

**CONSUMER SCOTLAND GOVERNANCE BOARD MEETING**

Thursday the 14<sup>th</sup> March 2024

12:30 – 15:00

Virtual, Via Teams

**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

Eleanor Mullan, Head of Analysis (item 6 only)

Craig McClue, Head of Investigations (item 8 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:
  - In relation to Items 6 and 7 on the Agenda, LH noted a previously declared interest; she is a member of the Law Society's Complaints and Oversight Committee and a member of the Scottish Water independent customer group. The interest was noted.
  - In relation to Item 7, the following previously declared interests were noted:
    - The Director of Policy and Advocacy noted an interest relating to the rental market in Scotland
    - The Chief Executive noted an interest relating to the rental market in England
    - JW noted interests relating to Dispute Resolution Ombudsman, JamDoughnut, Rightly, Civil Aviation Authority, Office of Road and Rail and Trusted Payments, as noted in [Consumer Scotland Register of Appointed Member Interests](#).

2. The Chair thanked members for their declarations and noted the interests. He concluded that no specific action was required at this stage, and further actions would be taken during the meeting as required.

### **Minutes from the Previous Board Meeting**

3. The Board approved the minutes of the previous Board meeting held on 13 February 2024.

### **Minutes from the Previous ARC Meeting**

4. The Board noted the minutes of the previous ARC meeting held on 6 December 2023. These were formally approved at the ARC meeting.
5. NM provided a brief overview of the ARC meeting held on the 12 March 2024 in the interest of the Chair, who was unable to attend the meeting.

### **Action Tracker**

6. The Director of Operations updated the Board on actions recorded on the Action Tracker.

### **Chief Executive Update**

7. The Chief Executive provided an overview of two key areas of progression:
  - **Heat Networks:** CS have been designated the role of formal statutory heat networks advocate in Scotland following UK legislation. The following items were noted:
    - The current timetable for the role to commence is April 2025
    - The Energy team have written responses to policy and regulatory consultations in relation to heat networks
    - Consumer Scotland will have responsibility for advocacy, defined in the broad sense of consumer advocacy, advice and data
    - Our primary focus in the context of advice will be to ensure customer journey is straightforward and simple
    - The potential scale of heat networks in Scotland is expected to be proportionately high given the policy context and the relatively high proportion of tenements and flats compared to England and Wales
    - We are developing a business case for an implementation team over the next year for discussion with DSNEZ

- **Developments on research processes:** a review is underway on how CS have operated within research and programme delivery over the last two years:
  - Survey Work: CS are considering how to procure on a more efficient basis
  - Looking at how we develop lived experience research
  - Work is well underway to understand how we can better our research functions
- 8. The Chief Executive further noted an area of development, relating to how our expertise can be useful in our landscape. An example was provided where Michael O'Brien of the Energy Team had noted problems being experienced by a community organisation being aired on social media and engaged with it and an energy company to resolve the situation. The Board formally noted their recognition of the proactive approach and asked for their thanks to be passed on.
- 9. The Chief Executive invited any further questions or comments relating to the CEO Report.
- 10. The Director of Operations notified the upcoming Board on the Public Service Reform submission, which asks for detailed milestones and objective of cost saving and efficiency measures in place. A long-term plan, up to 2035, is also being worked on for the submission.
- 11. Discussion about the ongoing Policy Review of the water industry took place. An **action** was taken for this to be discussed in more detail at a future Board meeting.

### **Strategic Risk Register and Report**

- 12. The Director of Operations led the discussion on the Strategic Risk Register and Report. A brief overview was provided for those not present at the ARC meeting.
- 13. The key items discussed were:
  - The Executive Team continue to review the Strategic and Operations Risk Register monthly to ensure any risks needing reviewed are highlighted
  - There were no risks requiring Board review

### **Management Accounts**

- 14. The Director of Operations led discussions on the Management Accounts. A brief overview was provided for those not present at the ARC meeting.
- 15. The key items discussed were:

- There was a £50k overspend on staff costs related to the larger than forecast pay increase. Confirmed increases for the 2024-2025 financial year pay increases have allowed for greater certainty on potential budget implications
- Overall we have an underspend of c£50k – this figure is shifting frequently but we are honing in on final figures
- Underspend has allowed CS to help fund Trading Standards Scotland’s “Shut Out Scammers” campaign, and Advice Direct Scotland’s work using AI to develop connections with Trading Standard’s Trusted Trader portal

16. The Board formally noted the progression in managing the budget and thanked those involved in the rigorous process.

### Complaints Handling

17. The Chair welcomed the Head of Analysis to the meeting.

18. The Head of Analysis provided the Board with an overview of the Complaints Handling paper. The overview is summarised below:

- Key point: publishing information on complaints handling is a statutory duty we must fulfil
- Main research findings were presented to the Board, relating to data availability and Scottish relevancy
- Next step recommendations were discussed. It was agreed that the development of a programme of work to improve awareness and quality of available data was the best option to progress
- This option would lead to greater stakeholder engagement and increase opportunities for collaborative working

19. The Board thanked the Head of Analysis for the overview and noted their support for the proposal.

### Work Programme

20. The Director of Policy and Advocacy provided a high-level update on the Work Programme process:

- Following a consultation period, CS received 30 responses which is a significant increase from last year (20 responses)
- Received formal letter of feedback from the Convenor of the Economy and Fair Work Committee. An **action** was taken to circulate the letter received, and sent in response to, the Economy and Fair Work Committee
- No substantial changes were required following the analysis of the consultation responses

- Final Work Programme will be laid with Parliament in final week of March

21. The Board thanked the Director of Policy and Advocacy, noting this process is another sign of maturity of the organisation. The final Work Programme paper was approved for final sign off.

## **Budget 2024-2025**

22. The Director of Operations led discussions on the 2024-2025 Budget. A brief overview was provided for those not present at the ARC meeting.

23. The key items discussed were:

- The levy budget funding is not yet confirmed. This is expected to be confirmed in April or May 2024
- The budget presented to the Board assumes that the levy funding increase is confirmed at the 9.5% increase set out in the Work Programme. If the confirmed budget differs from this, then a formal budget revision will be presented to the Board
- Potential areas of saving were discussed

24. The Chair thanked the Director of Operations for the update and the Budget paper was approved by the Board.

## **Investigations Update**

25. The Chair welcomed the Head of Investigations to the meeting.

26. The Head of Investigations provided the Board with an update on the Investigations function since their last meeting in February 2024. The update is summarised below:

- The topic for Consumer Scotland's first investigation has been approved by the Executive Team and we have now moved to the pre-investigation stage
- External stakeholders in the consumer landscape are supportive of the proposed topic and opportunities for collaborative working have been noted
- The pre-investigation stage will involve detailed scoping; including resourcing, methodology and timescales. The resulting proposal and recommendation will be brought to the Executive Team and the Board for approval
- We have met our commitment to begin preliminary work on an investigation this financial year

27. The Board thanked the Head of Investigations for the update and noted the positive progress in the Investigations function.

## **AOB**

28. The Chair invited any other business.

29. The Director of Operations raised the issue of publishing Board papers. The Board agreed that the publishing of minutes provided an overview of the discussion, and that Board Papers would not be routinely and proactively published. If there is a request for information, whether formal or informal, then more information would be provided and published as required.

30. With no other business, the Chair closed the meeting, noting that the next Board meeting in May will hopefully be held at CS's new premises at Thistle House, Edinburgh.