

CONSUMER SCOTLAND BOARD MEETING

Tuesday 14 March 2023

12:30 – 15:00

By MS Teams

Minutes

Board Members present:

David Wilson, Chair

Nick Martin, Member (NM)

Angela Morgan, Member (AM)

Also in attendance

Consumer Scotland:

Sam Ghibaldan, Chief Executive (SG)

Sue Bomphray, Director of Operations (SB)

David Eiser, Director of Research and Analysis (DE)

Douglas White, Director of Policy and Advocacy (DW)

Gail Walker, Head of Water and Post (GW)

Tracey Reilly, Head of General Markets (TR)

Hilary Tennant, Finance, Governance and Corporate Services Manager (HT)

Polly Mazurkiewicz (secretariat)

Apologies

James Walker, Member (JW)

Welcome and Declaration of Interest

1. The Chair formally welcomed everyone to the meeting, tendering the apologies of JW.
2. No declarations of interest were noted in regards to the agenda. The Director of Operations reminded members that an annual review of the published Register of Members Interests would take place in April, and that members should also declare interests throughout the year.

Minutes from the Previous Meeting

3. The Board approved the minutes from the previous meeting held on 14 February, and follow up meeting held on 28 February 2023.

Minutes from previous Audit and Risk Committee

4. Following the approval of the Audit and Risk Committee minutes of the 13th December 2022 by its members, the Board formally noted those minutes.

Action Tracker

5. The Director of Operations updated members on the completed and outstanding actions in the action tracker. No comments from members were received.

Chief Executive's Report

6. The Chief Executive presented his quarterly report to Board members.
7. It was highlighted that this report, and the accompanying project summary, demonstrated the progress Consumer Scotland (CS) has made in its first year of operation, and the breadth of activity now underway across the organisation in promoting the interests of consumers. A significant research programme was underway, with initial results expected for several workstreams by the end of March. Substantive work was being undertaken across the Operations Directorate, notably in relation to finance and audit. The Programme RAG report set out that most workstreams were either complete or on-track. Only one workstream was significantly delayed, and that was the result of a lack of bidders during a research procurement process.
8. A Governance Advisor has joined the organisation on a short term basis and is undertaking a review of CS governance. Their initial findings have been positive and a final report would be shared with the Board upon completion of the review.
9. In response to a question regarding the recruitment of a 5th Board member, the Chair updated members on progress. CS proposals for next steps had been accepted by the Public Appointments team in the Scottish Government, and an external panel member had been identified.
10. Board members thanked SG for his report and noted:
 - a. The significant progress being made in Consumer Scotland's development
 - b. The positive Learning and Development activity being undertaken
 - c. The opportunity to create real value from the merging of the Scottish Energy Insights Commission (SEIC) into the Energy Consumers Committee (ECC).

Finance Report & Risk Register

11. It was noted that the papers for this item were discussed at the preceding Audit and Risk Committee. No further comments were received, and the Board noted the item.

Draft Budget 2023-2024

12. The Board formally approved the 2023-2024 draft budget.

Standing Orders Stock Take

13. The Director of Operations presented a stock take of CS Standing Orders to the Board. Following a year of operation, it was pertinent to ensure the Standing Orders were working well in the context of a fully operational organisation and Board.

14. The Board approved the proposed changes to sections 6.5, 8.11, 13.1 and 13.2 of the Standing Orders.

15. The Board asked for changes to sections 4.10 and 7.2 as follows:

- a. 4.10 – approved the change but requested wording was amended to clarify that voting of absent members could happen by proxy in advance of meeting.
- b. 7.2 – the Board agreed that minutes should be shared with members ahead of the following Board meeting, to allow for comments or amendments ahead of approval.

16. In addition the day rates needed to be updated.

Consumer Scotland's work on Consumers in Vulnerable Circumstances

17. The Chair introduced AM and TR to present a report on the work of the Short Life Working Group on Consumers in Vulnerable Circumstances (SLWG), and on the approval of a new Consumers in Vulnerable Circumstances Committee (CiVC).

18. The SLWG has met four times in 2022-2023, developing a baseline knowledge about consumers in vulnerable circumstances, identifying stakeholders and partner organisations for engagement, and building an initial vision for what success will look like for CS. It has now prepared a report which informs next steps including the proposed initiation of the CiVC.

19. The Board welcomed the report and the proposal to establish a new advisory committee, noting the importance of the CiVC being involved in issues across Consumer Scotland's remit. It was agreed that the committee would complement the organisation's collaborative culture.

20. The Board approved the proposal to establish the CiVC as an advisory committee.

Tech Steering Group Update

21. In JW's absence the Director of Operations updated members on the work to date of the Technology Steering Group (TSG). The group has reviewed six strategic external facing proposals and five operational internal proposals.
22. It is now intended to move the group to meet on a case-by-case basis, as all outstanding proposals have been reviewed.
23. The Board fed back that it is important to formalise this approach, ensuring there was due diligence and an agreed governance process for when the group would be recalled.
24. SB agreed and noted that the Executive Management Team would be responsible for considering when the TSG should be reconvened moving forward. This will be added as a standing agenda item to the Executive Team meeting tracker.
25. The Signposting and Referral literature review outputs are to be shared with AM when available.
26. The Board noted this position and formally noted thanks to Jamie Steed for his support to Consumer Scotland over the past twelve months.

Work Programme Sign off

27. The Director of Policy and Advocacy presented the final copy of the 2023-2024 Work Programme to the Board for approval.
28. The Draft Work Programme, which was approved by the Board, had been out for consultation from 20 January to 17 February 2023. 24 formal responses were received to the consultation, and feedback from over 30 different organisations was gathered from bilateral and group discussions.
29. CS has reviewed the responses and undertaken further internal scoping to develop the final Work Programme presented today.
30. It was noted that a number of refinements had been made to the document:
 - a. High level messages from the approved Strategic Plan have been incorporated into the final version
 - b. The number of workstreams has been reduced, with some activities narrowed and incorporated into other workstreams, and others placed in a pipeline for future years.
 - c. Resource and capacity had been considered and the narrative now highlights that choices will be made in-year as to where resource would be focused to achieve maximum benefits to consumers.
31. In discussion it was agreed that core funding should be included alongside levy funding in the finance section now that budgets had been agreed.
32. The Director of Policy and Advocacy thanked the Board for their comments and suggestions and noted that as this was the first full year of operation for the organisation, that CS would inevitably "learn by doing" which would enhance future Work Programmes.

33. The Board approved the Work Programme 2023-24 for laying before the Scottish Parliament and publication, subject to the comment noted.

Market Health Checker

34. The Chief Executive set out the background of the relationship between stakeholders in the water sector, noting it was one underpinned by the concept of Ethical Business Regulation. The purpose of today's item was to allow the Board to understand this in the context of the non-domestic water industry.

35. GW presented the proposed next steps with potential CS involvement in the creation of a Market Health Check (MHC) service for licence providers in the non-domestic industry.

36. It was noted that the MHC presented benefits and advantages to consumers in this space, in particular supporting small businesses of which CS had a statutory remit to protect. The concept of a MHC as a product has potential lead across in regulated and non-regulated sector. With the correct engagement, this piece of work could have wider positive implications elsewhere.

37. The Board noted:

- a. That the MHC presented an opportunity to CS to build its profile in the small business community.
- b. Members had more to learn about the water sector and welcomed the experience of internal colleagues. GW took an **action** to share reading material with the Board.

38. The Board noted the proposed next steps and agreed to receive a further update as work progressed.

AOB

39. There being no other business, the meeting closed.