

## MINUTES OF THE SCOTTISH PRISON SERVICE ADVISORY BOARD MEETING HELD IN THE BEN CLEUCH MEETING ROOM, SPS COLLEGE, POLMONT ON 31 JULY 2024

**Present:** Ann McKechin, Non-Executive Director and Advisory Board Chair  
 Teresa Medhurst, Chief Executive, SPS  
 Linda Pollock, Deputy Chief Executive, SPS  
 Sarah Angus, Director of Policy, SPS  
 Lynne Clow, Non-Executive Director  
 John Evans, Non-Executive Director  
 Ian Harley, RMAC Chair and Non-Executive Director  
 Sharon Lawson, Executive Personal Assistant, SPS (Minutes) (attended virtually)  
 Gerry O'Donnell, Director of Finance, SPS  
 Ali Purdie, Interim Director of Operations, SPS  
 Gareth Rose, Head of Communications, SPS  
 Gill Stillie, Non-Executive Director (attended virtually)  
 Lisa Taylor, Head of OCE Branch and Acting Head of Strategy and Planning, SPS  
 Stephen Uphill, Non-Executive Director  
 Billy Watson, Non-Executive Director

Prior to commencement of the meeting, members acknowledged that this was Mr Purdie's last meeting as Interim Director of Operations and thanked him for his commitment and dedication during his time in post. Both the Chair and Chief Executive spoke of his many achievements and all present wished him well in his future part-time endeavours within Operations Directorate.

### Introduction and Welcome

1. The Chair welcomed all present to the meeting and referred to several issues that had arisen since the last meeting. These included:
  - Advisory Board members' sadness at the recent death of Jonathon Beadle in HMPYOI Polmont, and sent their thoughts to his family, friends and establishment colleagues at this difficult time.
  - Noting the change in UK Government and the new ministerial roles.
  - Several prison visits had been undertaken - the Chief Executive and Chair had recently visited HMP Addiewell, the Chief Executive and Ms Clow had visited HMP Inverness and the HMP Highland site, and Mr Watson had visited HMPYOI Polmont that morning.

### Apologies for Absence

2. Apologies for absence were received from Messrs Jobson and Whitehead.

### Declarations of Interest

3. There were no new declarations of interest.

### Draft Minutes of the Advisory Board Meeting Held on 29 May, Action Points and Matters Arising

4. The draft minutes of the meeting held on 29 May were agreed as a true record. The Action Tracker was updated during the discussion, with several items being closed.

**Action: Ms Lawson**

## Chief Executive's Update

5. The Chief Executive advised members that:

- She had provided the Keynote speech at the Social Work Scotland Justice Conference in Glasgow on 4 June.
- Together with the Cabinet Secretary for Justice and Home Affairs, she had attended the Public Audit Committee on 12 June to discuss the Emergency Early Release (EER) Scheme and had also participated in a media briefing on this from HMP Perth on 8 July.
- Phil Wheatley, previous Director General (DG) in HMPPS, has been commissioned by SPS to provide the Chief Executive with assurance in respect of SPS' plans and approach to population management issues. Mr Wheatley implemented similar measures whilst DG in England.
- Given the pressure on the Criminal Justice (CJ) system, and criticism around the remand process, a workshop with CJ partners is being held to consider the increased efficiency of the CJ system. This is likely to be the start of a series of workshops and the Chief Executive will attend.
- The Scottish Human Rights Committee had recently published a report - "An Assessment of where Human Rights have Stalled in Places of Detention" - which was critical of SPS. Ms Angus had arranged to meet with them to discuss SPS' concerns in relation to a number of these criticisms.
- As previously noted, there has been increased media activity concerning the death in custody of Jonathan Beadle, and in relation to the case of Allan Marshall, who died in HMP Edinburgh in 2015.

6. Members thanked Ms Medhurst for her helpful update, noting that this is a remarkably busy and challenging time.

7. A discussion on Automatic Early Release and Early Release followed, including a discussion on the consideration of the role of staff in throughcare and post-release support.

**Action: Ms Medhurst to discuss with Mr Jobson**

## Prison Population

8. Mr Purdie advised that the prison population on 31 July was 7,961 but this figure was expected to increase again by September.

9. All 4 tranches of Emergency Release are now complete, with 477 individuals in our care being released (420 males/57 women). As a result, short-term options to re-distribute some of the population and reduce the complexities within the estate are currently being considered.

10. Members thanked Mr Purdie for his update. (Ms Stillie left the meeting at this point.)

## AB(JUL)01/24: Annual Report and Accounts 2023-24, and Governance Statement

11. Section 19(4) of the Public Finance and Accountability (Scotland) Act 2000 requires SPS to prepare Accounts in accordance with directions issued by Scottish Ministers.

12. A "close-out" meeting between SPS and Audit Scotland was held on 2 July to discuss findings from the audit. A draft of the audit report was submitted to SPS for review and was discussed at that morning's RMAC meeting.

13. The Chief Executive had signed the Annual Report and Accounts 2023-24 at the Risk Monitoring and Audit Committee (RMAC) meeting earlier that morning, following a recommendation for their adoption by RMAC members. Audit Scotland will sign the Independent Audit Report at a later date.

14. The Advisory Board noted the status of the 2023-24 Annual Report and Accounts and congratulated Mr O'Donnell and his team on the outcome.

#### **AB(JUL)02/24: Financial Update/Budget Monitoring**

15. This paper provided an update on the 2023-24 financial position as at 30 June and was discussed and noted by members.

#### **AB(JUL)03/24: Update on SPS Governance Review**

16. This paper provided a brief update on an on-going review of SPS governance and sought further views on the future use of Advisory Board meetings' structure and remit.

17. Several Executive Governance groups operate in SPS to support the Chief Executive fulfil her functions in the effective operation of SPS and Accountable Officer functions. In line with a review of the SPS/SG Framework Document, a short review of the purpose and remit of SPS' Governance groups commenced in November 2023 to ensure the current structure and operation was fit-for-purpose and aligned to emerging corporate priorities.

18. Short discussions were also held with Non-Executive Members (NEDs) to review the effectiveness of the current Advisory Board construct and input, together with Mr Harley in his role as Chair of RMAC and Ms Clow in her role on the Strategic Development Group (SDG).

19. Ms Taylor advised that there was an opportunity to adapt the structure of Advisory Board meetings to provide more opportunity for discursive and strategic discussion and it was proposed to structure the meeting into 2 parts: the first part would consider routine papers for assurance and Accountable Officer purposes; and the second part would focus on themed strategic issues still at the development stage. These themed discussions could be on current and forthcoming challenges for SPS (including SPS projects and those SPS interact with as part of the justice system), could commence with a short presentation, including input from the subject expert, and then be opened for collaborative discussion with Advisory Board members.

20. Following lengthy discussion, it was agreed:

- A discussion on the final Prof Towl report to take place before the end of 2024.  
**Action: Ms Angus/Ms Lawson**
- A paper providing clarity on the remit/role/input required from each NED on all governance groups to be provided in an updated Governance paper to be brought back to the Advisory Board by early 2025.  
**Action: Ms Taylor**
- Whilst the SDG was not discussed in detail at the meeting, members agreed that a revised remit and Terms of Reference were required.  
**Action: Ms Pollock/Ms Taylor/Mr Beardmore**

- To endorse the meeting re-structure proposal from September: the first half of the meeting being business focused, and the second half concentrating on "deep dives with SPS focus and/or an external speaker". Members found the Improvement Framework report extremely helpful and suggested choosing one subject from within that to concentrate discussion on at future meetings.

**Action: Ms Pollock/Ms Taylor/Ms Lawson to discuss  
Ms Lawson to revise future agendas  
Ms Taylor to co-ordinate a list of "deep dive" topics for 2025 meetings**

- There was strong support for the establishment of a People and Leadership Culture Group, which should include a TUS representative, and Ms Pollock agreed to determine next steps with Mr Jobson and his team.

**Action: Ms Pollock/Mr Jobson**

- The NEDs asked for more connection with SPS' staff group and for more representation from both those with the lived experience and victims of crime.

**Action: Ms Pollock/Ms Taylor to discuss**

- To arrange an Annual Strategic Planning meeting (in a prison or in a neutral non-justice setting) from 2025.

**Action: Ms Lawson**

- That more Advisory Board meetings be held in establishments wherever possible, and NEDs to undertake regular prison visits.

**Action: Ms Lawson/NEDs**

- The Chief and Deputy Chief Executives, and Ms Taylor, agreed to take forward the thoughts from this discussion and provide more definitive suggestions in due course.

**Action: Chief and Deputy Chief Executives/Ms Taylor**

### **RMAC Chair's Verbal Report**

21. Mr Harley advised that RMAC had met twice since the last Advisory Board meeting, on 28 June and again that morning, and provided the following updates:

- RMAC had received an update from Messrs Jobson and Grady on changes to the ex-gratia process, largely around improving consistency. The Chief Executive advised that this issue had also been discussed at a recent Executive Management Group (EMG) and actions had been agreed. RMAC members would receive a further update on progress at their September meeting.

**Action: Mr Jobson/Chief Executive**

- Mr Harley had tabled his Annual Report, as Chair, and would circulate to Advisory Board members for their information.

**Action: Mr Harley/Ms Lawson**

- Members had received an update on Cyber Security and recognised that whilst some good progress had been made, there was still more to do.

- The Internal Audit team had recognised the progress made following the involvement of the Scottish Government (SG) Audit team and had awarded reasonable assurance.

22. Members thanked Mr Harley for this update, welcoming the positive relationship with the external audit team.

### **Major Projects Management Group (MPMG) Verbal Update**

23. Mr Evans advised that MPMG had met on 30 July, and discussed:
- The Reduction in Working Week project which had now reached Phase 3 - it was hoped to publish proposals in early August.
  - HMP Glasgow.
24. Members thanked Mr Evans for his update.

### **Any Other Business**

25. There was no further business discussed.

### **Draft Agenda for September 2024 Meeting**

26. The Chair advised that she was content for Ms Pollock and Ms Taylor to amend the agenda for the next meeting as they deemed appropriate, following the previous discussion. Members were asked to submit any suggestions for topics or speakers for future meetings to Ms Lawson.

**Action: Ms Pollock/Ms Taylor  
Members/Ms Lawson**

### **Date of Next Meeting**

27. The next Advisory Board meeting will be held on Wednesday 25 September from 0930-1200hrs in the Dumyat Meeting Room, SPS College, Polmont.

### **Advisory Board Secretariat July 2024**