

CONSUMER SCOTLAND STRATEGIC BOARD MEETING

Tuesday 13th of February 2024

10:00 – 13:00

In person, Edinburgh

Board Members present:

David Wilson, Chair

Angela Morgan, Member (AM)

Nick Martin, Member (NM)

James Walker, Member (JW)

Lesley Halliday, Member (LH)

Also in attendance:

Sam Ghibaldan, Chief Executive

Sue Bomphray, Director of Operations

David Eiser, Director of Research and Analysis

Douglas White, Director of Policy and Advocacy

Jill Rosie, Assistant Director; Strategic Partnerships (items 4 and 5 only)

Craig McClue, Head of Investigations (item 6 only)

Tracey Reilly, Head of Policy and Markets (item 7 only)

Shane Taylor, Policy and Advocacy Officer (seminar session only)

Diarmuid Cowan, Policy Manager – Post (seminar session only)

Catriona Kirk, Governance, Digital and Communications Officer (minutes)

Welcome and Declaration of Interest

1. The Chair welcomed everyone to the meeting and invited members to declare any interests. Interests recorded included:
 - JW raised a conflict of interest in relation to Item 6 on the Agenda. The conflict refers to his setting up a business that seeks to resolve issues of home improvement friction between consumers and traders. The interest was noted, and it was confirmed that no further action was required at this point.
 - In relation to Item 7 on the Agenda, LH noted a previously declared interest; she is a member of the Law Society's Complaints and Oversight Committee. The interest was noted but no action was required.

2. The Chair formally congratulated Board members who have been re-appointed to the Consumer Scotland (CS) Board.

Minutes from the Previous Board Meeting

3. The Board approved the minutes of the previous Board meeting held on 06 December 2023.

Action Tracker

4. The Director of Operations updated the Board on any incomplete actions. It was additionally noted that the pre-agreed tax treatment of Board expenses would be implemented from 01 April 2024.

Key Issues Update

5. The Chief Executive provided a high-level update on Key Issues across Consumer Scotland. Topics discussed within this item are listed below:
 - **Budget** – CS met with the Minister for Community Wealth and Public Finance. It was agreed more regular meetings would be held, with the inclusion of a finance business partner to ensure consistent communication with the areas of government relevant to policy and Consumer Scotland funding. With the continuing evolution of Consumer Scotland development of our budget for 2025-26 will reflect our steady growth into our statutory functions.
 - **Accommodation** – CS are working closely with Environmental Standards Scotland (ESS) to discuss the process management of the move.
 - **Consumer Council for Northern Ireland Trip** – CS Staff visited the CCNI over 2 days in Belfast this month. The trip was attended by a significant number of stakeholders which highlighted a wide interest in consumer issues. CS plan to host the CCNI later in the year to continue to work collaboratively on developing shared areas of interest.
 - **Sizewell C** – The UK Government requested a response on the funding and regulatory arrangements for a proposed nuclear station in Suffolk. Simon Gill was commissioned to assist with development of the response, which has now been submitted to the UK Government.

Framework Agreement

6. The Chair welcomed the Assistant Director of Strategic Partnerships to the meeting and Board members were introduced.
7. The Framework Agreement paper was discussed, and the Board provided feedback on the paper. It was noted that some details in the Model Document circulated by the Scottish Government may not suit our requirements. It was agreed that the Assistant Director of Strategic Partnerships would consider, and incorporate, the feedback and comments provided by the Board.
8. The amended version will then be reviewed before a final draft is circulated to the Board for approval. The document will then be sent to the Scottish Government for sign off.

Board Public Engagement 2024-2025

9. The Board Public Engagement paper stemmed from recommendations made to the Board regarding engaging in a public space.
10. The Assistant Director of Strategic Partnerships provided an overview of the paper and invited feedback from the Board. The main points of the discussion are summarised below:
 - the Board agreed on the importance of public engagement.
 - suggestions for developing a programme of wider engagement included hosting Board meetings with other organisations, open days with committee members and webinars on key areas of work. An **action** was taken to develop these ideas further and update the Board on further progress in time.

Investigations Update

11. The Chair welcomed the Head of Investigations to the meeting.
12. The Head of Investigations provided the Board with an update on the Investigations function since their last meeting in November 2023. The update is summarised below:
 - An Investigations Pipeline Steering Group (IPSG) was established with relevant Head Of's across the organisation to discuss potential topics. The chosen topic for the first investigation is close to agreement internally.

- In accordance with Section 7(3) of the Consumer Scotland Act 2020, the Head of Investigations has met with stakeholders to consider external intelligence on what other bodies see happening, or are working on, across the consumer landscape.
- Scope to work collaboratively with other organisations in the consumer landscape with overlapping areas of work has been considered.

13. An **action** was taken for the Head of Investigations to provide a further update at the 14 March Board meeting.

14. The Board formally noted, subject to comments about the process and scope being considered, the direction of travel with the investigation is fully supported.

Legal Regulation

15. The Chair welcomed the Head of Policy and Markets to the meeting.

16. The Head of Policy and Markets led the discussion regarding the paper, noting that the general principles of the Regulation of Legal Services (Scotland) Bill will be debated in the Scottish Parliament on 22 February 2024. The Bill proposes to confer new powers on Consumer Scotland, including power to recommend a regulatory review be carried out.

17. The Board noted the developments since the Chair had written to the Minister last summer and agreed:

- that Consumer Scotland remains willing to undertake this role provided there was sufficient resourcing for the function to be effective;
- that there continues to be a risk that insufficient resources would be in place to effectively support the operation of these powers; and therefore
- that officials should continue to engage with the Scottish Government and other stakeholders to seek clarity on how resources can be put in place to allow sufficient monitoring and evidence to be put in place to underpin these powers, enable the consumer voice to be heard and improve consumer outcomes.

AOB

18. The Chair invited any other business.

19. The Director of Operations updated the Board as per the items below:

- Oracle Fusion - The implementation of the new HR/Payroll system, Oracle Fusion, which is being managed by the Scottish Government, has been delayed. No new implementation date has been agreed yet.
- Board access to papers – The Board will now access papers through Objective Connect. A guide on how to use this will be circulated following this meeting. This change will further improve information security and ease of use.
- GDPR and Information Management – Mandatory training on Data Protection and FOIs is to be completed by Board members via Pathways.

Seminar Session

Part 1: The Future of the UK Postal Market

20. The Policy Manager (Post) and Policy and Advocacy Officer joined the meeting. The session presented a summary of Ofcom's potential options to reform the Universal Postal Service.

Part 2: Consumer Welfare Report

21. The Director of Research and Analysis provided an overview of the Consumer Welfare Draft Report.

22. The objective is to produce a document in 2024, prior to the 2026 Consumer Welfare Report. Aspects of the report, including the key audience and aim of the paper, were discussed.

23. The Chair thanked attendees and the meeting was closed.