

Executive Board meeting minutes

Meeting held on 4 October 2023 in Conference Room 1, Crown Office & Microsoft Teams

Present:

John Logue (Chair)	Crown Agent
Lindsey Miller (Co-Chair)	Deputy Crown Agent, Operational Support
Stephen McGowan	Deputy Crown Agent, Litigation
Kenny Donnelly	Deputy Crown Agent, Specialist Casework
Ruth McQuaid	Deputy Crown Agent, High Court
Keith Dargie	Head of Business Services
Jim Brisbane	Internal Assurance, Strategy and Policy Advisor
Andrew Laing	Deputy Head of Local Court
Marlene Anderson	Director of Finance and Procurement
Sarah Carter	Director of Human Resources
David Watt	Non-executive director
Vanessa Davies	Non-executive director
Annie Gunner Logan	Non-executive director
Andy Shanks	Deputy PF Specialist Casework/Head of SFIU (item 6 only)

In attendance:

Fiona Holligan	Secretariat
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Apologies:

Jennifer Harrower	Deputy Crown Agent, Local Court.
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Agenda Item 1 – Welcome and Apologies

1. Deputy Crown Agent, Operational Support opened the meeting and welcomed colleagues especially Andrew Laing who attended in place of Jennifer Harrower. There were no conflicts of interest noted.

Agenda Item 2 - Minutes of previous meeting

2. The minutes of the meeting held on 23 August 2023 were approved and can be published. Vanessa Davies advised that the conflict of interest noted in the minutes had now concluded.

Agenda Item 3 - Finance Update

3. The Director of Finance and Procurement introduced paper EB23/24(19).
4. On Annual Accounts, the Board noted the 2022/23 accounts had been signed and laid before Parliament.
5. On FY 2023/24, the Director gave an update on the current budget position which continues to be carefully monitored on a monthly basis. The forecast corporate overspend is reducing and options are being explored to reduce this further. COPFS continues to engage with the Scottish Government about this year’s budget. There was some discussion on the path to balance and the next phase of digital work. It was noted that 2023/24 is in a state of flux and that SET will direct prioritisation.
6. On FY 2024/25, the Director explained the productive meetings with Scottish Government looking at prioritisation across all portfolios. The Deputy First Minister has a bi-lateral discussion with the Lord Advocate today. COPFS has highlighted the pressure the year 2 of the pay offer presents. There was some discussion on planning for 2024/25 and the challenges faced from being a demand led organisation.

Agenda Item 4 - Future Ways of Working Update

7. The Head of Business Services introduced paper EB23/24(20) and provided an update on the progress of the programme, highlighted some key points from the FWoW Maturity Matrix and outlined the next steps towards programme closure.
8. There was some discussion on the results of the Maturity Matrix and the Crown Agent asked if there was a clear plan to obtain data on the benefits of FWoW. It was agreed before moving to closure phase that it would be good for the Board to see a paper detailing the benefits of the FWoW programme paper and timelines for outstanding actions.

Action - The Head of Business Services to prepare a paper for the February 2024 meeting and Secretariat to add this to the agenda.

Agenda Item 5 – Balanced Scorecard and Absence Figures

9. DCA Operational Support introduced paper EB23/24(21) and invited comments from the Board.

10. There was some discussion about mental health absences. The Director of Human Resources provided a brief update on some ongoing work being done on staff wellbeing. The Board agreed that it would be useful to get other information that would provide more context to the data.

11. There was some discussion about the data relating to complaints and the right to review. The Board agreed that it would be helpful to get further information on this.

Action - The Director of Human Resources to arrange for information on absence figures due to mental health from other organisations to be included in the next absence figures. DCA Specialist Casework to arrange for a separate note on CDIT and Complaints/Right to Review. DCA Operational Support to arrange for further information on Right to Review to be included in the next balanced scorecard.

Agenda Item 6 – Service Improvement Update

12. Deputy PF Specialist Casework/Head of SFIU introduced paper EB23/24(22) and provided an update including details of the new COPFS Service Improvement Programme Board and Programme Team being set up.

13. Deputy PF Specialist Casework/Head of SFIU also provided an update in relation to the action to provide a report in relation to complaints and lessons learned. The work to review complaints data and identify thematic issues from stage 2 complaint outcomes is a priority. There was some discussion on incorporating the service improvement programme work into mainstream work and timescales to do this. The Board agreed on the need to progress this work and asked for an update in 3 months.

Agenda Item 7 – Health & Wellbeing Quarterly Update

14. Director of Human Resources introduced paper EB23/24(23).

15. On wellbeing dashboard, there was some discussion on the vicarious trauma support service currently available to staff and how that could be improved. The Board noted there is an internal HR review looking at this but agreed that the review should be wider.

16. On wellbeing hour pilot, there was some discussion on the uptake to date.

Director of Human Resources to discuss review of the vicarious trauma support service with Deputy Director of Human Resources.

Agenda Item 8 – Resources Committee Update

17. DCA Operational Support introduced paper EB23/24(24).

Agenda Item 9 – Business Improvement Committee Update

18. Head of Business Services introduced paper EB23/24(25) and provided updates in relation to the Witness Gateway and DESC.

19. There was some discussion on when witnesses will be able to use the Witness Gateway and it was confirmed that this would be in November after the series of stakeholder workshops which end on 2 November. There was some further discussion on when the Information Commissioner Officer’s decision is expected in relation to DESC and the potential risks to the project.

Agenda Item 10 – Operational Performance Committee Update

20. DCA Litigation introduced paper EB23/24(26) and highlighted the challenge in evaluating COPFS performance every six months through the lens of Covid Recovery.

Agenda Item 11 – Audit & Risk Committee Update

21. Non-executive Director Vanessa Davies introduced paper EB23/24(27) and invited comments from the Board.

EXECUTIVE BOARD
Meeting 4 October 2023
FINANCE UPDATE

Purpose

1. This paper provides the Executive Board with an update on:
 - Annual Accounts update 2022-23
 - 2023-24 Budget Allocation
 - Path to Balance from Functions.

Annual Accounts Update 2022-23

2. The 2022-23 Annual report and Accounts are complete, were signed on 31 August and have been laid before Parliament.

2023-24 Budget Allocation

3. The budget continues to be monitored on a monthly basis underpinned by detailed planning and controls. Both staff and non-staff expenditure categories remain under pressure with plans implemented to minimise pressures as far as possible whilst delivering on our priorities. See Appendix A.

2024-25 Budget Planning

4. We continue to engage with Scottish Government to plan and confirm our resource allocations for 2024-25 and indicative budget planning for subsequent years. Scenario planning along with workforce planning continues for 2024-25 and beyond. This is to reflect the COPFS Strategic Plan and funding assumptions for specifically funded areas e.g. Court Recovery. See Appendix B.

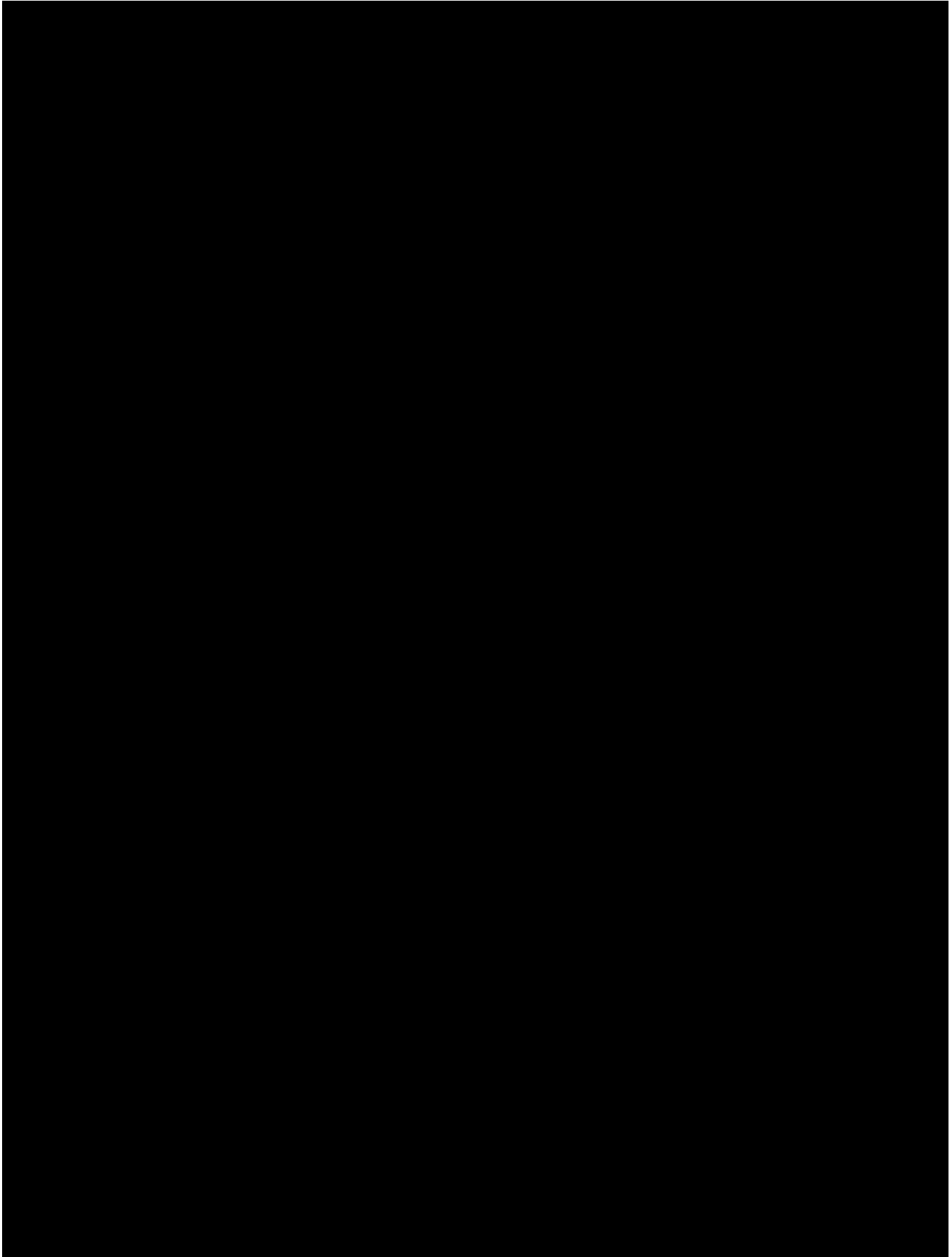
Conclusion

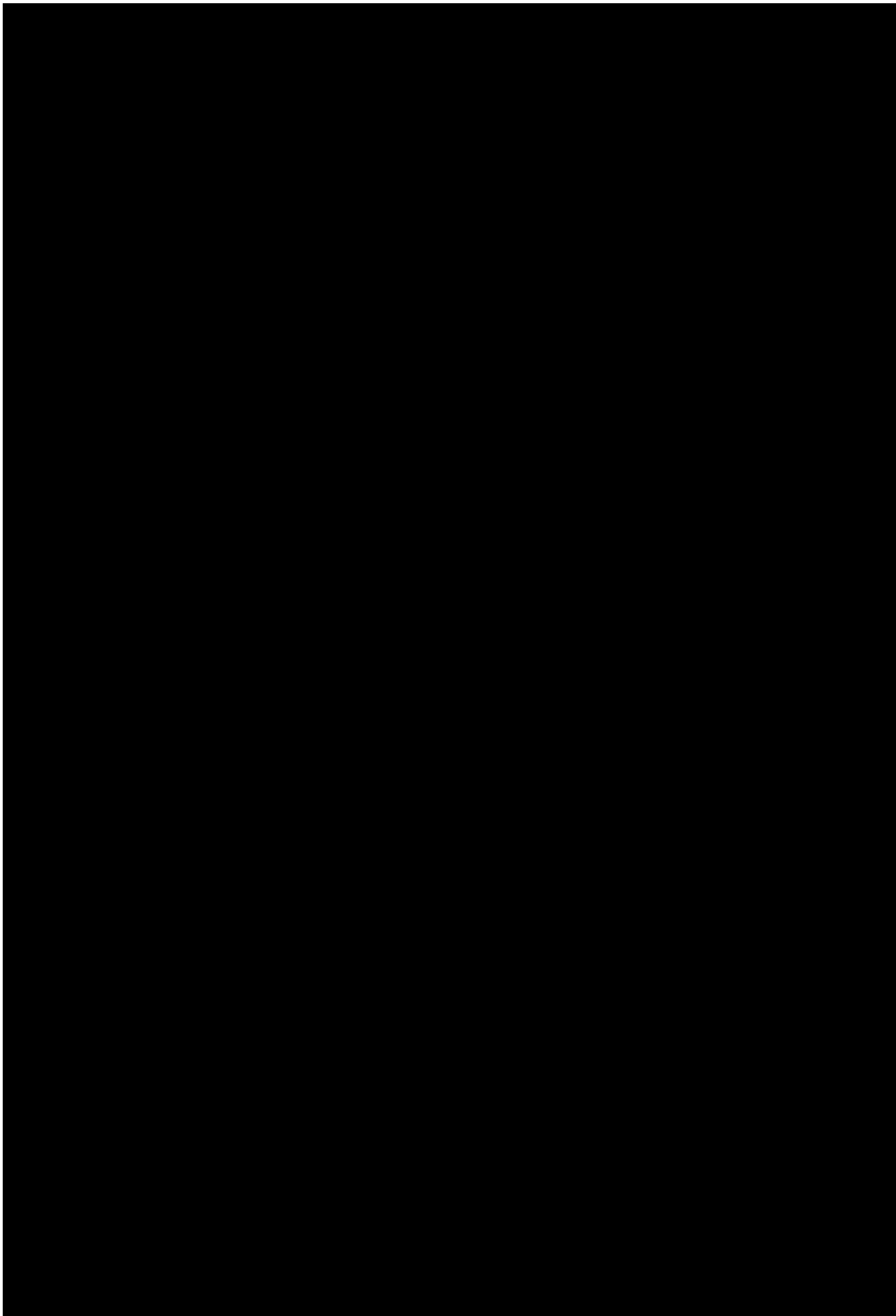
5. **The Executive Board is asked to note, and if it wishes, comment on the 2023-24 budget and planning.**
6. **The Executive Board is asked to note, and if it wishes, comment on the 2024-25 and beyond budget planning.**

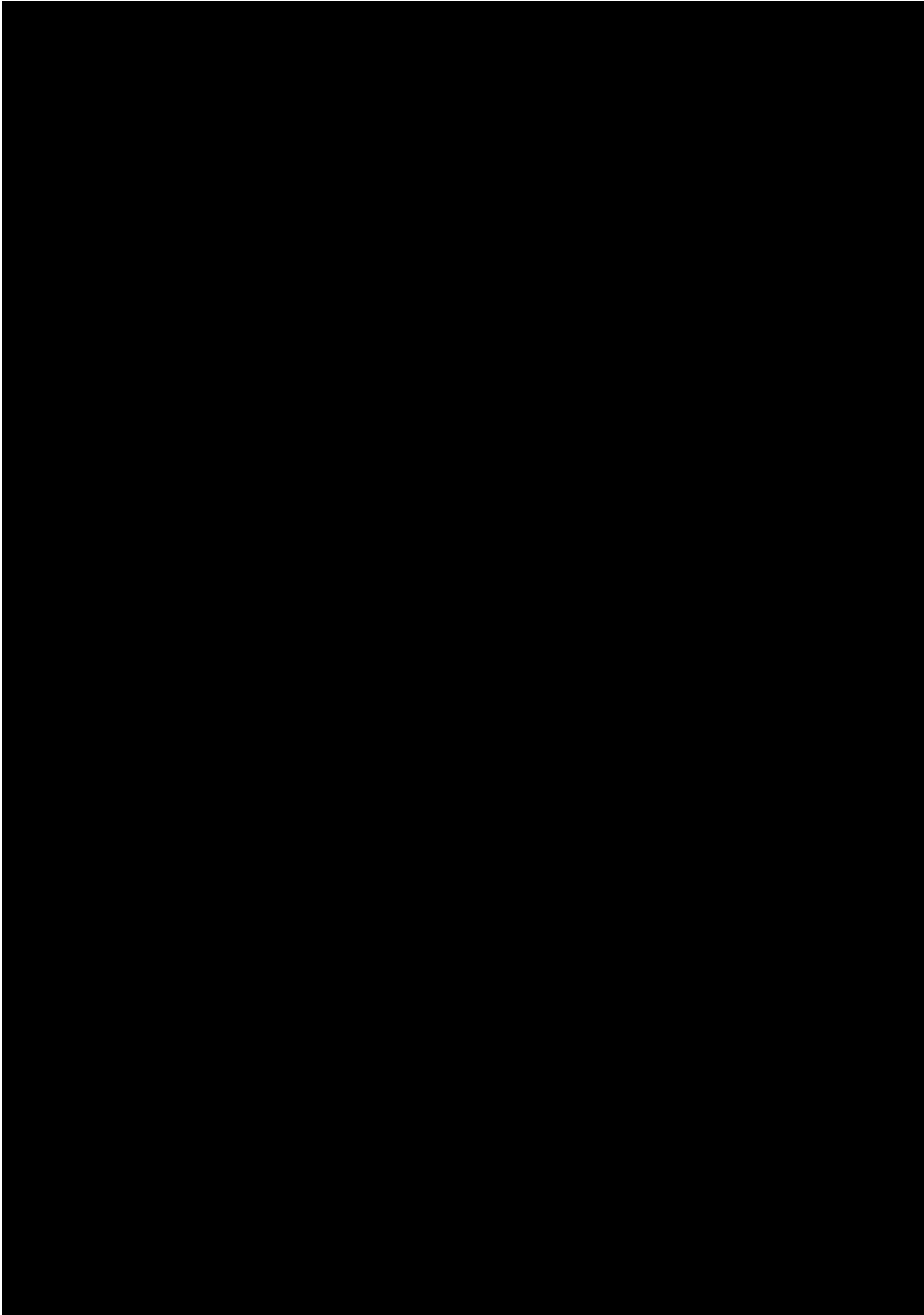
Finance Directorate

24 September 2023

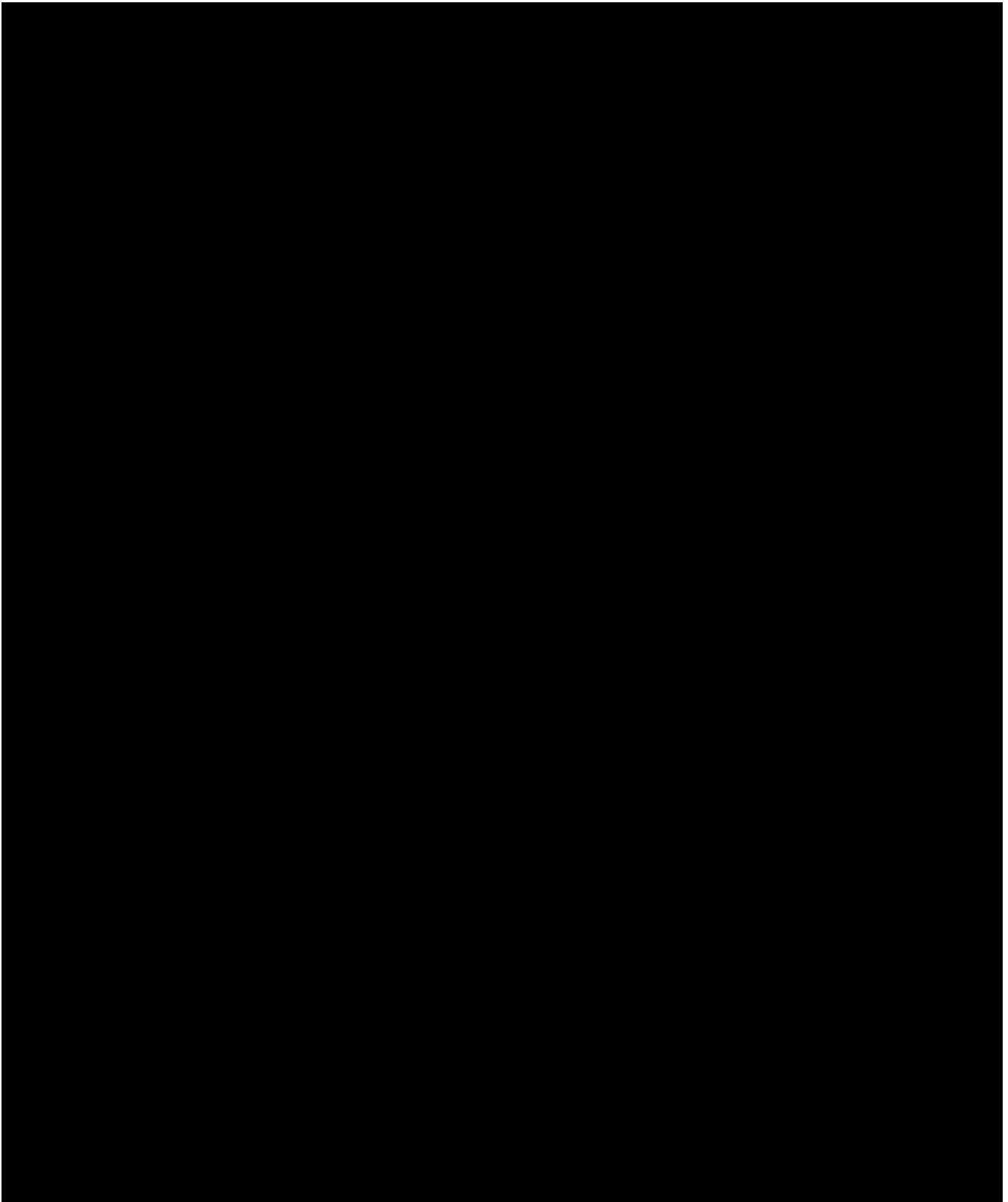
APPENDIX A







APPENDIX B



EXECUTIVE BOARD
FUTURE WAYS OF WORKING (FWOW) PROGRAMME
OCTOBER 2023 UPDATE

Purpose

1. To provide the Executive Board with an update on the progress of the Future Ways of Working (FWoW) Programme, specifically outlining the outcome of the recent maturity self-assessment, details on the survey planned, key programme activities and anticipated next steps towards FWoW programme closure.

Timing

2. Routine

FWOW Maturity Matrix

3. It was agreed by the Executive Board in November 2020 that COPFS should track progress of FWoW implementation using the Government Property Agency (GPA) Smarter Working Maturity Model to establish a baseline and track our progress towards becoming a 'Fully Mature' smarter working organisation.

4. Since the latter part of 2020, functions informally tracked progress against the Maturity Model. In July 2023 - a date that aligned with functions having formally implemented and applied agile working for 12 months - a cross-organisation assessment was undertaken by functions and teams using the FWoW Maturity Matrix.

5. The outputs from Local Court, 'Serious Casework Group' (reflecting the previous function structure and availability and alignment of data and analysis) and individual Operational Support function teams were analysed to form the aggregated COPFS organisation assessment set out at **Annex A**. Entries in green indicate where COPFS has corporately self-assessed itself as meeting the requirements to be regarded as a 'Fully Mature' smarter working organisation. Entries in red indicate where there is more work to be undertaken to achieve this.

6. To summarise:

- a) All of the '**People**' related elements have been delivered and embedded (rated as Level 3), apart from COPFS' recruitment processes not yet taking full account of Location Neutral Working (LNW) which may be addressed when the outcomes of the LNW Pilot are considered in February 2024 and policies and recommendations implemented. There were also a number of comments about the continued need for support to managers managing teams and fully embedding agile working, as well as challenges around the effective management analysis of recruitment, retention and absenteeism data and linking FWoW explicitly to COPFS' Diversity and Inclusion strategy.
- b) Most of the functions and teams reporting assessed the '**Workspace**' elements as ranging between Level 1 and 2, reflecting that the Desk Booking Corporate App is currently on pilot only in certain locations and, importantly, only a handful of office locations have benefitted from remodelling to incorporate modern flexible workspace facilities and configurations to support and encourage modernised and new ways of working to drive towards Level 3 assessment. There were also a number

of team specific constraints, for example, limitations on National Enquiry Point and Policy teams having flexibility in where they work, and teams requiring to be located in specific locations or next to the essential equipment. In addition, the Scottish Prosecution College (SPC) are moving learning models steadily from in-person classroom based learning to a model which blends different delivery types to individual needs, including staff working in different locations.

- c) Most of the functions and teams reporting assessed the '**Technology**' elements as between Level 2 and 3, on the basis that continued scoping and user engagement with COPFS' Digital Workplace services and products was required; this included managers and staff promoting secure use and local management of Microsoft Teams channels. There were also questions around how to change the culture and make the use of Microsoft software applications 'the norm', and around the retention of information stored in shared folders/mailboxes and GDPR related queries. The Head of Business Services will set out many of these business information issues in the COPFS Information Strategy and Delivery Framework being published in October 2023. ISD will also be asked to further evangelise and support the use of digital technology to help colleagues make the most of these facilities.

7. There are a number of specific actions to be addressed as a result of the self-assessment, as well as ongoing activity to fully embed FWoW principles and approaches across all teams. The FWoW programme team will continue to analyse these data, including at individual function and business area levels, and pursue issues and further engagement with workstream leads.

8. While this assessment provides important qualitative data and baseline analysis to measure progress and inform future ways of working plans and approaches, further work is important to capture quantitative data, aligned with other relevant corporate datasets and information, to enable analysis and baselines to be defined for current and future ways of working, productivity and quality issues. These are complex issues which require careful consideration to define approaches and the best use of methods and data. The Head of Business Services will set out options and recommendations for using the maturity assessment information and other relevant data to fully define benefits and how these can be factored to wider corporate initiatives for driving improvements to the way the organisation works and delivers. This will be set out in an update to the Executive Board meeting in November.

9. This assessment must be repeated at appropriate time periods. It is also recommended that consideration is given, in future, to external assessment (by an appropriate organisation or supplier) to help COPFS further measure its position and drive to becoming a Fully Mature Smarter Working organisation. This assessment could be conducted as part of the FWoW programme closure activities and/or as a repeat activity every 12 or 18 months. The FWoW Programme Board will consider and make specific recommendations on approaches.

FWOW Survey

10. A COPFS survey to collate feedback of staff and line managers has been developed for publishing at an appropriate point following the close of the Civil Service 2023 People Survey. Both surveys will reflect feedback on ways of working and

wellbeing. A copy of the draft questions for the national survey is available at **Annex B**.

11. The information below (presented to the Executive Board in June) will be updated and expanded to reflect relevant results from the 2023-24 Civil Service People Survey and the targeted FWoW survey and will be provided at a future meeting of the Executive Board. Further metrics and analytics will be included to provide the necessary business data and intelligence and to help managers and staff to manage and support ways of working effectively.

Measure (SIP = Staff in Post)	Pre-Pandemic	Post-Pandemic
No (%) of SIP with mobile phones	360 (20%) Feb 2020	2,239 (90%) Current
No (%) of SIP with laptops	80 (4.5%) Feb 2020	2,495 (100%) Current
No (%) of SIP who can work from home	80 (4.5%) Feb 2020	1,982 (79%) Current
Cost of SPC Training Travel Claims	£81,989 (2019/20)	£37,109 (2022/23)
Cost of Business Travel Claims	£570,557 (2019/20)	£502,148 (2022/23)
Total Excess Fares Allowance Cost	£167,061 (2019/20)	£84,331 (2022/23)
No (%) of staff claiming EFA	146 (8.1%) (2019/20)	85 (3.4%) (2022/23)
People Survey Data		
% of staff confirming they achieve a good balance between work/private life	2017-19 Average of 67%	2022 - 66%
% of staff confirming that when working from home, their colleagues are good at keeping in touch	Not Available	2022 - 84%

Next Steps

12. As set out above, the latest Maturity Matrix assessment demonstrates that the majority of the 'People' pillar has been delivered, with more work required to fully deliver the Estates and Technology pillars. In the case of the Workspace pillar, this is because several large projects, for example, Ballater Street and Edinburgh 'Justice Campus' have not yet been implemented to deliver modernised office workspaces and facilities. In the case of the Technology pillar, managers and staff are yet to fully embed their understanding and maximise use of the available digital workspace tools and information systems.

13. The Workspace and Technology outcomes will take time to become part of the way COPFS operates, however it is not felt that the current FWoW programme structure is required to support this. On that basis, the FWoW Programme Board recommends that the programme should aim to formally close at the end of March 2024. Normal programme closure activities, including documenting delivery outcomes, lessons learned and benefits realisation plans will be included. Plans for transferring responsibility for any outstanding workstreams or subsequent benefits realisation analysis will be defined.

14. The key outstanding products/activities which are planned to be fully implemented by programme closure are:

- Finalising of the Working Outwith a Reasonable Commute Policy and Principles;
- Concluding the Location Neutral Working Pilot and actioning any recommendations that arise when the pilot closes in February 2024;
- Review of Homeworking Risk self-assessment form/process and workflow;

- Electronic Data and Records Management System (use of SharePoint Online and Microsoft OneDrive for data storage) [Part of the Information Strategy and Delivery Framework initiative being progressed from October];
- Corporate rollout of the Desk Booking Application (taking account of feedback and changes following the pilot);
- Appropriate revised 'Remote Management' support material (informed by maturity matrix and survey outcomes);
- Estates Transformation Programme, including Ballater Street/Legal House, Edinburgh 'Justice Campus' and wider estates changes informed by the Estates Strategy, West of Scotland 'hub' analysis and other estates and office initiatives for establishing modernised workplaces to support and encourage our people to work, collaborate and live healthy working lives;
- Revised Acceptable Computer Use Policy.

Decisions/Actions required by Executive Board

15. Executive Board are invited to note and comment on the latest work of the FWoW Programme and next steps.

Keith Dargie

Head of Business Services

27 September 2023

COPFS Future Way of Working Matrix – August 2023 Assessment

Annex A

People

We will improve working lives by encouraging our employees to work as flexibly as possible, subject to business need.

- Flexible working will be our default: how and where we work will be balanced against our responsibility to meet business need.
- We will determine where and how we work in discussion with our line manager.
- We will support requests for more permanent remote working arrangements wherever possible and use a fair and transparent organisation-wide process.
- Location requirements of all future vacancies will be considered fairly and consistently and made as clear as possible during the recruitment process.
- We will manage remotely through trust, and measure performance on outcomes.

Our starting point	Our next step	Our Future Way of Working in practice
Individuals and teams within COPFS are tasked with introducing and implementing FWO.	FWOW is beginning to be introduced to certain teams and individuals, subject to business need.	FWOW is an established programme that engages all staff across COPFS.
The programme team is beginning to define what FWO means for COPFS.	FWOW principles and the proposition are defined and staff are being made aware of them.	FWOW principles are defined and staff are aware of them – they are explicitly aligned to business need.
The programme team knows what HR policies are currently in place and has an idea about what needs to be changed and added.	HR is involved in the programme and is starting to implement revised policies.	HR policies support FWO. They offer both formal and informal (non-contractual) flexibility, subject to business need.
Corporate communications is working with the programme team to define the strategy and communications plan.	A communications strategy is in place so FWO is starting to be communicated consistently and clearly to all staff.	All staff know about FWO. Communication channels promote wider engagement on what FWO is, its aims, and why it is important across COPFS.
The programme team is aware of the many work profiles across COPFS and has identified the challenges associated with some roles. Individuals and teams are beginning to understand what flexible working means for them.	Individuals and teams are aware of a few different ways of working flexibly and have begun to discuss this with their teams.	Individuals and teams are aware of a few different ways of working flexibly, including for operational roles. They consider how FWO is best implemented for them, and discuss FWO with their line manager.
Recruitment processes offer a few locations or work patterns according to the roles, and the programme team are aware of what could be improved.	Recruitment processes offer a range of locations and work patterns as standard.	FWOW is central to recruitment processes and our people offer. Jobs are advertised with a variety of flexible working options so that no applicant is excluded as a result of their location or work pattern.
The programme team is aware of current recruitment and induction processes and will work with HR to align these to the FWO principles.	The programme team is working with HR to introduce and implement recruitment tools and induction processes that support new ways of working.	Recruitment tools and induction processes make new staff aware of COPFS' commitment to FWO.
The programme team knows that staff recruitment, retention and reduced absenteeism are a direct benefit of FWO.	Data has started to be collected on recruitment, retention and absenteeism rates to create a baseline.	Recruitment, retention and absenteeism data is collected, and measured against baseline data. Improvements in these measures are a direct benefit of FWO.
The programme team is aware of how FWO can improve Diversity and Inclusion for COPFS.	COPFS' Diversity and Inclusion strategies are known and are being linked to the FWO principles and strategies.	FWOW is explicitly linked to COPFS' Diversity and Inclusion strategy and improves inclusion for employer and employees alike.
Staff understanding of Diversity and Inclusion is varied across COPFS.	Staff are aware of colleagues' needs and make some effort to include everyone in work and events.	Staff are consistently mindful of Diversity and Inclusion in their ways of working.
Engagement with executive and senior leaders has started, and they are starting to understand FWO principles.	Executive and senior leaders are aware of FWO principles and proposition and they are beginning to encourage management by outcomes.	Executive and senior leaders are aware of FWO principles and actively encourage management by outcomes rather than presence.
The programme team is working with HR to introduce the right training packages for their managers.	Training packages for line managers are being developed.	Line managers are learning how to best manage remote or dispersed teams and manage by outcomes because the right training packages have been introduced to COPFS.
The programme team has considered how they will work with their executive and senior leaders to lead by example and encourage new ways of working.	Executive and senior leaders have begun to work smartly and are trialling new ways of working, including using collaboration technology.	Executive and senior leaders visibly encourage FWO, not just by trialling new ways of working or using collaboration technology. They lead by example and adapt smarter ways of working in their own practices.
Managers have begun to discuss how FWO could be implemented in their teams and how they could encourage new ways of working	Managers have a clear idea of how FWO could be implemented in their teams and are starting to discuss it with individuals.	Managers understand FWO, have introduced it in their teams and are beginning to encourage staff to work flexibly.

Workplaces

We will modernise our buildings, creating efficient and task-focussed environments that encourage collaboration and decrease our estates footprint.

- We will encourage employees to work in locations that suit them and our business needs, whether in an office, at home, or in an office closer to their home.
- We will modernise our offices, providing desks for employees when they need them and meeting rooms to work together.
- We will book desks when we need them and store personal items in lockers.
- We will reduce our estate costs where we can, ensuring we have efficient offices spaces that meet our needs.

Our starting point	Our next step	Our Future Way of Working in practice
The programme team understands how properties can be rationalised or improved.	The programme team works closely with the estates team to consider opportunities for rationalisation or improvements.	COPFS properties are occupied efficiently and effectively with adherence to any defined space targets.
Workspaces offer some flexible desks and meeting rooms, and the quality varies across sites and regions.	Some offices are introducing flexibility in their spaces.	Workspaces are designed based on business need to offer a variety of rooms, workstations and furniture types that suit preferences and needs, although senior managers may still have their own offices or meeting rooms.
Space allocation is discussed by the programme team and a plan is in place to improve space provisions and future property needs.	Some data and feedback is being sought to help the programme team allocate space within buildings, and to plan property moves.	COPFS uses data and feedback to help the FWO and Estates teams to allocate space within buildings, and to plan property moves.
Staff are limited to the space they can use to complete their different tasks.	Staff move around different workspaces according to availability and task.	Staff make informed choices about the spaces in which they choose to complete different tasks, because the limitations due to the availability of workspaces and task performed are reduced.
Staff have an idea about how to use different areas within the workspace.	The programme team is developing protocols or etiquette for workspaces, and staff largely follow them.	Protocols, etiquette and tools are in place to make staff comfortable and confident in finding a space to work and set out expectations for appropriate use of space.
Staff use workspaces in our buildings, SCTS buildings or at home according to habit.	Staff are encouraged to work from different places, although remote working is not commonplace.	Staff are actively encouraged to use a range of workspaces, including considering working remotely, in line with business need.

Technology

Our employees will have the digital tools to work successfully in offices, courts and at home.

- We will have the devices and technology we need to work together from anywhere using laptops and mobiles, Office 365, Teams, a new intranet and improved HR systems.
- Casework will be increasingly digital as we extend Case Management in Court, introduce witness and defence agent portals, and develop digital search warrants and indictments solutions.
- We will improve our existing case management systems, including supporting virtual courts.

Our starting point	Our next step	Our Future Way of Working in practice
The programme team is in contact with ISD and are aware of upcoming projects and rollouts.	The programme team understand the different work profiles represented within COPFS, and different types of IT are identified to improve flexibility in different roles.	IT is rolled out based on engagement with staff about their technology needs, so that technology enables mobility for different roles. This demonstrates that the programme team understand the different role profiles within COPFS, and different types of IT are identified to improve flexibility in different roles.
The programme team knows what IT is available across COPFS and where improvements could be made.	Some staff have mobile IT, and plans are in place to roll out mobile devices to all staff.	Each individual has mobile technology with collaboration software (as appropriate), and mobile technology is not based on seniority.
IT provision (such as Wi-Fi) in offices varies between locations, and the programme team are aware of	All sites are being fitted out with Wi-Fi and guidelines are being written about how to manage information securely.	The workspace is equipped with modern IT: good quality Wi-Fi is available across all sites (including for

<p>differences and what needs to be improved.</p>		<p>visitors), and information is accessible remotely and securely.</p>
<p>The programme team is working closely with ISD to define the training requirements for staff.</p>	<p>Training and tutorials for how to use devices and software are available and staff can access them when they feel they need to.</p>	<p>Training or tutorials for how to use devices or software are available and staff can access them when they feel the need to, to ensure they have the knowledge and skills to make full use of the functionality on offer.</p>
<p>Staff are beginning to understand their devices and software capabilities.</p>	<p>Staff know what tools are installed on their devices, and most staff use them competently.</p>	<p>Staff make the most of their devices and software and use them to share documents and collaborate with colleagues in real-time, in line with established guidance and procedures.</p>
<p>The programme team are liaising with the relevant teams to understand current information management policies.</p>	<p>Guidelines are written about how to share and store information, and staff are aware of them and largely follow them.</p>	<p>Staff share information responsibly and in line with guidance and procedures on how to share and store information and security restrictions, and information is stored accurately.</p>



Annex B

DRAFT

Survey Questions

This survey is designed for all staff; however Line Managers will be diverted to additional questions at the end of the main survey]

Function:

Team:

Office:

Role:

Current Working Arrangement: Full Time / Part Time (delete as appropriate)

PEOPLE

1. Does your current role allow you to request an agile working arrangement?
NO – all of my duties must be carried out from my home office or another office
YES - I have access to limited/occasional agile working
YES - I have access to regular agile working
2. How often do you work from home during an average week?
Occasionally (not every week)
Some of the week (1-3 days per week)
Most of the time (4-5 days per week)
3. On which days of the week do you usually work from home (tick all that apply)?
Monday
Tuesday
Wednesday
Thursday
Friday
It varies each week
4. Do you have an agile arrangement in place which accommodates you working out-with normal office hours e.g., early in the morning or later in the evening?
[YES/NO]
5. Have your agile working requests been approved?
Always
Most of the time
Sometimes
Never

6. Have you ever had to have an approved agile working request changed/cancelled in order to meet business needs?
Never
Sometimes
Often
7. If you have a regular agile working arrangement (including under a hybrid model agreed for your team/function) in place, is it recorded within your quarterly wellbeing form in MyHR?
Yes
No
Not sure
8. If you have a regular agile working arrangement in place, how often is it reviewed?
Weekly
Monthly
Quarterly
Biannually
Annually
Other
9. Where do you feel you are most productive working from?
Home
Your COPFS Base Office
A different COPFS Office
About the same level of productivity at home and in the office
10. What impact do you think the introduction of agile working has had on your team's productivity?
More productive
Less productive
About the same level of productivity
11. How does agile working benefit you?
[FREE TEXT RESPONSE]
12. Do you feel that being able to work agilely has had any impact on your wellbeing? Please provide details.
[YES/NO]
[Comments Box]
13. Do you think that within your team/function, colleagues in different roles are benefitting from agile working?
YES

NO
NOT SURE
[Comments Box]

14. Do you think that the introduction of agile working has benefited COPFS as an organisation?
1-5 (1 being not benefited at all, 5 being significantly benefited)
[Comments box]

PLACES

15. Do you feel that COPFS offices are well suited to support your working preferences and needs? (e.g. allow you to conduct meetings, work with others and support your working style in general)
1-5 (1 being very poorly suited, 5 being very well suited)
[Comments box]
16. Do you think you would benefit from being able to use a range of different workspaces whilst working in the office e.g., a mix of different sized desks, a touch down space, an informal seating area, collaborative space?
[YES/NO/ DON'T KNOW]
[Comments Box]

TECHNOLOGY

17. How aware are you of the range of digital services and tools available to support you in your roles (such as Microsoft Teams, video conferencing, meeting room solutions/surface hubs, information sharing and collaboration solutions)?
1-5 (1 being barely aware, 5 being fully aware)
[Comments box]
18. How much have you accessed training or tutorials on Microsoft Teams and other Office 365 tools (e.g. MS Planner, Meeting Room Solutions, Surface Hubs)?
Never
Sometimes
Often
[Comments box]
19. How confident are you using Microsoft Teams, Office 365 and other collaborative software to enable you to engage and collaborate effectively with your colleagues/team irrespective of where you are working?
Very confident
Quite confident
Not very confident
Not at all confident
[Comments Box]

ANY OTHER COMMENTS

[A brief statement to define/focus responses on provision of other comments to measure and improve agile working will be developed for adding here]

20. Any other feedback/comments

[Free text response]

Manager's Follow Up Questions

Are you a line manager?

[Yes / No]

If yes, they see these questions:

1. Do you believe that agile/hybrid working is embedded and working well within your team?

[YES/NO / Not sure]

[Comments Box]

2. Do you understand the differences between the agile working policy, alternative working policy, and flexible working hours policy?

[YES/NO/ Not sure]

[Comments Box]

3. What impact (positive or negative) has the introduction of agile working had on your team and capacity to deliver business needs?

(1 – 5)

Significantly Negative

Negative

No Impact

Positive

Significantly Positive

[Comments Box]

4. What impact has the introduction of agile working had on you as a line manager and what challenges do you face?

[FREE TEXT RESPONSE]

5. Overall, where do you feel that the staff you manage are most productive working from?

Home

Their COPFS Base Office

A different COPFS Office

About the same level of productivity at home and in the office

6. What proportion of work within your team could be done outside usual office opening hours e.g., early morning, later in the evening, under an agile working arrangement?

None

Very Little

Some

Most
All

7. What additional support as a line manager do you feel you need in order to continue encouraging the embedding of agile working and FWOW within your team?
[FREE TEXT RESPONSE]
8. Do you feel you have the skills to manage your staff's delivery(productivity and quality) whilst they work agilely?
1-5 (1 being not well equipped, 5 being very well equipped)
[Comments box]
9. How often do you ensure all of your team or units attend the office together to enable personal and team interaction?
At least weekly
At least fortnightly
At least monthly
At least quarterly
Never
Other
10. Are your regular team briefings/ team meetings:
In person only
Online only
Hybrid – i.e., some attend in person and some attend remotely
Do not have team briefings
Other (please provide details) [text box]

ANY OTHER COMMENTS

11. Do you have any other feedback/comments about agile/hybrid working?
[Free text response]

BALANCED SCORECARD – Quarter 1 – 2023/24					
PEOPLE	Current Quarter (Apr – June 2023)	Previous Quarter (Jan - Mar 2023)	Variance from last Quarter	Current FY to date (2023/24)	Previous FY (2022/23)
Staff Numbers (FTE)					
Permanent employees	2268.80	2249.66	0.85% Increase	2313.40	2202.86
Temporary employees	49.10	57	13.9% Decrease	57.09	63.2
Total Employees	2317.90	2305.64	0.53% Increase	2370.49	2266.06
% Temporary employees	2.12%	2.5%		2.4%	2.8%
	As at 30/06/2023	As at 31/03/2023		As at 31/08/2023	As at 30/06/22
Staff Turnover Rate	1.9% (0.08% involuntary 1.77% voluntary)	1.5% (0.04% involuntary 1.5% voluntary)	28.6% Increase	5.64% (0.25% involuntary 5.39% voluntary)	1.7% (0.2% Involuntary 1.5% Voluntary)
	Apr – Jun 2023	Jan – Mar 2023		As at 30/07/2023	Apr – June 2022
Absence Rate	Average WDL = 10.77 Short Term = 3.88 Long Term = 6.89 As at 30/06/2023	Average WDL = 11.1 Short Term = 4.2 Long Term = 6.9 As at 31/03/2023		AWDL 10.77 As at 30/06/2023	Average WDL = 11.3 Short Term = 4.2 Long Term = 7.1 As at 30/06/2022
QUALITY	Current Quarter (Apr – June 2023)	Previous Quarter (Jan - Mar 2023)	Variance from last Quarter	Current FY to date (2023/24)	Previous FY (2022/23)
Right to Review	60 received 49 issued 7 outstanding 4 withdrawn	37 received 36 issued 1 withdrawn	+23	109 as at 01 September 2023	192
Complaints	83 received, of which 3 upheld, 22 partially upheld = 25 (30%)	63 received, of which 4 upheld, 11 partially upheld = 15 (24%)	+18	128 as at 01 September 2023	236
Payment Performance	% paid in 10 working days				
Invoices	99.6%	99.2%	+0.4%	99.6%	99.4%
Witness Payments	100%	100%	-	100%	100%
Travel & Subsistence claims	100%	100%	-	100%	100%
DELIVERY	Current Quarter (Apr – June 2023)	Previous Quarter (Jan - Mar 2023)	Variance from last Quarter	Current FY to date (2023/24)	Previous FY (2022/23)
Performance Targets	% indictments served within statutory time limits				
	100%	100%	-	100%	100%
	% Take and Implement Decision within 4 weeks (75%)				
	72%	66%	+6	72%	72%
	% CAAP cases closed within 6 months (75%)				
	95%	87%	+8	95%	84%
	% Deaths investigated within 12 weeks (80%)				
	57%	59%	-2	57%	65%
Right to Review	90%	88%	+2	94%	80%
Complaints	88%	87%	+1	91%	71%
Freedom of Information	93%	98%	-5	96%	92%
FINANCE	Actual spend to date	Current end year forecast	Full year budget	Variance	
Running Cost Expenditure (includes cash and non-cash)	£44,192k	£193,809k	£188,300k	£-5,509k	
Capital expenditure	£955k	£8,305k	£8,300k	£-5k	

Quarterly Data as at the end of the quarter unless otherwise noted.

Financial Year Data is shown at the end of the relevant period (year to date or full year).

Releasable under the Freedom of Information (Scotland) Act 2002 after Next Meeting EB23/24(21)
NOTE: This excludes the AME provision utilised and IFRS16 working capital which reduces underspend to £0.2m in line with Annual accounts.

Andy Shanks
Deputy PF Specialist Casework
25 September 2023

Executive Board

SERVICE IMPROVEMENT IN COPFS – UPDATE

Purpose

1. To provide Executive Board with an update on service improvement progress over the past 6 months.

Background

2. At the meeting of 18 August 2021, Executive Board were fully briefed on the progress COPFS had made on service improvement to that date and the plans to increase corporate commitment to service improvement going forward. It was agreed at that meeting that a progress update would be provided every six months and this is the fourth update since.

3. My previous update at the meeting of 22 February 2023 highlighted the outcomes of the ServCheck staff survey and the development of a new corporate service improvement strategy.

Corporate strategy launch

4. The “Improving our Service Strategy 2023-2027” was launched by the Crown Agent on 18 May 2023. A copy is separately provided.

5. The strategy supports the service delivery aspects of the new COPFS Strategic Plan for 2023-2027 and also reflects the three essential pillars of the ICS Service Experience Model. The three essential goals of the strategy are:

- Changing our culture and engaging our staff
- Delivering a consistently high-quality service
- Committing to our vision and measuring our progress

6. Each strategy goal has two key outcomes, against which all future service improvement activity will be aligned and progress will be measured. The overall package of six service improvement outcomes sets the parameters for future corporate progress.

Supporting delivery

7. The new corporate strategy will provide the principles that will guide our future service improvement activities across the organisation and will provide standards against which our progress can be assessed. It is recognised, however, that a high-level strategy alone will not be sufficient to drive progress in future years. To ensure delivery, refreshed governance arrangements and a formal

programme is required to underpin and drive delivery of outcomes and benefits, supported by participation of front-line operational staff.

8. As Executive Board will be aware, an essential part of our new strategic approach to service improvement will be the annual Delivery Framework. This document will capture our priorities for the year ahead, each categorised under one of the six key service improvement outcomes. The Framework will be used to track and drive progress during the course of the year, ensuring a coherent and consistent approach to service improvement priorities, and it will also provide the basis for our annual audit report at the end of the year.

9. Under the existing model, ownership for the Delivery Framework sits with the Service Improvement Working Group, which is made up of operational staff who have volunteered to participate in the regular meetings and associated workstreams. There are currently no dedicated resources attached to the Working Group and so the capacity that members have to take forward improvement activities in 23/24 and coordinate overall progress has been very limited.

Service Improvement Programme

10. It has therefore been agreed that a COPFS Service Improvement Programme will be established to take forward key activities from 23/24 onwards. This will provide the governance structure and mechanism to drive the programme forward and deliver real outputs and benefits.

11. The main features of the Programme will be:
- A new Programme Board and Programme Team to replace the current Board and Working Groups.
 - A clear programme vision, consistent with the 6 service improvement outcomes set out in our new corporate strategy.
 - A Programme Plan and Tracker to ensure that the timescales for key deliverables are met.
 - A method for tracking all programme costs on an ongoing basis.

12. The Service Improvement Board has been in existence since 2015. Two years ago, the membership was refreshed, and steps were taken to clarify its role in the structural governance of the organisation. These changes, especially the regular updates provided to Executive Board, have been effective in raising the profile of the work and providing momentum. By developing and finalising a new corporate strategy, it is arguable that the Board in its current form has now served its purpose.

13. Replacing the existing Board with a Programme Board provides a clearer corporate responsibility for the strategic direction and management of the programme. It will also provide members with a more clearly defined individual and collective remit. There will be an opportunity to create a Programme Assurance role and invite a Non-Executive Director to sit on the Board.

14. Similarly, the existing Service Improvement Working Group will be converted into the Programme Team and we will ensure that all members of the group are in a position to lead each of the respective workstreams. It has been agreed that one of these workstreams will coordinate the future requirements of

the Trauma Informed Justice Knowledge and Skills Framework and any related obligations under the Criminal Justice Reform (Scotland) Bill.

15. We have created a new Programme Manager role, with responsibility for the programme on a day-to-day basis, within the constraints and tolerances set by the Programme Board, overseen by me as Project Executive responsible for delivering all programme aims and objectives. An experienced Business Manager, Fiona Shand, has now accepted the position and will take up her new role in October.

16. Priority actions for the new Programme Manager will be to quickly establish the new programme governance arrangements and set out a clear Framework for delivery of key actions during the remainder of 2023/24.

Complaints Handling Outcomes

17. One of the workstreams for the Service Improvement Working Group in 2022/23 was to review complaints data and identify thematic issues from stage 2 complaint outcomes. It was recognised that Response and Information Unit currently collates this data and shares it with relevant business units, but that there was no corporate process for:

- How learning from the outcome of upheld complaints is disseminated to ensure continuous development of improved customer service; and
- What data is retained and recorded in terms of complaints not upheld and whether any learning is to be drawn from these.

18. The progress of this workstream stalled late 2022 due to the absence of representatives from key parts of the business. This package of work will be progressed as a priority in the second half of 2023/24 under the new programme. It should be noted that COPFS has a published commitment under the Standards of Service for Victims and Witnesses, in the following terms:

"We will take forward a full review of complaints outcomes and identify thematic issues and learning. During the course of 2022/2023, we will start to publish information on complaints outcomes and actions taken to improve services on a quarterly basis."

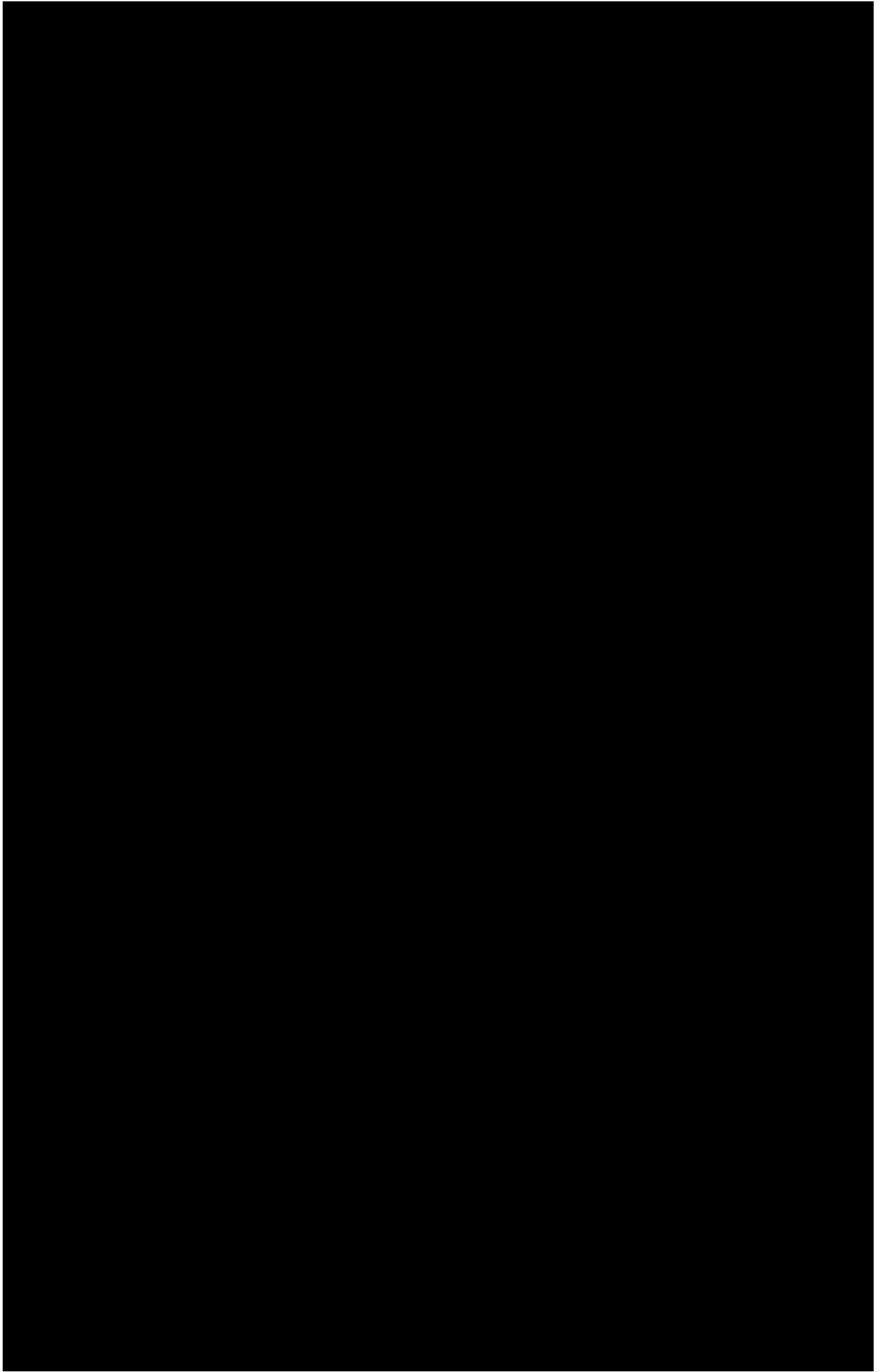
19. I have provided, at **Annex A**, an illustration of the raw data currently held by RIU that will form the basis for our new approach. The information currently held relates to outcomes under Stage 2 of the Complaints Handling Procedure, which tend to relate to matters that cannot be resolved at Stage 1 or which are more complex/serious in nature. Traditionally, efforts to analyse and share this data have focussed on upheld complaints only, but it is now recognised that there is some value in the data on complaints not upheld.

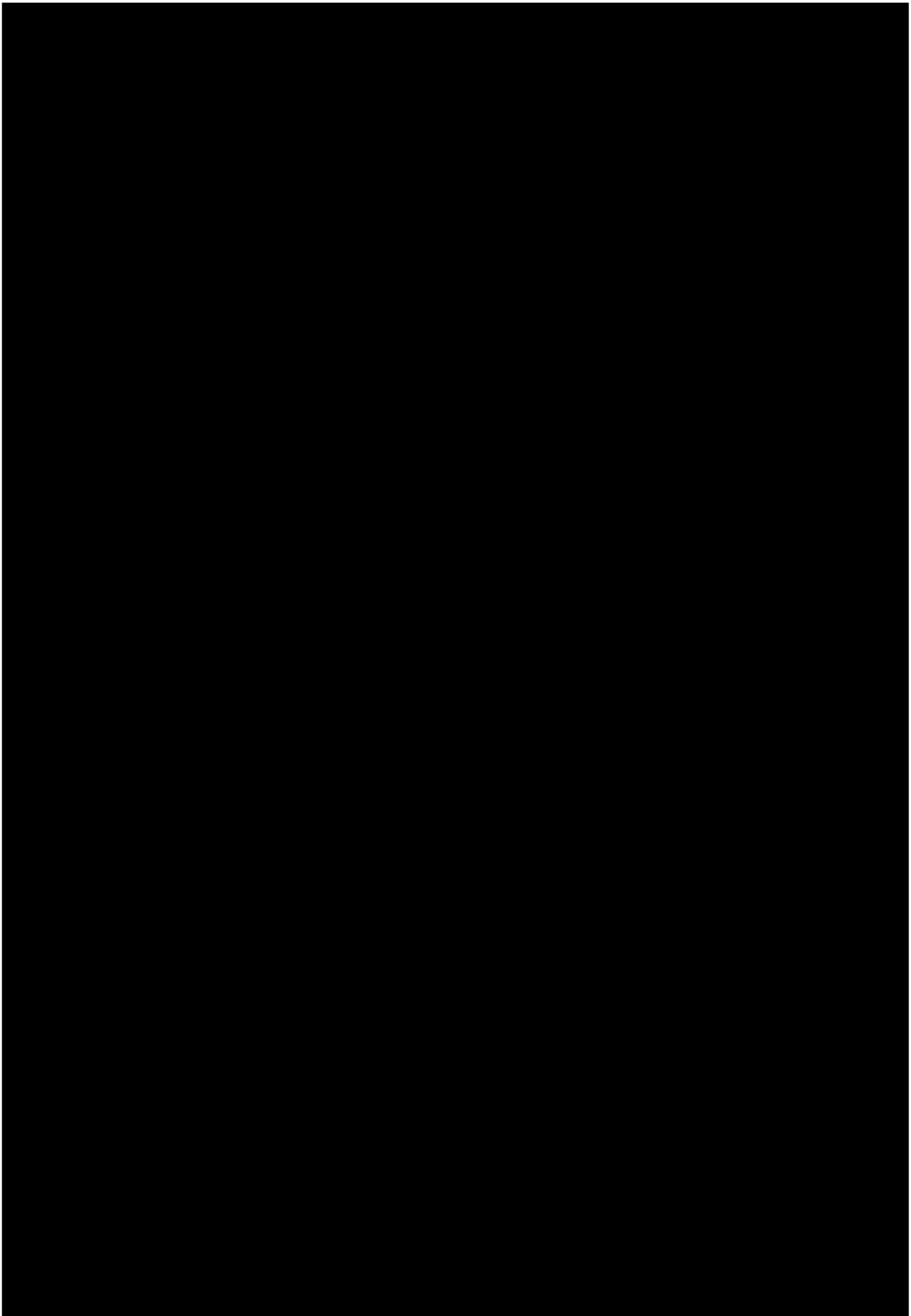
20. There would be further significant value in extracting data from Stage 1 complaint outcomes, but this is not currently possible due to the inconsistent manner in which these outcomes are recorded. This is another priority area for the service improvement programme to progress, along with a wider project to produce regular corporate-level performance data on customer interactions, including enquiry point contacts. I will provide an update on these workstreams in my next paper to Executive Board.

Conclusion

21. Executive Board are invited to note the progress made to date, in particular:
- The publication of the new corporate strategy “Improving our Service”, in May;
 - The formation of a new service improvement programme to support the strategy; and
 - Initial work carried out to analyse and share complaints handling outcomes on a regular basis.

Andy Shanks
Deputy PF Specialist Casework
25 September 2023





EXECUTIVE BOARD
HEALTH AND WELLBEING UPDATE

Purpose

1. To provide the Executive Board with an update on:
 - Wellbeing dashboard
 - Wellbeing hour pilot

Wellbeing Dashboard – August 2023

2. The Wellbeing Dashboard with data as July 2023 was discussed at the August Corporate Health and Wellbeing Committee (CHWC) and is included below.

COPFS WELLBEING DASHBOARD – August		
WELLBEING MEASURE	CURRENT (Provisional)	COMPARATOR
Overall Absence Rates (Average Working Days Lost)	July 2022 – June 2023 11.0 days (Difference -0.3 days)	July 2021 – June 2022 11.3 days
Working Days Lost	July 2022 – June 2023 24,745 days (Difference +728 days)	July 2021 – June 2022 24,017 days
FTE	2318 As of June 2023 (Difference +52, +2.3%)	2266 As of June 2022
Of Overall Absence, % -- Mental Ill Health	July 2022 – June 2023 36.3% (Difference -1.0%)	July 2021 – June 2022 37.3%
Of Mental Ill Health, % - Stress Related	July 2022 – June 2023 57.8% (Difference +7.8%)	July 2021 – June 2022 50.0%
Of Mental Ill Health, % - Work Related Stress	July 2022 – June 2023 22.5% (Difference -9.4%)	July 2021 – June 2022 31.9%
Of Mental Ill Health, % - Family / Situational	July 2022 – June 2023 18.3%	June 2021 – July 2022 18.1%

	(Difference +0.2%)	
Turnover	July 2022 – June 2023 140 leavers 6.0% (Difference -0.29%)	July 2021 – June 2022 143 leavers 6.29%
Employee Assistance Programme Uptake	<u>August 2022 – July 2023</u> 66	<u>August 2021 – July 2022</u> 78
Vicarious Trauma Support Referrals	<u>May 2023 – July 2023</u> 90 Referrals made. 60 Reports received.	<u>May 2022 – July 2022</u> 101 Referrals made. 52 Reports received.
Workplace Adjustment Passports Completed	<u>May 2023 – July 2023</u> 4 (Difference -33%)	<u>May 2022 – July 2022</u> 6

Wellbeing hour pilot

3. COPFS introduced a 12 month pilot 'wellbeing hour' in July 2023 as a consequence of Scottish Government agreements relating to the supplementary pay offer for 2022-23.
4. The vision of success for the pilot is to see measurable improvement in employee physical, mental or social wellbeing with neutral or positive impact on service delivery provision and team engagement.
5. The following potential outcomes/measures of success anticipated are:
 - Reduction in mental ill health related absence, specifically work-related stress absence
 - Increase in employee engagement (tested via People Survey)
 - Decreased turnover (perhaps especially for those with less than two years' service)
 - Decrease in formal and informal grievances – measured within HR but also line manager pulse surveys.
6. Uptake of staff using the wellbeing hour so far ranges across functions from 29% - 37% in Local Court, 34% - 43% in SCG (High Court and Specialist) and 35% - 52% in Operational Support.
7. The Main challenges reported so far have been:
 - Lack of capacity/time to take the hour off
 - Additional work required as a result of taking the hour off
 - Constraints due to role/responsibilities (e.g., court commitments)

- Impractical for part-time staff not entitled to a full hour
 - Lack of resilience in smaller teams/offices
8. Informal feedback suggests that those who are using the wellbeing hour find it to have a positive impact.
 9. Evaluation continues with a short survey of staff timed for early October. This can then be assessed against the baseline survey which was carried out at the start of the pilot.

Conclusion

10. Executive Board is invited to note and comment on the update provided.

Human Resources

September 2023



CROWN OFFICE
& PROCURATOR
FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

Resources Committee

Minutes of meeting held on 7 September 2023 at 10.30 am (via Microsoft Teams)

Releasable under the Freedom of Information (Scotland) Act 2022 after the next meeting.

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Email: diversityteam@copfs.gov.uk

Call: 0300 020 3000

British Sign Language users should text on 07825 280346, specifying if you would prefer your reply by SMS, text or email

Present

Lindsey Miller, Deputy Crown Agent (Operational Support) (Chair)

Keith Dargie, Head of Business Services & Chief Digital Officer

Marlene Anderson, Director of Finance and Procurement

Graham Kerr, Head of Business Management (Local Court)

Sarah Carter, HR Director

Thomas Lindie, Head of Business Management (Serious Casework)

Jonathan Shebioba, Director of Support Services

Elaine Hales, Head of Business Management (Operational Support)

Sharon Davies, Head of Management Accounting and Planning

Secretariat

Ian Palmer, Executive Assistant Finance Division

Apologies

Doreen Crawford, Deputy HR Director

1. Welcome and Apologies

LM (Chair) welcomed the group.

Apologies were noted.

2. Minutes of Last Meeting

The Committee approved the draft minutes of the meeting held on 21 August 2023.

The Secretariat will arrange to have these published on the COPFS website.

3. Action Log Tracker

The Committee noted that the tracker has no outstanding actions.

4. Finance Update

MA presented **RC Paper 43 (2023)** and gave a general overview.

Highlights included :

- The Annual Accounts for 2022-23 were signed on 31 August 2023 and are scheduled to be laid before the Scottish Parliament in the near future. The outturn reflects a revised current residual resource and capital underspend of £2.6m with a total underspend of £1.6m after AME and IFRS 16 adjustments.
- Scenario Planning, Modelling exercises and Workforce Planning analysis maintain aligned to the SG Path to Balance.
- Monthly meetings are being held with senior Finance Division staff, and HOBMs to explore budget forecasting and create a forum for open discussion, exchange of ideas and delivery of key priorities.

- Update in relation to funding for Next Generation Case Management programme.
- A workshop with senior managers in June 2023 identified a number of key non staffing expenditure savings, efficiencies, and counter- inflationary measures.
- A further workshop held at the end of August developed how the identified savings can be optimised for delivery.
- Savings identified include fuel and utility usage efficiencies and a review of the allocation of official mobile telephones.
- A communication is being prepared for imminent issue to all departmental staff outlining the key savings and efficiencies identified and how everyone can help deliver these.
- Planning preparation for the 2024-25 budget is due to start in the next few weeks.

The Committee noted the paper.

General discussion followed including recruitment and cross function transfer of staff, and management of overtime working. It was agreed that these lines of discussion will be further explored at future meetings.

5. Estates Update

As a preamble, JS gave a brief outline of some of the major projects that are currently being managed by his team.

- Edinburgh Justice Centre
- Relocation of Dundee Procurator Fiscal's Office
- COPFS West of Scotland Estates Strategy

JS presented **RC Paper 44 (2023)** (COPFS West of Scotland Estates Strategy Update) and **RC Paper 44 A (2023)** (Annex to above).

The Committee welcomed the paper, noted its contents, and look forward to future updates.

AOB

SD outlined a case for an increase in the Official Hospitality Budget.

After general discussion, the Committee approved the recommendations.

EXECUTIVE BOARD
BUSINESS PROCESS IMPROVEMENT COMMITTEE
SEPTEMBER 2023 UPDATE

Purpose

1. To provide the Executive Board with an update on the progress of the work of the Business Process Improvement Committee (BPIC).

Priority

2. Routine.

Update

3. BPIC is next scheduled to meet on 16 October 2023. This update provides an overview on delivery of the corporate portfolio business improvements and digital transformation projects for 2023-24. Key business transformation projects and initiatives delivered over Q1 - Q2 or being developed, evaluated or implemented over the next few months are highlighted.

Delivery Updates

4. Progress updates for key digital business solutions and improvements progressed, completed or implemented over April to September 2023 (includes relevant ISD portfolio projects):

Progressed/Completed/Implemented:

- **Digital Evidence Sharing Capability (DESC):** Pilot ongoing and analysis, scoping and planning for national delivery phase;
- **Desk Booking Application:** Pilot of new Corporate App in Kilmarnock, Inverness and Glasgow Offices from April 2023 with evaluation ongoing;
- **New Corporate App: Pay Claims:** Corporate App full roll-out implemented in April 2023 replacing manual and paper based processes with further enhancements to support HR processes released in June 2023;
- **Digital Workplace:** Implementation in May of *Always On VPN* and removal of Direct Access solution to further improve COPFS' digital remote connectivity and security enterprise services;
- **Electronic Reporting to Crown Counsel Digital Casework:** Pilot commenced in January 2023 with enhanced solution released in May 2023;
- **Corporate Business Resiliency:** Corporate exercise, incorporating a cyberattack simulation exercise, held in June 2023 to assess and enhance COPFS' business resiliency capabilities and preparedness;
- **Corporate Digital Device Management:** Pilot for enhanced device management solution for managing corporate and CMiC iPad devices commenced in July 2023;
- **X86 Server Systems:** Migration completed in September 2023 (providing modern and rationalised case management IT infrastructure platforms to underpin COPFS' next generation digital casework systems);
- **Witness Gateway:** Readiness of the Witness Gateway for evaluating the new digital service from late October 2023 ahead of an official pilot evaluation and national implementation in 2024;

- **Defence Agent Service (DAS):** Ready for evaluating the new digital service from late October 2023;
- **Hate Crime Bill Aggravators Codes:** Solution defined with criminal justice partners and development of changes advanced (note: implementation requires to be aligned with Police Scotland's national casework system rollout);
- **Vulnerable Witness Measure Pilot:** Pilot continues with further changes to the solution delivered by SCTS;
- **Print/Scanning:** Infrastructure to update and implement increased resilience to improve corporate disaster business resiliency capabilities for printing and scanning ongoing and scheduled for completion by end of November 2023;
- **Microsoft Teams:** Upgrades to corporate software versions ongoing and available on an opt-in basis until March 2024 when it becomes the default product.

Key digital transformation projects

5. The following business digital transformation and strategic initiatives will be evaluated or initiated from October 2023:

- **Witness Gateway:** Development of the Witness Gateway solution completed to enable this new digital service to be evaluated with external witness users and a phased pilot from late October 2023. The Witness Gateway will be implemented nationally next year after successful completion of the pilot. The Witness Gateway governance group has met to discuss remaining decisions for the evaluation, pilot and national implementation approaches. Stakeholder engagement and implementation plans will be communicated over early to mid-October 2023.
- **Defence Agent Service:** Piloting and implementing the new Defence Agent Service (DAS), which will replace the current Secure Disclosure System and deliver improved online access for solicitors to digital services and information about cases to allow them to engage with prosecutors to prepare and resolve cases. Stakeholder engagement and planning for piloting the new service will be progressed from September/October 2023. The DAS pilot is integral to the national release of DESC and aligned implementation plans are being confirmed with partners factoring programme assurance and national rollout planning for DESC.
- **Information Strategy and Delivery Programme:** Publishing an Information Strategy and Delivery Programme for maximising and transforming COPFS' use of information to make corporate and casework information accessible and seamlessly available, enabling data driven business decision making for improving service delivery and outcomes. This work will also focus on the governance, management and assurance of COPFS' information assets. This will include setting out how COPFS will maximise data and analytics technologies to improve the way it works and delivers. Plans will be published in October 2023, with implementation work on initial priorities commencing from Q3.
- **Evaluating use of AI Technology:** Publishing a strategically aligned plan for evaluating the use of AI technology. Working in collaboration with Microsoft via a strategic partnership to obtain their global and industry

EB23/24(25)

expertise on the effective and innovative application of AI and related technologies, exploring the value from automating casework preparation processes and workflow and improving the provision of decision support information to our prosecutors. We will also consider how we can utilise the AI technologies being incorporated to Microsoft Office 365 and other products to enhance our ways of working and to get the most from these innovations. This work will commence later this year with the aim of completing an evaluation of AI by the end of March 2024.

- **Next Generation Casework Programme:** Defining, planning and developing COPFS' Next Generation Casework digital systems and business processes to modernise and improve the efficiency of casework and to transform services to citizens and users of the Scottish justice system. This work will include maximising the use of data analytics to take data driven decisions and using relevant Artificial Intelligence and other technologies to automate and improve casework processes, service delivery and to enhance decision support. Vision, stakeholder and scoping activities will be outlined in October 2023 with the aim of holding a series of workshops and stakeholder summits over the next few months ahead of development work commencing in 2024. This will incorporate appropriate corporate, casework, data and technology elements to support this comprehensive business transformation and corporate change programme.

Other deliverables or developments over Q3 and Q4:

- **Digital Evidence Sharing Capability (DESC):** National roll-out of DESC in line with agreed partnership plans (pilot continues meantime in Dundee);
 - **Hate Crime Bill Aggravators Codes:** COPFS development and integration testing with criminal justice partners scheduled for completion in Q3;
 - **Electronic Reporting to Crown Counsel Digital Casework:** Roll-out to all relevant teams over a 3 month period over Q3 and Q4;
 - **VIA Modernisation Programme:** Impact assessment and solution options defined for key requirements (Q3);
 - **Encryption Solution:** Implementation of latest Microsoft security encryption technologies, rolled out on phased basis over Q3 - Q4 2023/24;
 - **Corporate App - Desk Booking:** National Roll-out to allow all staff to digitally book a desk to support agile working (over Q3 - Q4 in line with FWoW programme plans);
 - **Corporate Device Management:** Pilot evaluation of enhanced solution capabilities rolled-out over Q3 - Q4 on a phased basis;
 - **COPFS Datacentres:** Planning and preparation for migration of second datacentre to offsite location by March 2024;
 - **Digital Strategy:** Publication of COPFS' Digital Strategy for 2024 – 2027 (Q4 publication).
6. An overview of the digital transformation programme for 2023-24 is available at **Annex A**. Some projects have yet to be started and are subject to scoping, resource and delivery prioritisation.
7. As noted in previous updates, the programme of work involves significant scale, scope and complexity. BPIC recognises the need for delivery analysis and resource planning for projects. The current ISD resource challenges and pressure points are highlighted and the importance for ISD to have and to be

EB23/24(25)

able to recruit the right staff with the right skills and experience at the right time to deliver the programme is acknowledged. A risk managed approach is in place and BPIC receives updates on ISD's recruitment and capacity to delivery at each meeting.

8. Progress updates are provided and discussed at each BPIC meeting. Delivery reports will continue being provided to the Executive Board. A mid-year business improvement and digital transformation delivery report will be published after BPIC's assessment at its next meeting and presented to the Executive Board at its meeting in November for awareness.

Decisions/Actions required by Executive Board

9. The Executive Board are invited to note delivery progress and comment as appropriate on BPIC's portfolio priorities for 2023-24.

Keith Dargie

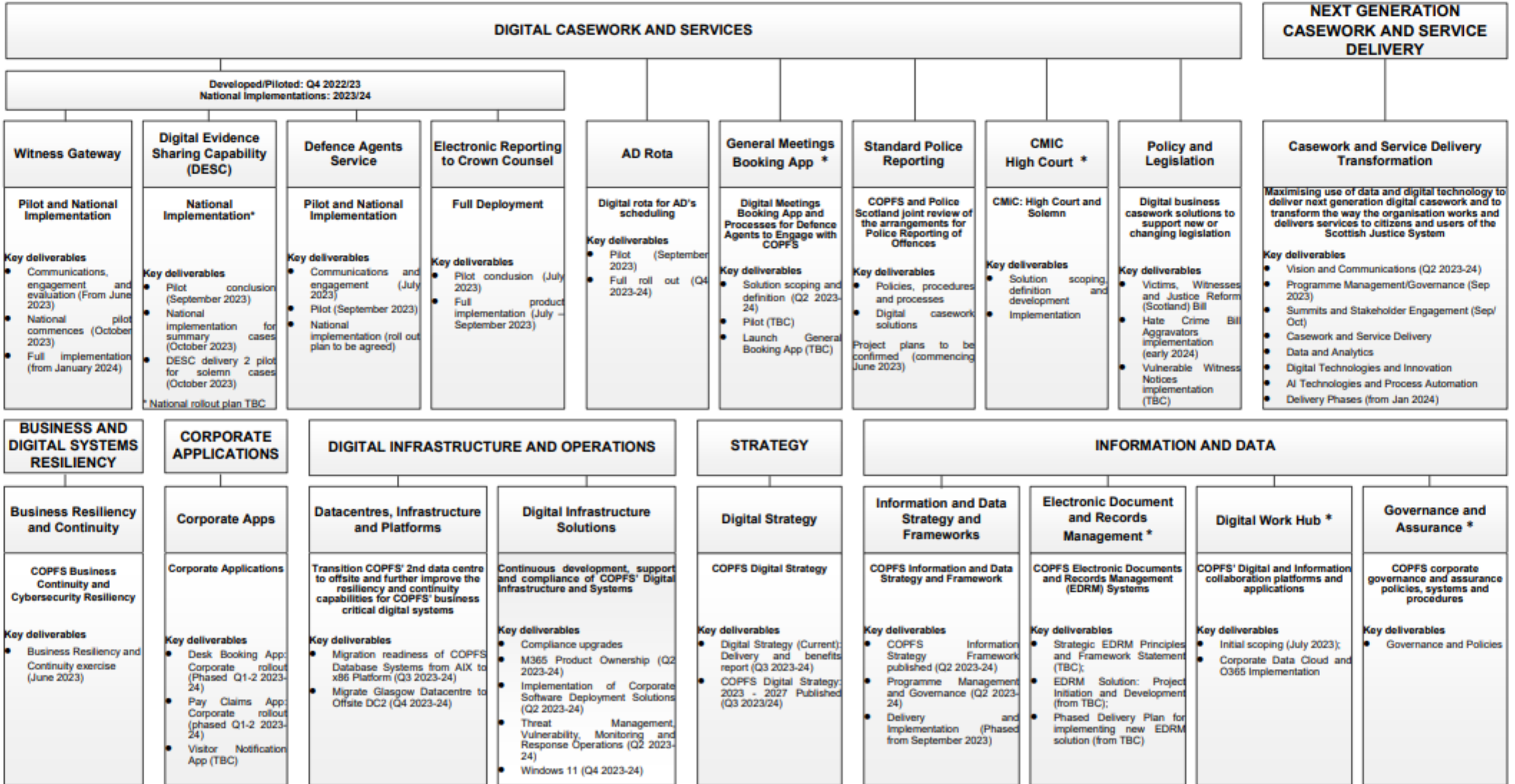
Head of Business Services

27 September 2023



COPFS
Digital Business Improvements and Transformation Programme
2023/24

June 2023



* Projects yet to be analysed and delivery subject to planning and resource allocations

Contact: Keith Dargie, Head of Business Services

Operational Performance Committee

Minutes of meeting held on 14 September 2023 by Microsoft Teams

Present:

Stephen McGowan	Deputy Crown Agent – Litigation (Chair) (DCA)
Andy Shanks	Deputy Procurator Fiscal, Specialist Casework (AS)
Andrew Richardson	Procurator Fiscal, High Court (AR)
Andrew Laing	Deputy Head of Local Court (AL)
Laura Buchan	Procurator Fiscal, Policy and Engagement (LB)
Fiona Roberts	Head of Management Information Unit (FR)
Graham Kerr	Head of Business Management Local Court (GK)
Lana Thomas	PA DCA – Serious Casework (Secretariat) (LT)

1. Welcome and Apologies

The DCA welcomed everyone to the meeting. Everyone in attendance, no apologies noted.

2. Minutes of previous meeting

The minutes of last meeting were agreed and can be published.

3. Outstanding actions

All outstanding actions now closed, all superseded by events.

4. Audit Report

Stephen discussed the Audit Report on our response to the Pandemic with the group, Action for OPC to evaluate COPFS performance through the lens of Recovery bi-annually, reporting to Exec Board in October 2023 and March 2024. AL and AR to adjust reports to show where we are in terms of 26/27.

OPC
14/09/2023

ACTION-Stephen to send note to EB for further discussion.

5. Monthly Stats/Key Performance Indicators

High Court

HC paper reviewed by group. Nothing further to raise or highlight from AR.

Local Court

AL discussed the LC paper, points of interest were-

ICP – continuous significant progress- down to 7k unmarked cases, down from 19k, really encouraging but still work to do in the hope to get the figure down even further.

SH & J – some slow progress being made, very few custodial sentences. Discussions took place regarding some solemn work potentially going into Summary Courts due to lack of custodial sentences. AL will look at contrast of disposals last year compared to 3 years ago and report back.

Summary- Recovery Courts moved to SH & J, outstanding trials now creeping up.

Specialist Casework

AS discussed the Specialist update and points of interest were-

CDIT- a lot of interest around state of progress/timescales. Currently conducting stage 1 review- care home deaths, working though this at moment then will have better idea of how long project is likely to take. AS will keep as a standing item on OPC report.

Slightly different style of report submitted this month which will be the interim format for the next few months, new style report will be ready early part of next year.

Policy & Engagement

LB discussed the P&E Paper and points of interest were-

P & E Paper reviewed by group. Nothing to raise by exception other than a plea from Laura regarding the ICO mini audit on mobile phone data.

Policy pulling together material for ICO by next week, Laura asked if we can identify staff within our teams who have good knowledge re guidance and will be able to speak to ICO beginning of oct about how they manage, share and disclose material.

OPC
14/09/2023

6. Minutes for OPC clearance

- Draft CMIs for S.35(1) and S.36(1) of the Fireworks and Pyrotechnic Articles (Scotland) Act 2022- discussed – group content
- Introduction of s.54 Fixed Penalty Notices; revised Lord Advocates Guidelines- discussed- group content

7. A.o.b

AL discussed new guidance note from Sh Principals on introducing deadlines for Custody Courts, in a bid to solve on going issues with Geoamy Custody Courts will only go on till 7pm on a Monday and 6pm Tuesday-Friday. Multiple warrants issue with this practise, Fraser Gibson looking into this

Date of Next Meeting: 12 October 2023

COPFS and KLTR Audit and Risk Committee
Minutes of the meeting held on 9 August 2023

Present:

Members

Vanessa Davies (Chair) Non-Executive Director
Annie Gunner Logan Non-Executive Director
David Watt Non-Executive Director (Joined meeting at end of Item 9)

In Attendance

John Logue Crown Agent (Interim)
Keith Dargie COPFS Chief Digital Officer & Head of Business Services
Robert Sandeman KLTR Accountable Officer
Marlene Anderson COPFS Director of Finance and Procurement
William Wilkie Senior Auditor, SG Internal Audit Directorate
Catriona Deans Solicitor KLTR
Maggie Bruce Senior Audit Manager, Audit Scotland
Zahra Mahmood Audit Manager, Audit Scotland
Lindsey Miller Deputy Crown Agent, COPFS (For item 10)

Secretariat

Ian Palmer COPFS Finance and Procurement Division

Apologies

Brian Howarth Audit Director, Audit Scotland
Jim Montgomery Audit Manager, SG Internal Audit Directorate
Steve Scott Programme Manager Pathology, Mortuaries and Toxicology

1.

Welcome / Declarations of Interest and Feedback on pre-meetings

VD (Chair) welcomed everyone.

In relation to discussion at agenda item 8, (COPFS Mortuary/Pathology Services Procurement) VD (Chair) advised the meeting that she is a member of the General Medical Council.

There had been no pre-meetings.

2.

Minutes of the Previous Meeting and Matters Arising

The minutes of the ARC meeting held on 3 May 2023 were approved.

Secretariat will arrange for these to be published on the COPFS website.

The Committee noted **ARC Paper 25 A (2023)** - (SG Guide to Risk Management).

It was agreed that the guidance would also be of interest to members of the COPFS Risk Management Group.

3.

ARC Action Tracker

It was agreed that the following actions had been concluded and can be removed from the tracker:

2/23 (CMIC update)

5/23 (Create COPFS Litigation tracker)

6/23 (Develop HM Inspectorate of Prosecutions tracker)

12/23 (Mortuary/Pathology Procurement update)

13/23 (Corporate Risk Register review)

14/23 (Confirmation of actuarial age re COPFS Injury Benefit Policy)

Ongoing Actions

16/23 (To discuss with NXDs and CA the possibility of an additional reflective meeting to ensure suitability of audit and risk arrangements going forward)

VD (Chair) reported that this is being addressed as part of the ongoing governance review.

Audit Trackers

Internal Audit Tracker

ARC Paper 2023) was discussed and noted.

External Audit Tracker

ARC Paper 16B was noted.

5.

KLTR Update and Risk Register

BS presented the following

ARC Paper 28 A (KLTR Quarterly Report)

ARC Paper 28 B (KLTR Risk Register)

ARC Paper 29 (2023) (KLTR Strategy and Governance Board TOR)

The Committee noted the reports.

This was the last full meeting of ARC attended by KLTR before moving to their new governance structure.

The Committee thanked KLTR for the valuable and insightful input they had contributed to the joint ARC meetings and looked forward to continuing working with them under the new governance arrangements.

6.

COPFS Update

JL gave a general update. This included:

Report on review of COPFS Senior Structures Governance is due to be concluded imminently.

COPFS have been invited to attend the Scottish Parliament Criminal Justice Committee on 13 September 2023 to discuss budgets.

7.

Litigation Tracker

JL presented **ARC Paper 30 (2023)**

The Committee welcomed the paper.

During general discussion it was agreed that it would be useful if the tracker had a column indicating the year litigation had commenced.

It was agreed that the tracker will be presented to ARC at their February and August meetings. Additional updates can be given at any time should the need arise.

Action

JL to arrange to have tracker include year litigation started.

8.

HM Inspectorate of Prosecutions - Progress of COPFS Actions Tracker

JL presented **ARC Paper 31 (2023)**

The committee noted the paper and general discussion followed.

It was agreed that the HM Inspectorate tracker will be presented to ARC at their May and November meetings. Should the need arise, additional updates can be given at any time.

9.

Business Resiliency and Cyber- Attack Simulation Exercise

KD presented **ARC Paper 32 (2023)**.

This had followed on from the COPFS Business Resiliency and Cyber Attack workshop held in June 2023. ARC noted the paper.

KD reported that the purpose of the document was to provide a general overview of the development of key themes and the level of progress against actions.

The paper is being developed and further updates will be provided to the Corporate Resilience meeting and future ARC meetings.

WW welcomed the paper and the work being done by COPFS and will discuss further with KD offline.

10.

COPFS Mortuary and Pathology Services Procurement

LM joined the meeting.

She outlined a brief history of events since becoming involved with the project in 2017.

Liaison work continues with NHS, Universities, and other key stakeholders.

Action

LM to send ARC members a copy of the latest version of the DIAA Gateway Review of COPFS Mortuary/Pathology Services Procurement.

11.

Finance Update

MA gave an overview of **ARC Paper 2023**

Highlights included:

Work continues on the final audit of the 2022 – 2023 Annual Reports and Accounts.

Audit Scotland have completed the interim audit and some minor recommendations made accepted.

Workshop has been held with managers to look at identifying and enhancing efficiencies in non-staffing costs.

Work on 2024 - 2025 Budget Planning is scheduled for later in the year.

General update in relation to National Fraud Initiative.

12.

Audit Scotland

MB and ZM gave a general update on the final audit of the 2022 – 2023 Annual Reports and Accounts.

13.

DIAA

DW presented the following:

ARC Paper 34 (2023) (DIAA Update Report 34)

ARC Paper 34 A (2023) (COPFS National Ultimus Haeres Final Report)

The Committee noted the papers and general discussion followed.

ARC Paper 34 B (2023) (DIAA Annual Report 2022-23) was included in the meeting pack for information only.

Action: Secretariat to add Ultimus Haeres to DIAA tracker.

14.

Assurance Mapping

MA presented **ARC Paper (2023)** and gave a general overview.

The Committee noted the paper and general discussion followed.

ARC welcomed the recent work done by MA on providing training and guidance to contributors in relation to completing the template form.

15.

Risk Management Group

DW presented the following :

ARC Paper 36 A (2023) (Risk Management Group Chair Update Report)

ARC Paper 36 B (2023) (RMG Meeting minutes)

These were noted by the Committee.

16.

AOB

No new items of business were raised.

Next Meeting(s)

31 August 2023 at 11 am (Approval and signing of Annual Accounts and Reports)

5 November 2023 at 11 am (Full ARC meeting)

In relation to the meeting on 31 August 2023, it was agreed that there should also be a pre-meeting with ARC and Audit Scotland.

Action

ARC/Audit Scotland to liaise with COPFS ARC Secretariat to arrange a pre meeting.