2.1. Simon Routh-Jones provided the Commissioners with an overview of the Governance Review findings.
- 2.2. Commissioners took the opportunity to interrogate the findings and the rationale behind the recommendations.
- 2.3. Commissioners thanked SRJ for his work on the Governance Review of the Commission.
- 2.4. The Chair noted that the Commission would meet again on the 31st July 2023 for final consideration and decision making on the Governance Review recommendations.

3. Minutes of Previous Meeting

- 3.1. The minutes of the meeting held on 5 June 2023 were discussed and approved.
- 3.2. Commissioners requested formal papers be circulated a week in advance of monthly Commission meetings.

4. Matters Arising

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

- 4.1. **Action Log**
 - 4.1.1. **SNAP2:** The incorporation of the Commission's accountability role for SNAP2 into the 23/24 Operational Plan was noted as complete and a monitoring lead has been identified.
 - 4.1.2. **Human Rights Bill:** JS confirmed consultation discussions on the proposed Human Rights Bill were

ongoing and would continue into October when the Scottish Government's consultation ends. Commissioners would be invited to a development session around the Commission's response in late August/early September.

4.1.3. **Code of Conduct:** on the agenda as item 4.2 below.

4.1.4. **SPS Policy:** JS noted the SPS review of the transgender prisoners policy had been delayed and publication was expected later in the year. Following a discussion among Commissioners it was agreed that no further input would be offered to the SPS policy review at this time.

4.2. **Code of Conduct:** JS thanked the Commissioners for their efforts and input into the ongoing development of the Code of Conduct. A draft CoC had been developed based on the model CoC issued by Scottish Ministers in 2021 for members of public bodies, and has been adapted for the Commission.

4.3. The work of the Commission on its CoC has evolved to incorporate reference to a procedural framework for managing breaches in the Code. Prior to finalising, input will be sought from PCS and assurance of the development process will be provided via Internal Audit. DL confirmed the SLWG would require one further meeting beyond the three originally envisaged. It was noted the CoC would be circulated and implemented in line with the findings of the governance review.

4.4. **Commissioner Work Programme:** DL highlighted the updated Commissioners Work Programme 2023-24 incorporating annual objectives and aligned with a timeline of priority activities to be undertaken to support the Transition Strategy and Spotlight Projects. Key governance elements were also included in the timeline for clarity.

4.4.1. JF noted how ambitious the Work Programme was and suggested the need to prioritise key aspects. JS noted that all aspects of the Commissioners Work Programme were high priority and planning was key to ensuring delivery of

agreed objectives. Following a discussion it was agreed that dates and locations for stakeholder engagement would be considered and scheduled with input, and support from staff.

4.4.2. JS also noted suggested dates in the work plan aligned to the development of the 2024-28 Strategic Plan, subject to Commissioner approval of the paper at agenda item 6 below.

4.4.3. It was also agreed that the framework for developing Commissioner objectives should be standardised. JS suggested that a process would be established for Commissioner appraisal in 23/24, in the absence of a Chair.

Action: Confirm and schedule dates and locations for stakeholder engagement (Rights on the Road).

Action: JS to confirm with SPCB arrangements for Commissioner appraisal process aligned to 23-24 work plan and objectives.

4.5. Rotational Chair Arrangements: A paper was tabled highlighting the core responsibilities for the rotational Chair, including agenda planning, Charing meetings, and sign off responsibility for key outputs. A rota has been agreed for the period up to December 2023, and will continue until a new Chair is in post.

5. Transition Strategy – Performance Update

5.1. KPI Performance Scorecard Quarterly Update

5.1.1. JS noted that Commissioners had agreed to receive a quarterly update on progress to deliver the key objectives of the 2023-24 Transition Strategy and spoke to the KPI Scorecard Paper, providing highlights and drawing attention to any areas of proposed change.

- 5.1.2. **Purpose:** JS updated that the thematic Spotlight Projects were progressing and on track in line with budget parameters, and stakeholder engagement plans. In light of the ambitious work plan and the commitment to four research-based spotlight project outputs, JS proposed that a legal intervention was now considered out of scope in 23/24 and would be postponed until next year. The work being undertaken this year will inform requirements for an intervention. Commissioners agreed with this recommendation.
- 5.1.3. It was confirmed the Commission's work on the Misogyny Bill had been submitted in early July and work would continue to monitor the policy landscape. It was also noted the Proliferation Paper had been published and had received positive feedback from civil society, Scottish Government and Scottish Parliament as a helpful intervention in the policy landscape to uphold human rights. Thanks were noted to staff and Commissioners for their work on this.
- 5.1.4. **People:** The Commissioners were updated on the successful recruitment of two new staff members. One post remains to be filled, for which interviews are scheduled on 20 July 2023. JS noted the quality of applicants and looks forward to welcoming new team members with desirable skillsets to the Commission in early Q2, on schedule.
- 5.1.5. JS and DL updated Commissioners that Support and Supervision is in place for all staff and will evolve in Q2. Training had also recently been undertaken among all staff on FOI, with Cyber Security training scheduled and Risk training being planned.
- 5.1.6. **Performance:** A revised Risk Register had been presented to the ARC on 19 June and had been well received. JS noted thanks to JF for his support on this. The

Commissions risk framework was in development and is tabled for the September ARC meeting.

5.1.7. JS reported very positive increases in our engagement metrics, in particular Twitter, Facebook and Instagram where engagement is on average increased by 50% in Q1, confirming that our increased publication activities were increasing awareness of the Commission. Upcoming stakeholder events, and publications will present further opportunities to increase this further, along with the continued development of our approach across social media channels as a result of our new Communications and Digital Officer.

5.2. The Commissioners gave their thanks for the efforts in highlighting progress.

6. Strategic Plan Development

6.1. JS presented a paper outlining a proposed six-month plan to develop the Commission's 2024-28 Strategic Plan.

6.2. This includes Development Days with Commissioners in late August and early September to look at the Human Rights landscape in Scotland, and the broader NHRI landscape. A facilitated Strategy Day, with an external facilitator will also be programmed for the end of September. These together with external stakeholder events – Right on the Road and Round table events – will support the development of the next 2024-28 strategy that will be developed through October and November by JS in collaboration with Commissioners.

6.3. It was noted that the development of a Theory of Change for the Commission will provide an outcomes and impact framework to measure the success of the strategy over the next four years, providing the infrastructure to support implementation. JS also noted the governance review findings would be key evidence in supporting improved fulfilment of the Commissions mandate as a key strategic priority.

6.4. Following discussion, Commissioners approved the plan.

Action: Confirm and schedule dates for Development Day/s with team and other NHRIs

Action: Confirm and schedule date for Development Day with external facilitator.

7. Policy Landscape Update

7.1. JF noted with thanks and appreciation staff efforts on the papers presented, and committed to dedicating the appropriate time required for more thorough discussion at a future meeting. JS noted that this could form part of the agenda for the Development Days planned for Commissioners in late August and early September specifically to look at the Human Rights Landscape in Scotland.

7.2. **ScotGov Vision of a Constitution for an Independent Scotland Paper**

Tabled for discussion during dedicated time at a later date.

7.3. **UNCRC Paper & Oral Update**

Tabled for discussion during dedicated time at a later date.

7.4. **Illegal Migration Bill Paper**

Tabled for discussion during dedicated time at a later date.

8. AOB

8.1. None.

8.2. Date(s) of next meeting:

31 July 2023, 1300 – Special Purpose Meeting – Governance Review Recommendations and Implementation Plan

4 September 2023.