

## **MENTAL WELFARE COMMISSION FOR SCOTLAND**

### **MEETING OF THE BOARD**

HELD ON TUESDAY 25 FEBRUARY 2025

AT 11.00AM In person

Present:

Sandy Riddell (Chair)

Mary Twaddle

Gordon Johnson

Nichola Brown

In attendance:

Julie Paterson, Chief Executive

Suzanne McGuinness, Executive Director (Social Work)

Claire Lamza, Executive Director (Nursing)

Julie O'Neill, Business Change and Improvement Manager

Ashley Dee, Head of Culture and Corporate Services

Secretary: Stuart Gray

#### **1. Welcome and Apologies**

Apologies were received from Cindy Mackie, Kathy Henwood and Alison White.

#### **2. Board Declarations and Register of Interests**

No declarations or register of interests were given.

#### **3. Chair Update and Announcements**

The Chair firstly updated the Board on the recruitment of two new Board members. He advised at the December Board that there had been 125 applications from which a strong

shortlist of 13 were interviewed. Two excellent candidates were chosen and the Minister has given her approval. They are currently subject to pre-appointment checks and as soon as that process is complete he will share further detail.

The Chair reminded the Board that there is a staff event planned for the 1st April and that Board members are welcome to attend. Given the challenging year that we have experienced, he added that it was important for as many of us as possible to get together and that planning was underway on the detail of this. The Chair also expressed the view that due to the staffing and organisational pressures faced by the Commission over the past year, he has decided to postpone meantime any follow up to the national event we held. He expressed the view that there is a need to consolidate, rebuild and reset what we plan to do in the short to medium term. The Chair reflected on the content of the business plan on this meeting's agenda which clearly identifies that although a lot continues to be achieved, the staffing pressures and depleted resources have had an impact on our ability to deliver some planned pieces of work. He believes in the short term that the Board needs to support staff and part of that is agreeing to a much more prioritised and achievable set of actions that allows for recovery and rebuilding.

Finally, the Chair referred to the meeting of the Annual Chairs' Group scheduled to take place tomorrow. He reminded the Board that the purpose of this forum is to support performance and strategy further by providing an opportunity to reflect not only on the effectiveness of current governance arrangements but anticipate and plan for committee and board business for the year ahead. This will include consideration of succession planning, the potential focus of the year's Q&A meetings and potential staffing and Board development opportunities. A note of what is agreed at the meeting will be circulated.

#### 4. CEO Update

JP updated that following the briefing issued to members last week in relation to visits to children and young people units across Scotland, a meeting is scheduled with the Cabinet Secretary, the Minister and HIS tomorrow to discuss expectations.

JP also referred to the CQC review report published on 15 October 2024 and advised that a self-evaluation report will come to the Board in due course, reflecting on the findings of this review.

It was noted that the SPSO has recently advised that whistleblowing legislation does apply to the Mental Welfare Commission having advised in 2021 that this was not the case. We will now work with SPSO to be clear on requirements and update our policies.

Finally, JP confirmed that she was delighted to confirm that a preferred candidate was agreed following interview for the post of executive director (medical) yesterday.

5. (a) Minutes of Board meeting held on (Paper)

The minutes were approved for this meeting with the adjustment that Gordon Johnson was in attendance

(b) Action Points (Paper)

Action points updated accordingly noting that the Commission's new communications manager started last week and the paused action in relation to Rebecca Maxwell's input has now progressed. Rebecca will meet with EELT face to face on 5 March 2025 and will hold a virtual meeting with all other staff next day on 6 March to provide feedback.

6. Advisory Committee

6.1 Advisory Committee Verbal Update

SR confirmed that he had asked Nichola Brown to be sole chair of the advisory committee following the departure of MT. This has been agreed by NB.

MT confirmed that there are plans for a virtual meeting of the Committee on Friday next week 10-12. The next meeting with members is provisionally booked for 29 August 2025.

7. Items for discussion and/or approval

7.1 Budget Update

JP presented the paper to the board for approval.

JP confirmed that the paper had been considered at the AP&R meeting on 3 February 2025. It was noted that there has been extraordinary spend in relation to HR and legal advice and DMP spend had exceeded the £418k limit as predicted. SR confirmed to the Board that Scottish Government (SG) recognised the challenges associated with budget management at this time, particularly in relation to resource allocation and capacity.

The Board approved the paper

## 7.2 Staff Survey Report

JP presented the paper for the Board's approval, explaining that it had been decided to present the findings in their raw data format rather than drawing any themes. This format aimed to ensure a full and accurate representation of the views expressed during the Staff Focus Groups conducted in January.

The focus groups had been asked to consider the question, 'What does good look like?' in the context of the Staff Survey, with the paper outlining some recommendations based on their responses.

JP confirmed that the findings would be presented to all staff at the Staff Event on 1 April 2025 and this would be followed up by a more targeted action plan.

JP noted that it would not be possible to implement strategies that fully satisfied all staff, given the varying and sometimes conflicting expectations. What is important is that staff know that they have been listened to even where decisions taken are not ones they necessarily agree with.

SR acknowledged the findings of the Focus Groups and emphasised that continuing to develop the Commission's culture was a shared responsibility across the organisation. It was noted that DH had provided written feedback in advance of today's meeting, stating that the overall results were positive and demonstrated that staff feedback had been considered. GJ noted that the themes identified were anticipated, which indicated that leadership was aware of the challenges related to organisational culture and this too was positive.

MT highlighted that the results might evolve naturally due to the ongoing recruitment within the Commission.

NB concurred, acknowledging the challenges faced over the past year but also recognising the positive developments. NB noted that the changes being implemented formed part of a long-term strategy, which included empowering staff to challenge appropriately and encouraging the Board to consider how best to foster this environment.

JP provided an update on actions already undertaken, including progress in recruiting an HR Manager, who is now in post five days a week. Additionally, external consultant Rebecca Maxwell would be delivering her findings to EELT on 5 March 2025, and all staff would be

informed of the Staff Survey and Focus Group results on 1 April 2025. NB inquired whether attendance at the staff event would be mandatory, and JP confirmed that it would be.

The Board approved the paper

### 7.3 Standing Financial Instructions

SR confirmed that this paper had been presented and approved at the AP&R meeting on 3 February 2025 and invited JP to present the details.

JP noted that, in response to a comment from Board member CM regarding the handling of cash within the office, an amendment had been made to section 12.9 of the document. The reference to holding cash had been removed, as this practice ceased during lockdown. However, the section on retaining cash was kept to account for any instances where cash may still be present in the office.

The Board approved the paper with the adjustments

### 7.4 Monitoring Report - Ethnicity Data

JON presented the paper to the board

GJ raised concerns regarding the 20% gap in ethnicity data within records, questioning who holds primary responsibility for data recording. It was noted that this omission could impact the overall reliability of the data and inquired whether steps could be taken to encourage completion.

JP agreed that 20% could certainly have an effect. She advised also that services confirmed that individuals cannot be compelled to provide ethnicity information, this information can also not be assumed by those completing the form. The Board discussed whether an additional category, such as 'Data Refused,' could be introduced to differentiate between cases where individuals actively declined to provide their ethnicity and instances where the information was not collected.

MT also raised a query regarding the 50% missing data in the CPA section. JON agreed to investigate this further.

ACTION: JON will research into CPA Ethnicity Data

#### 7.5 Corporate policies progress report 2024 - 2025

JON presented the paper to the Board, confirming its prior presentation at the AP&R meeting on 3 February 2025. JON highlighted the proposed adjustment to the review period to two years for the hybrid working policy with the remainder of the paper provided for information.

SR asked for any questions or comments, of which there was none.

The Board approved the proposed review period for the hybrid policy.

#### 7.6 Business Plan 2024 – 2025

JON presented the paper to the Board for approval, confirming it was a third-quarter update report. SR invited comments or questions; none were raised.

The Board approved the paper.

#### 7.7 Proposed Business Plan 2025 -2026

JON presented the paper to the Board.

MT and SR noted that changes are expected when positions are vacant and new post holders are yet to take up post.

The Board approved the paper

#### 7.8 CORP-POL-03 Standing Orders

AD presented the paper to the Board for approval.

No questions or comments were received.

The Board approved the paper

#### 7.9 IG-POL-03 Data Protection Policy

AD presented the paper to the board for approval. AD noted the removal of the Subject Access Request section as there will be a separate procedure for staff.

The Board approved the paper.

#### 7.10 Organisational Development Plan

AD presented the paper to the Board for approval, confirming that it was based on the values established in 2016, with a separate update to these values under consideration. SR noted that comments had been received from CM. GJ acknowledged the paper's foundational nature and suggested more frequent reporting. SR agreed, proposing consideration of a brief but regular update.

NB asked why staff had not been consulted at this stage, referencing item 7.2 and the associated themes of ownership. AD explained that the decision had been made to share with staff at the Staff Event on 1 April 2025, with consultation planned with HR Manager Hannah Rate for further implementation. NB thanked AD for the clarification. MT welcomed the paper and noted that the values from 2016 are the starting point.

SR reminded the Board and ELT that these values should apply to all staff. MT agreed, adding that the Board could approve the new values and hopefully they will be tangible and not abstract.

Action: AD to consult with Hannah Rate (HR manager) regarding implementation following Staff Event

The Board approved the paper

#### 7.11 CORP-POL-04 Supporting Positive Engagement

AD presented the paper to the Board for approval.

MT highlighted the detailed comments received from CM and raised a query regarding the style of writing, particularly the lack of quantification in phrases such as 'lots of calls in one day,' seeking clarification on what the Commission considers to be a 'lot.' JP explained that this phrasing was intentional within the policy wording to provide a level of flexibility based on individual needs. SM confirmed that the policy aimed to strike a balance between being broad enough to be useful and sufficiently detailed. MT suggested emphasising the importance of clear record-keeping to support a transparent rationale for decision making.

NB queried whether, in the case of 'extreme and isolated examples,' the Commission is confident in its ability to respond swiftly and effectively to requests for support and advice, citing concerns about what would occur if a family were dissatisfied with the support provided. JP acknowledged that some individuals may be dissatisfied with the support and advice they receive. In such cases, individuals are referred to the complaints procedure. JP also noted that the Commission had begun implementing measures such as a single point of contact and was exploring ways to assist staff in managing unacceptable behaviours. NB thanked JP for the clarification.

The Board approved the paper.

#### 7.12 IMS Project Update

SM presented the paper to the board for approval.

SM confirmed that, following the submission of the paper, a plan had been received from supplier CDS by close of business on Friday, 21 February. The plan was currently under review but had implications for the proposed timeline, which now extended from April to August. The current budget was expected to cover this, although there may be future budgetary considerations.

SM also confirmed that she would be meeting with the MD of CDS on 26 February 2025 to discuss a proposed brief for 3 March 2025 which has been requested by SG.

No comments or questions were raised.

The Board noted the paper

#### 7.13 AP and R Minutes

The minutes were approved by the Board

#### 8.1 SMHLR Update

JP presented the paper to the Board for Information

No comments or questions were received.

The Board noted the paper

#### 8.2 UNCRC CYP Report

SM presented the paper to the board for information

No comments or questions were received.

The Board noted the paper

#### 8.3 Update on the IT Handbook – response from IGM

AD presented the paper to the Board.

AD confirmed advice that '[secure]' emails were only necessary for sensitive information, and that most of the information shared with the Board had already been redacted to remove any identifying details.

A request was made for an abridged version of the IT handbook to be created for the two new Board members as part of their induction pack.

### 9. Board Agenda Planning

No issues were raised with the prospective agenda for April 2025

10. Any Other Business

SR invited all board members to the Q and A dated 4th April 2025.

SR wished to thank GJ and MT for their help and service as this was their last Board meeting, citing their optimism, confidence, guidance and support. All in attendance echoed the Chair and warmly thanked MT and GJ for their significant contributions over the past 8 years.