

CONSUMER SCOTLAND BOARD MEETING

Tuesday 20 September 2022

10.40 am to 12.30 pm

Via MS Teams

Minutes

Board Members Present

David Wilson, Chair

Angela Morgan, Member

Nick Martin, Member

Also In Attendance

Consumer Scotland:

Sam Ghibaldan, Chief Executive

Sue Bomphray, Director of Operations

Hilary Tennant, Governance and Corporate Services Manager

Kate Morrison, Head of Energy (informal session)

Polly Mazurkiewicz (secretariat)

Apologies

James Walker, Member

Welcome and Declaration of Interest

1. The Chair welcomed everyone to the meeting and introduced Polly Mazurkiewicz (PM) who would be taking forward secretariat duties for the Board.
2. The Chair asked for declarations of interest to which Nick Martin (NM), declared that, in his capacity as a director of Beer52 Ltd, on 24 August he had a meeting (online) with BEIS to discuss details of forthcoming legislation on consumer protection, with particular reference to subscription contracts. NM noted that he disclosed that he was a Board Member of Consumer Scotland (CS) at the outset of the meeting, but was acting in his capacity as a Beer52 Ltd director.
3. The Chair thanked NM for his declaration, noting the importance of doing so. The Board agreed that this did not pose any issues.
4. On behalf of the Consumer Scotland Board and staff, the Chair recorded condolences on the death of HM The Queen.

5. In the context of upcoming political party conferences, the Chair reminded members of their obligations, as public appointments, to remain politically neutral, and signposted members to the relevant guidance.

Minutes from the Previous Meeting and Action Tracker

6. The Board approved the minutes of the previous meeting on 16 August.
7. The Action Tracker was presented and updates provided.
8. Sue Bomphray (SB) updated the Board on the outstanding action regarding the Learning and Development plan for staff and it was highlighted that, now that CS was close to a full complement of staff, the organisation would undertake diagnostic work in partnership with CS dedicated HR support, FD People which would identify development needs and next steps. In addition to this piece it was flagged that CS has access to Scottish Government Learning and Development materials, and specific items that may incur cost, such as professional training, were also being considered. Further, there would be learning and development resources made available to the Board.
9. It was noted that a successful off-site all staff 'together day' had recently taken place and where development exercises took place with staff to establish CS culture with all staff able to offer input.
10. Angela Morgan (AM) thanked SB for her update and noted she was heartened to hear the approach being taken to establish the organisation's culture.
11. AM asked about the nature of Consumer Scotland's engagement with the potential Scottish Government working group on the Consumer Duty. It was noted that it was anticipated that CS would be invited to take part in the working group once it was established. It was agreed to have a Board discussion about the Consumer Duty when the conclusions of the scoping exercise were available.
12. The Chair reminded members that the formal process of Board annual appraisal was due and that meetings would be arranged between the Chair and each member.

Action: update on learning and development to be presented to the next Board meeting

Action: update on the Consumer Duty to be presented to the Board following scoping work

Action: PM to arrange Board appraisal meetings

Chief Executive's Update

13. The Chief Executive set out the significant continuing progress in building Consumer Scotland as an organisation, while noting that we remained in the development phase. He provided an update on current strategic issues for each area within Consumer Scotland.
14. The growth of the organisation was enabling an increasing focus on the cost of living crisis, with several strands of work actively being pursued:
 - Consumer research into the affordability of energy bills. The first phase of this is expected to be complete in October, with quarterly updates for the rest of the year
 - Development of a project to analyse and bring together all aspects of energy support available to consumers. It was noted that this is a change to the programme set out in the levy work plan.
 - Analysis of the impact of inflation on different household demographics. A tool is being developed and should be available soon.
 - An energy-focused blog published on 2nd September, and a further blog planned. The blog posts are factual and evidence based and drawing out the impact on consumers.
 - Working with the Scottish Government to support work related to the First Minister's Energy Summit. It was anticipated that a second summit would be held in the next few weeks.
15. The all staff 'Together Day' had successfully explored culture, strategic positioning, and the organisation's mission, vision, and focus statements.
16. Planning has started for the upcoming Strategic Plan and annual Work Programme. As previously discussed with the Board, the intention remains to have one work plan that consolidates levy and general work, and a 3 year strategic plan for 2023-26. It was noted that drafts of both documents would be brought to the November Board to allow for publication early in the new year. Following discussion it was agreed that the draft work programme should update stakeholders on any changes made to the published work programme for this year to facilitate an enhanced focus on the cost of living. In discussion it was noted that the Work Programme would require prioritisation based on evidence.
17. It was intended to establish an internal Technology Steering Group to manage upcoming technology projects including the Consumer Advice Referral Tool, and projects in post and water. James Walker has agreed to chair the Steering Group given his expertise. The Chair noted that this approach would help deliver value for money and provide confidence that technology projects were fit for purpose.

18. The Operations Directorate were leading the development of a management information approach that captured programme objectives, milestones, risks, costs and progress in a single database that could be used to provide reports for a range of purposes. The Board welcomed the efficiency of this approach and the programme update paper provided. It was noted that this was still under development and further iterations would include assurance on project progress.
19. The Board discussed the First Minister's Energy Summit which was held on 23rd August that the Chair attended. The Chair noted it would be useful for the Board to receive an update on the energy landscape from Kate Morrison, Head of Energy (KM).
20. In discussion it was noted that Consumer Scotland's continuing development, and the appointment of the Chief Executive, meant that the role of the Board had changed in comparison to that it had performed during the pre-vesting period. It was agreed that it would be helpful to review governance documents to ensure this was sufficiently clear.

Scottish Government Budget Meeting Update

21. The Director of Operations updated the Board on the recent budget meeting with the Scottish Government. It was noted that Consumer Scotland had received positive feedback from the Scottish Government on pushing forward its agenda on cost efficiencies around shared services.

2022-2023 Budget Update

22. The 2022-2023 budget update paper was presented to the Board by SB. It was flagged that the paper had also been discussed at the Audit and Risk Committee of the same date and no further comments were noted.

2023-2024 Budget Meeting Update

23. The Director of Operations updated the Board on the financial position for 2023-2024. We plan to submit our funding requirement for 2023-24 to the Scottish Government following further refinement of the draft budget. It was noted that while the budget was currently being managed centrally, individual business areas would take on some responsibility for budget lines in the next Financial Year.

Action – the next iteration of the draft budget for 2023-24 to be shared with the Board

Committees Update

24. The Director of Operations set out our intended approach to establishing Advisory Committees to the Board and asked members for their feedback on the draft terms of reference of the Energy Consumers Committee. This would be used as the basis for future Terms of Reference. The intention was to ensure that the expectations of committees were clearly set out, alongside governance and conduct requirements. The Board agreed to provide comments following the meeting.
25. The Chair noted the importance of recognising the difference between standing and advisory committees. They share some common principles and expected behaviours, but it is reasonable for there to be variance between the terms of reference of different committees. He approved the direction of travel with the Terms of Reference.

Action – Board members to feedback on ToR to SB

Board Handbook Review

26. The draft Board Handbook was shared with members. The handbook is being prepared in partnership with the organisations legal advisors, MacRoberts, to support the Board in understanding its legal, statutory, and wider duties within the context of the public sector and consumer landscape. To ensure the handbook meets their needs, the Chair asked members to review the document in detail following the meeting, and to offer feedback to support in the final drafting stages.

Action – Board to provide feedback on draft handbook by email. PM to circulate.

AOB

27. Hilary Tennant (HT) updated the Board that as a public body, CS has a statutory duty to report on environmental emissions targets by the end of November 2022. HT flagged that a policy will be taken to the November Board meeting for approval.
28. It was agreed to hold an informal discussion later on the same date to allow the Board to receive a briefing from on current energy issues from the Head of Energy.
29. The meeting ended.