

Consumer Scotland Board Meeting
15 March 2022
Minute of Meeting

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

Apologies: Angela Morgan (Board Member)

Agenda Item 1 – Welcome

1. The Chair welcomed everyone to the meeting in Victoria Quay stating that this would be the last full Board meeting before Consumer Scotland vested on 1 April 2022.
2. The Chair said that, while there was still a lot to achieve before 1 April and beyond, we have come a long way since the Board was appointed on 1 July and that we should record the strong progress made to date.

Agenda Item 2 – Minutes of Last Meeting

3. The minutes of the meeting of 23 February 2022 were agreed.
4. The actions in the tracker were then discussed.
 - The Board were advised that the Cabinet Secretary for Finance and the Economy along with the Minister for Public Finance, Planning and Community Wealth had both approved a submission which sought a short-term lease in Meadowbank House for Consumer Scotland.
 - A business case has to be referred to Property Controls for review and referral to the Chief Surveyor for sign off. This is in hand.
 - A meeting room will be constructed in the wing for Consumer Scotland.
 - Secretariat will keep the Board updated on the next stages including agreeing an entry date with Meadowbank House and arranging for the April Consumer Scotland Board meeting to be held in the board room at Meadowbank House.
 - The Board were informed that all 35 laptops should arrive by early April.
5. The Chair recorded his formal thanks to all who are working on securing the accommodation for Consumer Scotland.
6. Nick requested an update on the information paper which was to be produced on the Scottish Government's financial system. Sue stated that a cost centre code has now been allocated to Consumer Scotland and that the bank account had been set up. However, BACS has still to be made operational. It is hoped that guidance will

be available by the end of this week. In the interim, Pauline Scott, who works in Jill's team, is assisting with all the budget cost work.

7. It was also noted that the Accountable Officer and one other member of Consumer Scotland staff will be signatories and responsible for authorising payments. It is expected that the vacant finance post will be filled by 1 April and dual authorisation will be in place by the time staff are in post.

Action - Meadowbank House – Implementation team to work with Registers of Scotland to agree a move in date for Consumer Scotland.

Action – Venue for April's Board meeting – Implementation Team to arrange for April's Board meeting to be held in the Conference Room in Meadowbank House.

Agenda Item 3 – Programme Director Update

Workplan papers

8. Sam provided an update on operational progress advising the Board that all remains on track to vest Consumer Scotland on 1 April, TUPE staff on 1 May and launch of the Interim Strategic Plan in early June.
9. The key points from the workplan are as follows:
 - a. It had been hoped to bring the final draft of the Framework Agreement to this meeting however legal advice has been sought by Scottish Government on the draft document. External legal advice has had to be sought as the Scottish Government Legal division does not have the capacity to carry out the requested work in-house. This is a normal process to follow and implement.
 - b. The Communications tender is ongoing but an experienced organisation will be appointed shortly.
 - c. The financial plan has been updated with comments from the February Board meeting. Contingency funding has also been included. The staffing costs could be lower in reality as in the plan they have been calculated on a full year costing. The development of the website costing is now looking as though it will need to be funded from next year's budget.
 - d. Nick also enquired about levels 1-4 in relation to budget lines, and what budget level would Consumer Scotland be. There was a discussion as to whether there should be mention of the budget level at all in the Framework Agreement and the Implementation Team will consider further. It is anticipated that Consumer Scotland will have a level 3 budget line.
 - e. Sam reiterated that one meeting room would be installed in Meadowbank House and that this work would be carried out by the Registers of Scotland.
 - f. The CEO advert is now live and closes for applications on 3 April.
 - g. The 11 priority roles identified have now all been advertised on the Scottish Government temporary moves site and interviews are ongoing. These will be filled on a short term assignment basis from the Scottish Government

and other public bodies (secondments, loans or internal transfers) initially. Two roles to date have been successfully recruited for.

- h. Nick enquired as to what happened to staff in the temporary roles once they were being made permanent. If the staff did not want to stay in Consumer Scotland they would go back to their own job which has to be kept open for them. If they wish to remain in their Consumer Scotland post then there is a process that will allow them to be permanently employed in that specific post.
- i. Sam advised the Board that four people so far had accepted invites to join the short-life working group which will inform Consumer Scotland's work on focusing on consumers affected by vulnerable circumstances, and to guide the development of the project set out in the workplan. It is anticipated that the first meeting will be in April/May.
- j. An update was also provided to the Board on stakeholder engagement. Alan Clark, in the Energy Services and Consumer Policy Unit, has been working with Sam and has compiled a comprehensive stakeholder list which covers a myriad of areas. This list will continue to be developed and prioritised.
- k. It was agreed that an update to all stakeholders should be sent when Consumer Scotland vests keeping them updated about progress and setting out the next steps of the phased implementation plan. It was also agreed that this update should be sent out in the Chair's name.
- l. James suggested that a Consumer Scotland newsletter should be produced and in principle this was agreed to.
- m. Sam advised that he had been at the recent UK Regulators Network (UKRN). The Network brings together regulators from the UK's utility, financial, transport and housing sectors, for the benefit of consumers and the economy.
- n. Neil highlighted that Consumer Scotland would take over the chairing of the Consumer Network for Scotland.
- o. Lawyers are meeting members of the implementation team on 16 March to provide independent advice on the draft memorandum of understanding between Consumer Scotland and CAS. This MoU will ensure a clear separation of responsibilities especially around areas such as the Extra Help Unit (EHU) which is operated by CAS but is a GB-wide function.
- p. These legalities are necessary to protect all interests but should not cause any controversy.
- q. Nick stated that the legal fees need to be kept under control and paid for from this year's budget if possible.

10. Sue then took the Board through the slides on Consumer Scotland's priorities, the summary programme plan, and the list of services / assurance systems which would be in place for vesting on 1 April.

11. The first slide on priorities/workplan had been updated following the February meeting and these changes were made in red font.

12. In relation to a point Angela had raised prior to the meeting, Sue confirmed the procurement process and that as Consumer Scotland would be paying for the procurement then it is independent from the Scottish Government.
13. Nick raised the issue around VAT registration and if Consumer Scotland did not have a senior finance official in place could this cause problems. Sue advised that as Consumer Scotland is classed as part of the Scottish Government VAT family then we are able to get support if required.
14. The Chair made clear that by complying with Scottish Government requirements then that was a strong indicator that we would be satisfying the requirements of organisations such as HMRC.
15. Nick sought clarification around Board members taxable benefits and ensuring that the language was clear around claiming expenses when travelling to/from a “home” office.
16. Nick also enquired as to how policies such as health and safety were going to be implemented. Sue advised that the induction programme which is been developed includes all the relevant policies however it is still to be identified as to how these policies would be kept up to date.
17. The Government Recruitment Service (GRS) will be up and running on 1 April.
18. The Chair recognised the hard work and suggested that a checklist should be developed of what has been done / needs to be done and by when and that would help capture everything.
19. The Chair also suggested that for the meeting on 29 March an updated organogram should be circulated round the Board.
20. The Chair would also like further meetings to be held in early April with the CAS TUPE transfer staff. Angela should also be involved in these discussions.

Action – Email from Chair to be issued to stakeholders on Consumer Scotland progress on vesting – Implementation Team

Action – Taxable benefits and wording of them to be checked – Implementation Team

Action – Checklist to be compiled of what has been done / what still needs to be done - Implementation Team

Action – Update organogram for discussion on 29 March - Implementation Team

Action – Both the checklist and organogram to be available for discussion at “Teams” meeting on 29 March.

Action – Meeting to be arranged with CAS TUPE transfer staff - Implementation Team

Agenda Item 4 – Levy Workplan

21. Sam provided the Board members with an overview of the consultation responses. Twenty-five responses had been received in total – one response was received

yesterday (14 March) following an agreed extension to the closing date – hence the reason why it wasn't included in the Board paper.

22. Almost all responses were positive with organisational responses highlighting areas where they thought they could work with Consumer Scotland.
23. The principle change made to the draft workplan following the consultation responses was to the actual projects. The proposed smart meters project will now be merged into the energy networks and electric vehicles projects.
24. Following discussion with CAS and Citizens Advice England and Wales (CitA) this updated workplan includes levy funding for the Big Energy Savings Network (BESN). Previously this funding came to CAS via CitA and the funding will now come to Consumer Scotland who will then issue it to CAS. All relevant parties are in principle content with this proposal. In 2021-22 funding was approximately £90,000. However this is only around 5% of the overall total and along with the major increases in energy costs, a larger sum of money will be applied for. This money will be used to commission CAS to work with other organisations to co-design and implement support for consumers in Scotland experiencing affordability issues. There is also a requirement on CAS to commission an external independent audit for this funding. Overall this funding means that consumers in Scotland will benefit from a similar level of support to those in England and Wales.
25. It was noted that this funding could be delivered in a different way in the future; and that monies could be diverted to non-CABs especially given the current climate around energy costs.
26. The main risk associated with this workplan is having the capacity to deliver all the projects. Discussion then followed on the actual projects to be undertaken. The cost of living was discussed which will also be discussed in the interim strategic plan; characteristics of vulnerable consumers (work of which will form part of Angela's subgroup; and consumer attitudes to net zero.
27. There was then a discussion around reporting and monitoring progress and all agreed that there was a need for the Board especially to monitor and report publically on progress. There was also an agreement that wording needed to be included in the levy workplan around publishing an update on projects.
28. Once the Board approved the workplan, it would be sent to BEIS and they then submit to Ministers with responsibility for energy and post. Once the funding allocation is approved, the workplan can be published.
29. As water is devolved, the process is to send the workplan to the Scottish Government Water team who will authorise it and Scottish Water will pay the relevant levy direct to Consumer Scotland.
30. The Chair mentioned, that in respect of net zero, it needs to be made clear in the workplan the consumer dimension of adaptation.

31. There was also discussion around the terminology of gypsy/traveller and the implementation team agreed to check with the relevant Scottish Government officials.
32. Sam thanked all the Scottish Government and CAS staff who were involved in this workplan. The Chair thanked Sam for all his work.
33. The Board approved this workplan and agreed that it should be sent to BEIS for UKG Ministerial sign off as required to allow BEIS to raise the levy. BEIS require the levy workplan by the end of March. Once approved, the workplan should be published.

Action – Levy workplan in respect of water to be sent to the SG Water team for approval – Implementation Team.

Action - Levy workplan to be sent to BEIS – Implementation Team.

Action – Levy workplan to be sent to APS for publishing – Implementation Team.

Action – Levy workplan to ensure that it is made clear the consumer dimension of adaptation in relation to net zero – Implementation Team.

Action – Liaise with SG officials to confirm the terminology for the gypsy and traveller communities is correct – Implementation Team.

Agenda Item 5 – Partnerships

34. The Chair provided an update on the various CAS meetings. He stated that thanks to Sue and her counterparts in CAS the transition of staff is going very well and all staff have been supported throughout.
35. Senior management at CAS have agreed the phased transition of staff and recognise the benefits of this way of working. The Consumer Scotland Board had tabled a paper suggesting that meetings now occur every four months or so, however CAS are keen to have them more regularly. This is all due in no small part to the building of positive relationships and engaging with stakeholders.

Agenda Item 6 – AOB

36. There being no other business the Chair thanked everyone for their participation and expressed his thanks for all the progress that has been made.
37. The date of the next scheduled Board meeting is 19 April 2022 from 10 am until 12 noon. The meeting will be held in Edinburgh with the venue to be confirmed. However, a “Teams” call has been organised at 10 am for an hour on Tuesday 29 March.
38. The Chair called the meeting to a close and asked everyone to be back at 1.15 pm to start the interim strategic plan discussion session which Jill and Angela would join via “Teams”.

Action – Venue of April Board Meeting to be confirmed – Implementation Team

Consumer Scotland Implementation Team, March 2022