

**Consumer Scotland Board Meeting  
21 December 2021  
Minute of Meeting**

**Attendees:** David Wilson (Chair)  
Angela Morgan (Board Member)  
Nick Martin (Board Member)  
James Walker (Board Member)  
Sam Ghibaldan (Programme Director)  
Neil Ritchie (Scottish Government)  
Jill Rosie (Scottish Government Implementation Team)  
Sue Bomphray (Scottish Government Implementation Team)  
Wendy McCutcheon (Scottish Government Implementation Team)

**Apologies:** None

**Agenda Item 1 – Welcome**

1. The Chair welcomed everyone to the meeting, and reiterated that he was pleased with the progress that had been made at the Strategy Away Day.

**Agenda Item 2 – Minutes of Last Meeting**

2. The minutes of the meeting of 16 November 2021 were agreed. Most action points would be covered during agenda items however the Chair specifically highlighted two action points – the work planner and the risk register. The work planner had been changed and improved significantly since the Programme Director came on board and the Board were advised that the version included in this month's suite of papers would be the new work planner. It was also agreed that the risk register should remain as a quarterly agenda item. However, for the January meeting it should be an agenda item on its own.
3. The Chair also highlighted that Sam's official job title is Programme Director.
4. Angela raised the two actions relating to CAS and the vulnerable consumer work. Angela, Sam and Jill had met to discuss the vulnerable consumer work and would be beginning work to develop the vulnerable consumer sub-committee remit in early January.

**Agenda Item 3 – Programme Director Update**

5. Sam had prepared an information paper which provided an update on progress at an operational level towards achieving initial operational status of Consumer Scotland by April 2022. This is the paper going forward which will be used to provide the Board with progress updates.
6. Sam has introduced weekly senior leadership meetings with Sue and Jill to ensure that the work planner remains on track.

7. The Powerpoint slides which accompanied the information paper replace previous iterations of organograms and should be referred to going forward.
8. The key points from the information paper are:
  - a. The Framework Agreement document was being updated and will be an agenda item for January's meeting.
  - b. All areas of work that have to be procured in this first tranche are well underway. The Scottish Government's financial services system is being upgraded and will not be accessible to Consumer Scotland. However, this is being looked at, at a senior level within the Scottish Government, and a commitment has been made that a financial system will be in place that can be utilised until the new system is launched.
  - c. Sam and Wendy had met with the Scottish Government Estates Team and had been advised that there is a significant shortage of public buildings in Edinburgh. An interim solution could be to either move short-term into private-rented office space or to Meadowbank House. The Implementation Team are looking at costings for private rentals and will bring a paper to the January meeting for agreement for a way forward.
  - d. A working group had been established to take forward the Levy Workplan and meetings with key stakeholders are being arranged for January. This will include meeting with the ECC. The Levy Workplan needs to be commented on / signed off before it goes to BEIS in mid-March and the Chair highlighted the need to ensure that all those affected by the Workplan are content with it.
  - e. Nick enquired as to what the output of the ECC was and how it would be brought into Consumer Scotland. The broad direction of travel remains what was discussed at the Board with Mr Shand Smith, but further progress is required to document and announce the changes. Neil gave a brief overview of the outputs of the ECC to date.
  - f. Angela reiterated the importance of working with stakeholders, and suggested that being in temporary accommodation may not be a bad thing initially. She also pointed out that for stakeholder engagement we needed to go beyond the "usual suspects". Sam did agree with her although as this point in time the priority is to engage with the key stakeholders involved in the Levy Workplan. Alan Clark from Neil's team is now working with Sam specifically on preparing an engagement plan.
  - g. Sue advised that Livingston James has been appointed as the organisation to take forward the work for the CEO recruitment.
  - h. Nick commented on communication services not being on the procurement list at the onset. Sue advised that this service was included in tranche two however we had to prioritise the most urgent procurement services as all Scottish Government Procurement teams are busy and only able to take on a certain amount of procurements at a time.
  - i. There will be a wide range of communication roles needed within Consumer Scotland and the Head of Communications post will be a priority post to fill.

- j. All the different types of communication media and engagement routes will form part of the engagement strategy.
  - k. It was noted that the Just Transition Commission did not have a consumer representative on it. While this was a bit of a missed opportunity, there is plenty of scope to represent the views of consumers to the Commission.
9. The Chair thanked Sam for this detailed update stating that there was a substantial amount of interest in clarifying the communication procurement and it would be helpful if the Board had sight of the invitation to tender prior to it going live. The Chair noted the accommodation issues and asked Sam and the Implementation Team to follow-up in January as there needs to be a distinction between Consumer Scotland and the Scottish Government from the vesting date and onwards. It was also noted that Registers of Scotland who own Meadowbank House have an office in Glasgow and Consumer Scotland could utilise space there as part of an overall package.
- **Action - The Framework Agreement document to continue to be updated and added as an agenda item for January's meeting.**
  - **Action – An updated Accommodation paper to be brought to the January meeting including potential venues and costings for private rentals and also added to the agenda. Also to follow-up with SG Estates Team on possible office-space.**
  - **Action – The Communication Information to Tender document to be shared with Board for information prior to it going live.**

#### **Agenda Item 4 - Finance and Systems**

10. Nick introduced the draft financial plan and Neil gave an oral update. Neil highlighted that this was a draft paper and the figures were based on the Consumer Scotland Act financial memorandum and on similar bodies' set up costs.
11. Staffing costs are the most significant component of overall costs – however the paper was based on the assumption that all posts will be filled from vesting day.
12. In terms of the published figures in the draft Scottish Budget, the budget for Consumer Scotland is part of the £5.4m budget line for consumer policy overall, and the specific budget for Consumer Scotland has not yet been finalised. The working assumption remains that £2.5m will be allocated to Consumer Scotland, subject to completion of budget process. The Chair emphasised the need to provide clarification in the New Year, and repeated the importance of a separate budget line for Consumer Scotland funding to ensure a clear audit trail of spend. The Chair expressed disappointment that the overall budget for Consumer Scotland was not yet clarified, but was grateful for the work already done to secure resources for the new organisation.
13. Nick enquired if the levy funding included overheads. Sam advised that he has not yet come to a view on this though has asked the Consumer Council for Northern

Ireland what they do to ensure alignment and avoid adverse criticism of different approaches across the Nations.

14. It was proposed that the Consumer Scotland budget should have a separately identified Research and Investigations budget, along with a stakeholder engagement budget. There will also be core advocacy funding for generic research.
  15. The Board were advised that the updated version of the financial plan would provide much more in-depth data.
  16. Nick sought further information on how, in law, the levy funding worked. Following a short discussion it was agreed that the Implementation Team would bring a paper to the January Board meeting with the requested information.
  17. Jill provided an overview of the risk register and it was agreed that there would be a deeper dive on risk at the January Board meeting. Further discussion will be held on the Scottish Government's finance system when information is available. The Chair, however, was reassured that there is a commitment to ensure that a financial system will be available to use from vesting date.
  18. Angela noted that before the workplan is finalised there should be time and budget factored in for staff and organisation development.
- **Action - Paper on levy funding to be brought to January's meeting as an information paper.**
  - **Action - Risk register to be a self-contained agenda item for January's meeting.**
  - **Action - Paper to be prepared on the Scottish Government's financial system when further information is available.**

#### **Agenda Item 5 – People**

19. Angela provided an update on her work around setting up a short-life working group looking at the vulnerable consumer. There will be around two to three meetings with two to three external members on this group. The focus will be to help shape and scope the work that is required of Consumer Scotland. This will then lead on to the creation of the vulnerable consumer committee which will be co-Chaired by Angela and preferably by one of the members of this working group.
20. The stakeholders which Angela is keen to engage in this group include a CAB representative, Carol Brennan, Chris Creegan, Norrie Kerr and Aaliya Seyal.
21. The timescale for this is the first quarter of 2022. Sam suggested that Lewis Shand-Smith be considered for this working group. The Implementation Team will produce a short paper scoping out the work of this group.
22. The Board was supportive of this.

23. Angela then provided an introduction to the Proposed Structure and Resourcing Strategy paper with Sue providing a more detailed update to the Board. This paper gave an overview of the posts that would be required to be filled and at what grade.
  24. Initially the focus will be on transferring the levy-funded staff from CAS. Then, a variety of recruitment models are available to use to employ further staff such as Scottish Government in-house recruitment, utilising consultancy staff, and secondments to name but a few.
  25. Nick suggested that there needs to be flexibility in contracts and that he felt that the staffing structure was top heavy or that the job titles were misleading. As an example, Nick suggested that instead of Chief Operating Officer the job title could be something such as Director or Head of Corporate Services / of Administration / of Finance and Administration / of Governance / of Corporate Services.
  26. Sam stated that as a small organisation, Consumer Scotland should probably be top heavy in terms of expertise. There also needs to be a career path to retain talent. There is also a requirement to reflect the CAS structure for the staff who are being transferred over. Sam also stated that externally focused organisations, in reality, preferred to deal with senior members of staff and this is where job titles help.
  27. The Chair highlighted paragraph four of the Proposed Structure and Resourcing Strategy paper which outlined a variety of recruitment options such as recruitment via the Scottish Government, the utilising of consultancy staff, recruitment of private sector staff, and those being transferred from CAS.
  28. There was then a discussion on the risk associated on what posts were needed by vesting date and how gaps would be filled in the interim.
  29. The Chair's update followed as it was related to staffing issues.
- **Action - Scoping paper to be written for the short-term working group on vulnerable consumers.**

#### **Agenda Item 7 – Chair's Update**

30. The People update led into the Chair providing his overview on recent meetings with CAS. All meetings and outcomes are progressing well. Agreement has now been secured with CAS as to the seven members of staff who will be transferred over to Consumer Scotland.
31. A potential issue had been identified with two members of CAS staff who were in scope to transfer but are both US citizens and are ineligible to work in any areas of the UK Civil Service. A revised proposal for transfer which secured the principles and intention of the shift in functions but provided a workable solution for both organisations, and a fairer outcome for the individuals concerned, had been developed and has been agreed in principle between the organisations and the Scottish Government. The Chair will keep Board members updated on developments.

## **Agenda Item 6 – Strategy**

32. James led this agenda item which focused on the outputs of the Strategy Away Day. James had been working on the Vision and Mission paper with Sam and Angela and asked Nick and the Chair for their thoughts.
  33. Nick thought that the vision was not quite right – it needed to be what we wanted as an outcome rather than what our contribution would be as that makes it more of a mission statement. He also felt that there were too many principles.
  34. There then followed a detailed discussion on the principles, and both the vision and mission statements. The mission statement in general was broadly agreed. The vision statement was felt to have the right intentions but the drafting could be tightened. The principles were discussed in depth, with Sam making live changes to the document throughout this discussion and which he circulated post-meeting.
  35. The Vision and Mission paper will be updated to reflect the discussion and brought to the January meeting. This document will evolve over the next few months as further progress is made on establishing Consumer Scotland.
  36. It was noted that it may be helpful to have some external colleagues look at the Vision and Mission paper and provide feedback on it.
  37. The detail to go along with the Vision and Mission paper will be developed as part of the Interim Strategic Plan.
- **Action - The Vision and Mission paper to be updated to reflect the discussion and brought to the January meeting.**

## **Agenda Item 8 – AOB**

38. There was no other business.
39. The Chair thanked everyone for their participation stating that the Board had progressed a wide range of actions at this meeting.
40. The date of the next Board meeting is 18 January 2022 at the new time of 10 am, and will be held on Teams.

**Consumer Scotland Implementation Team  
January 2022**

## **Summary of Action Points**

- The Framework Agreement document is being updated and will be an agenda item for January's meeting – Implementation Team.
- Accommodation paper including potential venues and costings for private rentals to be brought to January meeting and added as an agenda item ; also to meet with SG Estates to discuss office options – Implementation Team.
- Communication Information to Tender document to be shared with Board for information prior to it going live – Implementation Team.
- Paper on levy funding to be brought to January's meeting as an information paper – Implementation Team.
- Risk register to be a self-contained agenda item for January's meeting.
- Paper to be prepared on the Scottish Government's financial system when further information is available.
- Scoping paper to be written for the short-term working group on vulnerable consumers – Angela and Implementation Team.
- The Vision and Mission paper to be updated to reflect the agenda item discussion and brought to the January meeting as an information paper – Sam and Implementation Team.