

**Consumer Scotland Board Meeting  
17 August 2021  
Minute of Meeting**

**Attendees:** David Wilson (Chair)  
Nick Martin  
Angela Morgan  
James Walker  
Jill Rosie (Scottish Government Implementation Team)  
Wendy McCutcheon (Scottish Government Implementation Team)  
Sue Bomphray (Scottish Government Implementation Team)

**Apologies:** Neil Ritchie (Scottish Government Implementation Team)  
Andrew McConnell (Scottish Government Implementation Team)

**Agenda Item 1 – Welcome**

1. The Chair welcomed everyone to the meeting and noted the apologies from Neil Ritchie and Andrew McConnell. Sue Bomphray, who is the Implementation Team's HR Business Consultant, was welcomed and introduced to the board. Sue has already met with David and Angela to gain a better understanding of the board's priorities.

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

2. The minutes of the meeting of 29 July 2021 were agreed.
3. An action tracker had been issued, and an update on all actions was provided. The Chair stated how pleased he was with the progress, especially since the board had only been established for six weeks.
4. The Chair presented the domain name paper to the board. After discussion it was agreed that the preferred domain name for the Consumer Scotland email address and web url should be *consumer.scot*.

**Action: Implementation Team to advise ITECS of domain url.**

5. It was suggested that Neil prepare and present a paper on budgets and resources for circulation before the next meeting. This paper would include information such as the UK Government levy funding and an overview of the process that determines how budgets are allocated within the Scottish Government. Nick advised that he had had discussed this proposal with Neil, including on the estimates of set-up cost.

**Action: Implementation Team to prepare and issue budget paper, by week beginning 6 September.**

6. Sue provided an update on the TUPE process. TUPE is a statutory process, and the board, the Scottish Government and CAS will need to assess whether it is triggered by any proposals which are agreed. Sue has been organising both specific and generic meetings on TUPE with the relevant SG officials to ensure that all processes are included and that everything is being carried out in the correct order.
7. Following discussion, it was agreed that a paper on the “why” rather than “how” was needed with regards to the possible TUPE transfer. This would include information on the potential functions being transferred from CAS to Consumer Scotland and what, if any, decisions have already been made. This piece of work is required before 7 September.

**Action: Sue to prepare paper based on board discussions.**

### **Agenda Item 3 - Update on Ministerial Meeting**

8. The Chair gave a brief overview of his meeting with Tom Arthur MSP, Minister for Public Finance, Planning and Community Wealth.
9. The meeting went well with the Chair providing the Minister with an update on the work to date. The Chair had emphasised that the board was getting on with the necessary business, with the priority being the recruitment of a CEO.
10. The Chair discussed the possibility of co-opting a member onto the board to fulfil the vulnerable consumer remit. The Minister was receptive to this idea and the Chair advised that he would ensure that all necessary decisions were cleared by the Minister.
11. The Minister was interested in hearing about the board’s views on accommodation post-covid especially as he had Ministerial responsibility for public bodies. The Minister also asked the Chair to consider what success would look like for the organisation, and that he would be interested in further discussions in due course.
12. The Minister was re-assured that a meeting with CAS had been a priority for the Chair.
13. The Chair flagged resources as a potential issue which the Minister noted.
14. Overall the Chair felt that it was a useful meeting with the Minister positive towards the work of the board.
15. It was agreed at the Ministerial meeting that the Minister and Chair would meet quarterly and that the Minister would be invited to a future board meeting.
16. The Chair then opened this agenda item up to any comments / questions from the board. There was a discussion on what information the Minister needed to see for approval against what he needed to see for information only.

The Chair stated that it was useful to keep Ministers informed even when approval was not required. Board members felt that a guide was required as to what is necessary for the Minister to sign off.

**Action: Implementation Team to provide information on role of Ministers and Boards.**

#### **Agenda Item 4 - Stakeholder Landscape**

17. This section of the agenda focused on the work that James had built on from the previous meeting on developing the Consumer Scotland strategy. James started his presentation by stating that the focus of Consumer Scotland should be to drive market growth. This resonated with the other members. He also stated that for Consumer Scotland to influence the landscape, a collaborative approach was required – something akin to a “coalition of the willing” with other organisations. The presentation also highlighted the areas in the consumer landscape where Consumer Scotland’s main stakeholders are focused and where there is a need to set priorities. Optimising engagement with stakeholders would be the key to the success of Consumer Scotland and James highlighted various ways in which this could be achieved. James concluded his presentation by stating that the activity carried out by Consumer Scotland needs to be intelligence driven to enable the organisation to deliver better outcomes for everyone. Consumer Scotland should be seen as the trusted advisor to the Scottish people and to the Scottish Parliament.
18. Nick, supported the content in James’ presentation and asked whether James had looked at the responses in the public consultations aligned to the Consumer Scotland Bill to ensure that no views had been missed. Angela wanted to ensure that the third sector play a big part in all of this and how we communicate and engage with all stakeholders will be key to ensuring co-operation rather than being seen as encroaching on other stakeholder’s territory.
19. The Chair brought the conversation together by summarising all the key points made by the board, highlighting the importance of Consumer Scotland’s link with the economy and that a narrative should be developed around “active consumers in a well-being economy”. The Chair advised that the Finance and Economy Secretary has created an economic advisory council and that there is a semi-formal consultation on the 10 year National Strategy For Economic Transformation. The Chair requested that the Implementation Team find out further information on this and consider whether the board should prepare a response. James offered to prepare a draft response for this consultation which would be shared with all for comment and agreement.
20. Following on from the comments received on his presentation, James agreed to update it. It was also agreed that much more time needed to be spent on this due to its importance. The Chair suggested that it may be possible to meet in person at the next meeting, or have some form of away day shortly afterwards to spend time working through the strategy.

**Action: Implementation Team to provide board with background on the National Strategy for Economic Transformation consultation.**

**Action: James to prepare draft response on consultation and circulate round members for comment.**

**Action: Based on discussions, James to update his presentation.**

## **Agenda Item 5 – Vulnerable Consumer Remit**

21. Angela has been working on this paper which provides options for the addition to the board of a person with experience of vulnerability. Angela highlighted the commitment to vulnerable consumers which is enshrined in the Consumer Scotland Act and that this paper provided the board with an opportunity to establish an agreed position on the context and focus for such an appointment to the board.
22. Angela suggested that the board should look at, and learn from, organisations with credible examples of existing good practice. Such organisations include a large social care/housing body, an independent funder and the National Suicide Prevention Leadership Group. Additionally, the newly established structure to implement the Adult Care Review has just established a panel of experienced individuals inclusive of people who use services, their family members, and people in direct caring roles. Angela advised the board that the latter two are the most closely aligned to Consumer Scotland in structural terms and a connection with both would be of value. The underlying notion of all of this was to ensure that Consumer Scotland can have impact where people require it.
23. There then followed a discussion on what kind of role this post should be, and what rights accompanied each role, ie an advisor, a co-opted member, a committee member, rather than a board member were just some of the ideas which were discussed and debated. Jill advised the board that she was meeting with officials from the South of Scotland Enterprise Sponsorship Team in the Scottish Government to hear more about their experience with co-opting members on to the board.
24. The board then discussed the next steps they would need to take based on what was within the powers of the Act. The board would then present a paper to the Minister once a decision had been made on how they wish to proceed.

**Action: Angela and Sue to continue to develop the proposal.**

## **Agenda Item 6 – CEO Recruitment Process**

25. At the previous meeting it was agreed that there needed to be a further discussion on the role of the chief executive and also if the board wished to appoint an interim chief executive. A paper setting out examples of previous chief executive roles was circulated prior to the meeting. Angela provided a brief summary of this work before handing over to Sue for a more detailed overview. Sue discussed the timeline that she had produced which highlighted the fastest timeline to achieving a CEO or interim CEO. Key decision points were also highlighted to board members. The first priority was agreed to be to agree and lock-down a role profile.

Once this has been done, it would need to be validated by Scottish Government's HR department.

26. The board discussed the advantages and disadvantages of pursuing the CEO route only, the interim CEO route only; or a parallel recruitment process of both an interim and permanent CEO.
27. It was agreed that a parallel recruitment process was the preferred option.
28. Following discussion on the remit of an interim CEO, it was suggested that a programme director role may meet the needs of the board better than an interim chief executive. It was agreed that public sector / civil service skills were of greater importance at this stage of the establishment of Consumer Scotland rather than once the organisation was established. Unlike the programme director role, the appointment of a chief executive will be by external recruitment led by the current board.

**Action: Angela and Sue will continue to work on the CEO Recruitment Process paper.**

**Action: Sue will draw up two role specifications – one for a chief executive and one for a programme director.**

#### **Agenda Item 7 – Risk Register**

29. Nick opened this agenda item by stating that he had met with Jill to discuss in more detail the risk register. Although there had been further progress than he had expected, he stated that in the absence of a CEO the risk rating should be for the board to decide rather than the Implementation Team. He also requested that the risk register have a timeframe added to it. It was agreed that the risk register should be a recurring agenda item.
30. Jill then provided an update on the priorities which hadn't already been discussed during this meeting as follows:
  - Legislative timetable – working with UK government to deliver the Section 104 Order; also working with SG to deliver four SSIs. All on course to meet the respective deadline dates.
  - Accommodation – Implementation Team has sourced potential office space. However a full proposal will be put to the board at an appropriate time.
31. Angela enquired as to what the key assumptions were behind setting the risk rating stating that a guide may be helpful.
32. The Chair stated that there was a substantial amount of material in the risk register and this should be discussed in much more detail at the Away Day.
33. Angela highlighted that the biggest risk is our failure to deliver Consumer Scotland's vision and purpose of having the greatest impact.
34. The Chair suggested that the risk register should be developed around the workstreams that are being developed to ensure a continued line of sight.

**Action: Implementation Team to ensure that the risk register is added to all future agendas.**

**Action: Implementation Team to provide guide to risk ratings.**

**Action: Implementation Team to ensure that risk register provides line of sight to workstreams.**

### **Agenda Item 8 – AOB**

35. The Chair summarised the key points from the meeting and confirmed that the date of the next meeting was 21 September at 2 pm. He also advised that he would work with the Implementation Team as to whether this meeting could be held in person rather than virtually. It was also noted that the board induction workshop was on 22 September. Finally, the Chair thanked all for their participation in the meeting.

**Consumer Scotland Implementation Team  
6 September 2021**