



Scottish Criminal Cases  
Review Commission

# BEST VALUE REVIEW

## 2023-24

31 March 2024

Scottish Criminal Cases Review Commission

## 1. COMMITMENT & LEADERSHIP:

- a commitment to delivering better public services and functions year on year, and acceptance of the key principles of accountability, ownership, continuous improvement and transparency
- Executive and Non-Executive leadership and senior managers have developed a vision of how Best Value principles will contribute to the corporate goals of the organisation which informs the direction of activities and is communicated effectively to staff
- a commitment to high standards of probity & propriety as befits a position of public responsibility

### SELF ASSESSMENT AGAINST CORE PRINCIPLES

### ACTION REQUIRED

#### STRATEGY & VISION

- Executive and Non-Executive leadership are involved in setting strategic directions and there is a mechanism for internal scrutiny by Executive and Non-Executive leadership of performance and service outcomes.
- Overall strategic priorities are informed by a good understanding of the needs of the organisation's stakeholders and the setting of priorities and assessment of performance against relevant targets is undertaken with transparency.
- Executive and Non-Executive leadership have discussed, agreed and taken ownership of a vision (i.e. set of expectations) of where they see the organisation in 3-5 years.
- Senior managers communicate the Executive and Non-Executive leaderships' vision and expectations methodically throughout the organisation in terms that are relevant to and set out clear expectations to staff.

#### SELF ASSESSMENT:

- Overall responsibility for setting the Commission's strategic direction rests with the Board through the interpretation of the Commission's role and remit as set out by section 194A of the Criminal Procedure (Scotland) Act 1995 and related legislation and governance documentation. The strategic direction is normally set out by means of agreed strategic aims, approved by Scottish Ministers, and a subsequent 3-year Corporate Plan which sets out the Commission's vision and mechanism for delivering its strategic aims.
- Strategic priorities are clearly informed by the needs of stakeholders who the Commission engage with on a regular basis. This engagement includes, direct consultation with applicants and their representatives and regular consultation with other interest groups and stakeholders.
- The current 3-year Corporate Plan for 2022-25 also aligns the Commission's activities with the National Performance Framework and is compliant with the format set out within the Framework Document. The Commission also produces an annual Business Plan which reflects the priorities set out within the Corporate Plan and clearly sets out the specific objectives to contribute to the achievement of the strategic aims.
- There are established mechanisms in place which provide a consistent method of scrutinising performance and service outcomes. Internally these focus on regular Board reporting by the Chief Executive and Director of Corporate Services on key performance areas and service delivery. Review of performance and subsequent directives from the Board are clearly recorded through the minutes of Board, Policy and Audit Committee meetings and it is the responsibility of the Commission's Chief Executive and Director of Corporate Services to take these forward.
- All Board directives requiring action are immediately considered by the staff group who meet on a monthly basis, usually within 4 working days of the

1.1

Board meeting. These meetings have formal agendas which identify agreed actions from the preceding Board meeting and are minuted and responsibility for individual actions clearly recorded and monitored. This creates an appropriate mechanism for facilitating implementation of agreed directions. The Commission's Business Plan Objectives are also a standing item on the agenda for these meetings to ensure a focused approach to performance and service outcomes. The Business Plan Objectives Report is also considered quarterly by the Board.

- Staff involvement and contribution to the achievement of both strategic aims and business plan objectives is clearly recognised through consultation in the business planning process and alignment of individual forward job plans and training plans to these objectives.

## PLANS & PRACTICES

- Objectives and targets in such statements, strategies and plans are realistic and achievable, are matched to financial and other resources and are explicitly translated into clear responsibilities for implementation.
- Objectives and targets clearly show how the organisation is working with major partner organisations to provide joined up services that meet stakeholder and community needs in the most effective manner.
- Organisations whose leadership demonstrates a contribution to sustainable development will have considered the social, economic and environmental impacts of activities and decisions both in the shorter and longer term. These impacts will be clearly articulated across all of the organisation's plans and strategies at a corporate and operational level.
- There is an explicit and systematic approach to integrating continuous improvement into everyday working practices and involving staff in developing the organisation's approach to Best Value at all levels.
- There are mechanisms within the organisation to develop leadership skills and that Executive and Non-Executive managers in leadership roles have the key skills and exhibit the behaviours which make them highly effective.

## SELF ASSESSMENT:

- The Commission adopts a SMART approach to objectives which are set as a means of making them both realistic and achievable. In translating the strategic aims into business plan objectives, the Chief Executive and Director of Corporate Services will fully consider all resource implications associated with achievement of these objectives and clear responsibility for implementation is recorded in the business plan.
- Stakeholder and partner focus is clearly demonstrated within the current Corporate Plan and Business Plan, with specific objectives relating to engagement and joined up/shared services. The needs of the associated community have also been considered through the Commission's alignment with the National Performance Framework and six key outcomes.
- The Commission's ability to contribute to sustainable development has been considered and focuses primarily on its role as a responsible employer with policies and procedures promoting staff development, career and earning opportunity, education, equal opportunities and environmental responsibility. All of these areas are reflected in business plan and personal objectives.
- The Commission's commitment to continuous improvement is clearly demonstrated through the ongoing review and update of core operating policies, procedures and systems. All reviews are undertaken through critical examination, reflecting best value ethos, and subject to the involvement of staff at all levels, i.e. through staff, legal officer and management team meetings.
- The Commission is committed to the training and development of both Members and Staff. The formal mechanism is supported by the Commission's Staff Training & Performance Policy, as well as documented induction programs for all levels.

## TRANSPARENCY & ACCOUNTABILITY

- Executive and non-Executive leadership ensure accountability and transparency through effective internal and external performance reporting.
- Key discussions and decision-making are undertaken in a transparent and accessible way.
- Executive and non- Executive leadership ensure that their decision-making processes are open and transparent, with the organisation's business managed in a manner which supports accountability and where the reasoning which underpins formal decisions is clearly documented and traceable.
- Appropriate policies on fraud prevention, investigation and 'whistleblowing' are established.

## SELF ASSESSMENT:

- The Commission has established mechanisms in place for clear, accountable and transparent internal and external performance reporting which include: cycle of performance reporting to the Board and Audit Committee; quarterly detailed performance reporting to Justice Directorate; production of a detailed annual report and separate accounts document; production of publication scheme minutes for Commission meetings. In addition, the Commission's website reports performance on an ongoing basis and discloses information in accordance with the duties to publish information as set out by the Public Services Reform (Scotland) Act 2010.
- All discussion and decision making at Board level is minuted and covered by the publication scheme. This is with the exception of detailed case related discussions. In this case summary and anonymised information is provided on decisions taken before publication on the website.
- External scrutiny by way of annual internal and external audit reviews assess and provide assurance on these decision making mechanisms and trails. External scrutiny of case related decision making is ultimately provided by the courts and legal profession.
- The Commission has in place an appropriate Fraud Policy, relevant to the size and structure of the organisation. This is reviewed annually as part of the internal controls assurance statement process. The Fraud Policy is fully supported by a documented Fraud Response Plan and a separate Whistleblowing Policy is also in place which forms part of the Staff Handbook.

## Summary of Action Points:

- 1.1 By 30 September 2024 to identify and consider further methods of evaluation performance and achievement of strategic aims and objectives, within the context of ongoing stakeholder engagement and the Commission's research and development activities.
- 1.2 By 30 June 2024 to extend quarterly reporting to the Board to included detailed quarterly business plan implementation performance reports.

**OVERALL SUMMARY CONCLUSION: WELL DEVELOPED**

## 2. SOUND GOVERNANCE AT A STRATEGIC & OPERATIONAL LEVEL:

- a framework for planning and budgeting that includes detailed and realistic plans linked to available resources to achieve the organisation's goals
- effective performance management systems, which include the use of external comparison, through which performance issues can be identified, monitored and addressed

### SELF ASSESSMENT AGAINST CORE PRINCIPLES

### ACTION REQUIRED

#### STRATEGY

- The organisation has developed a corporate plan taking account of statutory responsibilities and the Scottish Government's priorities and policy statements which is translated into targets and specific actions to be carried out at both corporate and operational levels.
- At the operational level there are clear, cohesive plans across the whole organisation that direct and support policy development and service delivery both internally and through delivery partners, as appropriate.
- Where delivery is through others, a robust framework of corporate governance is in place to manage delivery. This includes clear statements of roles and responsibilities in each body; a hierarchy of objectives and targets, aligned to the sponsor bodies' objectives (where appropriate) and a system of performance and risk management and reporting.
- There is an Information Governance framework in place that defines the means by which the organisation efficiently plans, creates, collects, organises, uses, controls, disseminates and disposes of its information (both structured records and unstructured information) and is done with proper regard to security and confidentiality.
- The value of its information is exploited appropriately, both in support of the organisation's internal operations and in adding value to the services it delivers.

#### SELF ASSESSMENT:

- The Commission has in place a Corporate Plan for the period 2022-25 which clearly translates its statutory responsibilities and agreed strategic aims into meaningful plans and objectives. The Business Plan supports the Corporate Plan and sets out specific actions and business plan objectives which will directly contribute to the achievement of the corporate aims.
- The Commission's Business Plan provides clear and cohesive plans which support service delivery in its entirety and also align closely to the Scottish Government's person centred and trauma informed approach.
- The Commission has in place good governance practices and procedures which include an effective performance management system and an appropriate system for risk management. In addition the Commission also makes use of contractual arrangements governing areas of high spend.
- The governance system comprise core policies and documents including: Corporate Plan; Business Plan; Framework Document; Risk Management Strategy; Codes of Conduct for both Members and Staff; and Fraud Policy. There is also a direct and clear link between the Commission's Corporate Plan, Business Plan, Statutory Function and Strategic Aims, as agreed by Ministers. Responsibilities are also clearly defined throughout the Framework Document and job descriptions as well as being clearly associated to business plan objectives.
- The Commission recognises the value of the information it both receives and produces, not only with regard to the case review process, but also in terms of continuous improvement. A fully developed case management system is in place for the case review process, which is supported by a formal

2.1

system of information management linked to the Commission's Protection Policy, Data Retention Policy, Publication Scheme and Records Management Plan. The role of Information Officer has been formally assigned and data/information security policies and operational procedures are in place and have been subject to ongoing testing.

- The Commission also utilises information gathered in order to add value to the service it delivers. This includes the development of and implementation of an ongoing internal research programme, providing value to all stakeholders, as well as to assist in the critical evaluation and improvement of core operating procedures.

#### PLANS & PROCESSES

- Other key processes are linked to or integrated with the planning cycle, including strategic analyses, stakeholder consultations, fundamental reviews, performance management, staff appraisal and development schemes, and public performance reporting.
- The organisation's financial, human and operational resources are matched to its priorities through the integration of its service and budget planning processes.
- Quantitative as well as qualitative indicators that allow performance to be assessed are formulated as part of the planning process and senior management regularly receives information that allows them to inform Executive and Non-Executive leadership of progress made.
- Action is taken in the next planning cycle to learn from success and failure and address areas of under-performance.

#### SELF ASSESSMENT:

- The Commission has in place planning cycles for all key reporting and performance information which include a full list of responsibilities with the Justice Directorate, a Board Terms of Reference and reporting cycle and an Audit Committee Terms of Reference document. These planning documents set out the timetable of events throughout the financial year which are then integrated within business plan objectives and employee forward job plans.
- The Commission produces a 3 year summary budget for the purposes of its Corporate Plan. This is reviewed and updated in December each year, through full reference to planned activities, assessment of resource requirements and established budget methodology, in order to discuss requirements with Scottish Government in detail. This approach provides a strong framework for quantitative performance measurement.
- Performance of planning cycles and timetables are subject to regular review in order to improve for future cycles. In particular the annual accounts process, co-ordinating internal audit, accountancy services, external audit, Audit Committee reporting and sign off of internal controls assurance and annual accounts processes, is actively reviewed with all key parties in order to access both failures and successes in the planning cycle and improve this for the following year.
- Stakeholder consultation is taken forward in a number of ways which include direct and ongoing consultation with applicants and their representatives, ongoing engagement with peer groups and targeted consultation with specific interest groups as part of information events. This has been enhanced further through the development of the latest Engagement Strategy and subsequent survey interviews being taken forward. The outcome of all consultation is fed into the forward planning process in terms of development both strategic aims and business plan objectives.

#### PERFORMANCE

- Performance is systematically measured across all key areas of activity.
- The organisation knows the key processes that determine the delivery of a customer centred, cost-effective approach.
- Where appropriate, a performance management framework for the organisation extends throughout the structures of delivery in order that the system can track the high level objectives through to final delivery outputs and outcomes.

- The organisation's performance management system is based on a culture of constructive challenge that is effective in addressing areas of under-performance, identifying the scope for improvement, agreeing remedial action, and monitoring implementation.
- Performance information is accurate, up to date, includes relevant trends, comparisons, standards and targets, and is rigorously monitored on a regular basis.
- Comparative analyses are systematically used in order to identify the organisation's performance potential and to learn from others as appropriate, including other public sector organisations, local authorities, commercial organisations, and not-for-profit organisations.
- Performance is reported upon systematically to management, Executive and Non-Executive leadership, users and the public. The information provided in each case is relevant to its audience and clearly shows whether strategic and operational objectives and targets are being met. The reports are honest and balanced, and include information about what improvements are required during the forthcoming period.

#### **SELF ASSESSMENT:**

- Performance is formally measured and reviewed on a monthly cycle by means of monthly case related statistics, monthly individual legal officer statistics linked to allocations and business plan objectives implementation through review by Management Team. In addition, informal performance measurement is undertaken on a daily basis as part of the staff management process. Financial performance is formally monitored and reported on a quarterly basis to the Board and sponsor team, as well as on a monthly basis directly with Scottish Government's Finance Justice Team.
- The Commission's remit and key processes are very specific and clearly defined. The performance measures relating to key process are clearly communicated to all staff and form the basis for personal objectives as verified through the internal audit review of the staff appraisal process.
- The performance management system and the culture of performance reporting is under continuous challenge, primarily through the corporate and business planning processes, whereby the Board access and agree recommendations from management in respect of specific goals, targets and objectives and the level of challenge that these represent. This is particularly evidenced through case related targets governing the Commission's core business which are actively reviewed on an ongoing basis to ensure that they continue to be challenging and deliver an appropriate level of service to stakeholders.
- All standard performance reporting shows clear trends over time, including monthly statistics, quarterly statistics and finance reports and all annual statistical reports published within the annual report. The accuracy of these is controlled through management checking and independent audit review prior to the signing off of the annual report and accounts.

#### **Summary of Action Points:**

**2.1 By 31 March 2025, undertake an internal review of governance arrangements to identify, inform and implement improvements to the overall assurance and performance reporting framework.**

**2.2 By 31 March 2025, undertake a full review of the Commission's information governance policies and procedures to ensure that these remain appropriate, robust and compliant with all related legislation.**

**OVERALL SUMMARY CONCLUSION: WELL DEVELOPED**

### 3. ACCOUNTABILITY:

- Clarity of reporting structures, responsiveness to stakeholders (including the public, funders, Ministers and Parliament) and accessibility, including the use of public performance reporting so that stakeholders are told about the quality of activities being delivered and what they can expect in the future

#### SELF ASSESSMENT AGAINST CORE PRINCIPLES

#### ACTION REQUIRED

- The content and approach of organisations' public performance reporting is easy to understand, concise, relevant and accessible.
- The organisation has identified what information stakeholders need in order to form a view on the performance of the organisation. It recognises that different sections of the community will have different needs in terms of receiving and accessing information and responds accordingly.
- The organisation provides information which allows the public to see that it is spending its money efficiently and effectively.
- The organisation has an effective feedback system which encourages stakeholders to comment on the information and mechanisms of public performance reporting, and ensures this feedback is reviewed regularly to inform improvement activities.

#### SELF ASSESSMENT:

- The Commission has in place an established system of public performance reporting which comprises annual report and accounts, published in June each year, monthly website updates in relation to key statistics and service standard performance, and a publication scheme which provides for the publication of all non-case related matters presented to and discussed by the Board and the Audit Committee. In addition, the Commission publishes an annual business plan which contains a full breakdown of performance for the previous reporting period.
- The format, content and accessibility of performance information is subject to annual review in order to enhance its relevance to particular recipients.
- The format of the annual accounts produced by the Commission is governed by public sector accountancy standards and guidelines. The full set of accounts is published on-line and made available upon request. The Commission has never received any requests for this information in any alternative formats.
- Feedback is sought more generally from all interested parties through email links on the Commission's website.
- In line with the Public Services Reform (Scotland) Act 2010: Duties to Publish Information, the Commission publishes the required financial and governance information on a specific page on its website in June each year. In addition, the Commission commenced reporting senior salaries via the website in 2010 ahead of the statutory requirement. In addition, the Commission discloses annual compliance with gender equality legislation.

#### OVERALL SUMMARY CONCLUSION: WELL DEVELOPED



#### 4. SOUND MANAGEMENT OF RESOURCES:

- making the best use of public resources, including employees, ICT, land and property and financial resources - keeping a considered and appropriate balance between quality, sustainability and cost
- that the organisation has a procurement strategy for procurement and the management of contracts (and contractors) which treats procurement as a key component in achieving its objectives
- it is conscious of being publicly funded in everything it does; it has regard to obligations under state aid rules; and it is aware of the need to conduct its business in a manner which demonstrates appropriate competitive practice
- the requirement to keep trading accounts under proper accounting practice is observed where appropriate to the organisation's activities, in order to provide a transparent audit trail

#### SELF ASSESSMENT AGAINST CORE PRINCIPLES

#### ACTION REQUIRED

##### RISK MANAGEMENT

- There is a systematic approach to risk management in relation to the organisation's resources and, where appropriate, it is cascaded down into structures of delivery.
- The organisation has a systematic approach for identifying and managing risks in relation to workforce matters. This may cover such issues as health and safety, business continuity and public safety.

#### SELF ASSESSMENT:

- The Commission's current risk management system was approved by the Board following a full risk workshop in 2023. This system for managing corporate risk has adopted a "top 10" approach which provides a more focused approach for monitoring and managing the highest level risks affecting the Commission and its achievement of corporate aims and objectives. The system also sets out clearly the control actions to be undertaken in order to mitigate or reduce the impact/likelihood of the risk materialising. The system is integrated within the Commission's structures and is subject to continuous review by the Management Team, Staff Group, Audit Committee and Board.
- Risk management is a standing item on all Audit Committee meetings and following the approval of any updates the corporate risk register is reported to the next meeting of the Board for further consideration.
- Risks associated with workforce matters such as H&S and Business Continuity are specifically addressed within the Corporate Risk Register. In addition, the Commission has in place a comprehensive Business Continuity Plan which has been subject to regular update and testing.
- During 2023-24 the management team have put in place detailed succession planning arrangements which now integrate with both the risk management and business continuity planning arrangements.

4.1

## REVIEW

- Executive and non-Executive leadership and senior managers regularly review the management of resources across all activities.

### SELF ASSESSMENT:

- The management of resources is subject to continuous review within the Commission through established mechanisms. The Board receive quarterly reports on financial resources, staffing and case volumes as well as ongoing reports in relation to specific activities and performance against key indicators
- The staff group consider the management of resources on a monthly basis, with specific attention on the achievement of business plan objectives as set out within the Corporate Plan and Business Plan.
- Best Value is a standing item on Audit Committee agendas before being reported upwards to the Board.

## STAFF

- Employees are treated as a key strategic resource and the organisation ensures that it has the organisational capacity to implement its plans and make full use of its staff. Staffing requirements are explicitly related to strategic and operational objectives in terms of numbers, skills, knowledge, deployment, and organisational structure.
- The organisation ensures that all employees are managed effectively and efficiently, that they know what is expected of them, their performance is regularly assessed, and they are assisted in improving.
- Staff feel that they are valued and that their skills and knowledge are used effectively and to the full.

### SELF ASSESSMENT:

- Staffing is a standing item on quarterly sponsor team agendas, whereby the appropriate level of resource to deliver the Commission's plans and effectively discharge case volumes is considered. Case projections are updated on a regular basis and staffing numbers and structures are directly linked to these plans.
- All staff at the Commission are managed directly by either the Chief Executive or Director of Corporate Services. An established system of staff appraisal and performance management is in place which involves twice yearly appraisals. Forward job plans are in place for all staff which contain SMART objectives directly linked to the achievement of Business Plan Objectives. Training plans are also in place which link training need to the achievement of both personal and Business Plan Objectives.
- Staff opinion is sought on an ongoing basis and staff meetings are held monthly. In addition, all staff have direct access to their line manager, the Chief Executive or the Chairman. The Commission's internal auditors concluded an independent staff survey during 2023-24 as a follow up to the previous survey in 2018-19, to obtain feedback from staff post-pandemic, considering issues such as office and hybrid working.
- The Commission has developed a new Staff Wellbeing Strategy during 2023-24, demonstrating its commitment to staff wellbeing and development.

4.2

## ASSETS

- The organisation ensures that fixed assets are managed efficiently and effectively, and takes account of factors such as availability, accessibility, utilisation, cost, condition, and depreciation.
- It is important that public sector organisations have strategies that match their asset base (including infrastructure, land property, vehicles, plant equipment, materials, information and communications technology) to their objectives in terms of suitability and sustainability and support this by developing asset management plans as a matter of good practice.

### SELF ASSESSMENT:

- The Commission has in place a detailed Asset Management Plan which focuses primarily on accommodation. As part of this plan a full review of premises was undertaken in 2018-19 in line with the concluding lease at Portland House. This resulted in the office move in October 2019 following a negotiated settlement with the existing landlord as overseen by Scottish Government's Property Team.
- Other assets comprise primarily of office equipment and these are all individually itemised and recorded on the Commission's Asset Register.
- Assets are capitalised at a value of £1,000, tagged and recorded on the Asset Register. The Commission also has appropriate depreciation policies in respect of capitalised assets as set out within the notes to the annual accounts.
- The Asset Register is updated on an ongoing basis and a full review of the register is undertaken on at least an annual basis, prior to completion of the annual accounts. Independent checking of the register and depreciation policies is undertaken by external audit.

## PROCUREMENT

- The organisation has a strategy for procurement and the management of contracts and contractors to ensure that it treats procurement as a key component in achieving its objectives, including those relating to sustainable development, equalities and health and safety, as well as a means of finding the most cost effective method for securing the quality of assets and services it needs. It ensures that the framing of specifications and the vetting of suppliers is consistent with these objectives.
- When competitive tendering, procurement procedures place the minimum possible burden on suppliers consistent with the achievement of Best Value through effective competition.
- Procurement procedures are efficient and best use is made of e-procurement.

### SELF ASSESSMENT:

- The Commission by the nature of its main function does not undertake significant procurement activities. Currently all procurement activities are regulated by existing internal financial procedures, the Framework Document and Government Accounting, all of which the Commission complies with. One-off procurement activities are undertaken through consultation with procurement expertise available through Scottish Government and in compliance with Best Value principles.
- The Commission has in place a detailed Procurement Policy which provides further clarity and guidance over the procurement process.
- In achieving Best Value and good practice in procurement, the Commission utilises Scottish Government Framework Contracts where these are beneficial.
- The Commission has developed a comprehensive Contracts Register in compliance with Procurement Reform (Scotland) Bill.

## FINANCIAL STEWARDSHIP

- An effective system for financial stewardship and reporting is maintained.

### SELF ASSESSMENT:

- The Commission has an effective system in place for financial stewardship and reporting which primarily utilises the SEAS system in addition to internal financial procedures and information. A clear purchase ordering system is in place with effective records to demonstrate authorisation routines and delegated authority.
- A process of monthly account reconciliation is undertaken in-house and full verification to SEAS accounting is done. The Commission completes quarterly financial reports in a format which is both appropriate for the size of the organisation and as agreed with Scottish Government.
- Full annual accounts are completed in April each year before full external audit, sign off and publication by June each year. No material findings have been raised by the external auditors since the Commission was established.

## SHARED SERVICES

- The organisation is aware of the cost and performance of its support services and how this compares to industry standards and leaders.
- The organisation has evaluated and assessed opportunities for efficiency savings and service improvements through sharing initiatives with partners.

### SELF ASSESSMENT:

- The Commission receives comparative support service data from the NDPB Finance Directors Group on a regular basis in order to benchmark where appropriate. This is undertaken where proportional to the activities undertaken by the Commission, given its size and overall budget.
- As part of the efficiency agenda the Commission has continued to assess all core services from a best value perspective.
- Shared service opportunities are researched routinely as part of the procurement process and prior to the renewal of any service contracts. The Commission currently utilises a number of shared service/framework contracts with this being the first point of reference in any new procurement activities.
- The Commission has commenced sharing its meeting spaces with other public bodies – this is currently done at no cost to the Commission and provides assistance to organisation with limited accommodation or those set up virtually.

### Summary of Action Points:

**4.1 By 30 June 2024, provide a quarterly risk update to the Board to compensate for delays in reporting as a result of changes to Audit Committee meeting cycles.**

**4.2 By 31 December 2024 to consider the results of the latest independent staff survey and put together plans to address any perceived issues.**

**OVERALL SUMMARY CONCLUSION: WELL DEVELOPED**

## 5. RESPONSIVENESS & CONSULTATION:

- responsiveness to the needs of its stakeholders, citizens, customers, and employees, so that plans, priorities, and actions are informed by an understanding of those needs
- an ongoing dialogue with public sector partners, sponsor departments (if appropriate), and the relevant business, voluntary and community sectors
- consultation arrangements which are open, fair and inclusive

### SELF ASSESSMENT AGAINST CORE PRINCIPLES

### ACTION REQUIRED

#### STAKEHOLDERS

- Executive and Non-Executive leadership and senior managers recognise the diversity of their customers and stakeholders, (and formally identify them) as appropriate.
- Stakeholders and partners feel that the organisation listens to, and takes account of, their views and are provided with information about the actions taken through transparency in the decision-making process and performance reporting.

#### SELF ASSESSMENT:

- The Commission recognises its stakeholder groups as follows: applicants and potential applicants; applicant's representatives; the High Court; the Scottish criminal justice system and agencies within it; Scottish Ministers and the Scottish Government; the Scottish Parliament; and members of the public. Interaction with all stakeholder groups is based on an understanding of their individual needs and diversity.
- All applicants and their representatives are canvassed for opinion on the Commission's services. A new Engagement Strategy was put in place during 2023-24 and as part of this a system of stakeholder feedback has been established.
- The Commission also works closely with the CCRC, NCCRC and NZCCRC as a means of comparing practices and performance. A formal exchange programme has been established with CCRC as a means of identifying and sharing good practice as well as taking forward peer review and creating training opportunities for staff.

5.1

5.2

#### CONSULTATION

- An effective and accessible complaints system is in place.
- A systematic approach is in place for co-ordinating consultation exercises and sharing information (as appropriate within legislative constraints and guided by organisational operating context) within the organisation and with other bodies; and linked this into its regular planning cycle and uses the results of this work in planning, designing and improving services and policy.
- Consultation exercises have clear objectives in terms of what the organisation is seeking to find out and result in clear recommendations for action

(including maintaining the status quo where appropriate.)

- The organisation reviews systematically the effectiveness of its approach to consultation to ensure that these deliver the required outcomes at a reasonable cost.

#### **SELF ASSESSMENT:**

- The Commission has in place an established complaints system comprising a documented Complaints Policy and Procedure. Both documents are available directly from the Commission or via the website. Details of all informal and formal complaints are recorded internally and all formal complaints, along with the resolution process, are reported annually within the annual report.
- The Commission has committed to become more actively involved in legal reform consultations within its Corporate Plan 2022-25. All invitations to participate in consultations are directed to the Board in the first instance to establish the appropriateness and value in participation. Thereafter involvement in any consultation exercise, including Commission representation and formulation of responses is delegated to the appropriate officers.
- The Commission continues to identify within its annual business plan objectives its commitment to participation in relevant consultation exercises.

#### **Summary of Action Points:**

**5.1 As a means of enhancing service levels with key stakeholders, consideration be given to establishing key service standards which can be measured, monitored and reported upon.**

**5.2 By 31 December 2024, commence the production of annual comparative performance reports, where possible, with peer organisations in order to gauge overall performance which can be reported to the Board.**

**OVERALL SUMMARY CONCLUSION: WELL DEVELOPED**

## 6. USE OF REVIEW & OPTIONS APPRAISAL

- an approach to review that is rigorous and robust with no areas of work excepted from consideration for review
- review activity achieves quantifiable benefits for key stakeholders accepting that change may be necessary
- services are expected to remain effective and efficient and to provide consistently good and sustainable service quality. In considering opportunities for improvement, a fair and open approach will be taken in evaluating alternative forms of service delivery from whatever the sector, and opportunities for sharing services with other organisations taken into account
- review activity should include review of the methods of policy development and arrangements for delivery through others as well as review of in house service delivery itself

### SELF ASSESSMENT AGAINST CORE PRINCIPLES

**ACTION  
REQUIRED**

#### REVIEW ACTIVITY

- It is conducted on a regular basis and becomes integrated into the organisation's management arrangements.
- It covers significant topics where current policies and approaches are challenged explicitly (including economic, social and environmental perspectives) and are justified if retained / changed.
- It is monitored by senior management in terms of progress in implementing recommendations / actions on a regular and systematic basis.
- It is validated on a systematic basis to ensure consistency, efficiency, continuing relevance and delivery of improvements.

#### SELF ASSESSMENT:

- The Commission makes extensive use of internal performance review and evaluation of its key procedures and performance areas, as linked to the key objectives, defined within the Commission's 3-year Corporate Plan. Performance review is primarily taken forward by the Chief Executive and Director of Corporate Services, with outcomes presented to the Board, Staff and Justice Directorate at regular intervals. These outcomes are used to inform subsequent changes to procedure in order to enhance performance.
- Review activities are further coordinated through the Business Plan, whereby corporate aims and objectives form the basis for specific business plan objectives. Progress and implementation of these objectives is a standing item on management team meetings and is regularly reported to the Board as well as formal quarterly objectives reports to Justice Directorate.
- The Commission also relies heavily on external and independent validation of its performance and review activities, primarily through the internal and external audit plans. The Commission continues to receive high levels of assurance from audit reviews in respect of both its control environment and performance/review activities.

## STAKEHOLDERS

- It looks ahead to understand how stakeholder needs and expectations may change in the future due to the demographic, natural, cultural and socio-economic factors.
- Where appropriate, it recognises the value of working with its wider stakeholders and partners to achieve more effective and sustainable policy development and service delivery.
- It is able to demonstrate that the views of stakeholders have been taken into account in analysis and developing recommendations. This may include consultation exercises, having stakeholders as part of the review team and engaging staff and trade unions in the process.
- It involves Executive and Non-Executive leadership at key stages and ensures that Executive and Non-Executive leadership approve the overall process and policies.
- It should take account of any guidance/approach agreed with sponsor departments and/or internal management as appropriate.

### SELF ASSESSMENT:

- The Commission obtains information on its stakeholders from a number of sources in order to understand their needs and interactions with the Commission more fully. The Commission has a new Engagement Strategy in place which identifies appropriate and proportion methods of stakeholder engagement. This also identifies methods of obtaining feedback from stakeholders – during 2023-24 sample interviews commenced with different service users and this will be taken forward during 2024-25.
- Feedback obtained from all sources is considered in detail by the Commission in order to identify areas of improvement and further opportunities for working with partners and collaboration. Outcomes from this work and opportunities for improvement are reported through the Commission's Business Plan update and Annual Report.
- The Commission is also a member of the Appeal Court User Group with meetings attended by the Chief Executive, providing valuable stakeholder feedback.

## SYSTEMATIC

- It is undertaken on a systematic basis and concentrates on identified priorities, and areas where performance may be poor, which are of importance to stakeholders, which are of significant concern to the organisation or otherwise offers clear opportunities for improvements.

### SELF ASSESSMENT:

- The Commission identifies its key priorities for service delivery within its Corporate Plan. Priorities for the 3-year period 2022-25 have been identified as follows:
  - Learning Lesson
  - Engagement
  - Research, Learning and Development
  - Wider Role
  - Legislative Framework
  - Inequalities



- The Commission holds twice yearly policy meetings, which are used as a forum to review current policy and practice, with the aim of continuous improvement. This is considered to be an effective approach to internal assessment and review. Policy meetings are minuted and agreed actions formally taken forward and reported to subsequent meetings.
- The Commission has adopted a formal policy review timetable, which is detailed on the Commission's website and seeks feedback from relevant stakeholders as individual policies come under review. Feedback is considered as part of the review process as well as internally identified performance and legislative related changes. This approach has been enhanced in accordance with Freedom of Information legislation and the Commission's commitment to openness and accountability.

#### QUALITY

- It supports high levels of service quality and secures improvement on a continuing basis. Future demands are clearly addressed.

#### SKILLS

- It is conducted within a consistent corporate approach which ensures that people conducting reviews have the necessary skills, knowledge and aptitudes, and that they themselves are challenged on their findings.

#### CLARITY

- It produces clear recommendations which are based on analysis and evidence of considerations such as cost, quality and the combination of economic, social and environmental impacts.
- It develops actions which are clearly described, in sufficient detail to be readily understood, are clearly explained in terms of importance, relevance and priority, and are realistic and achievable.

#### SELF ASSESSMENT:

- Review and options appraisal work and techniques used by the Commission are clearly proportional to its main function, size, structure and aims. Within its corporate and business planning arrangements there is a high level of consistency in terms of review cycles, evaluation, reporting and formulation of actions and objectives.
- Staff identified to take forward reviews of specific business areas or projects will be selected on the basis of their ability, skills and knowledge to undertake such work. Shortages in skills and experience are addressed through partnership working, whereby the Commission can utilise skills and experience of specific departments within Scottish Government as well as assistance from other key stakeholders.
- Specific reviews and objectives are clearly defined using SMART criteria and plain language. Details of such plans are published within the Commission's Business Plan and Annual Report – both of which are recognised sources for both forward planning and performance reporting.

#### OVERALL SUMMARY CONCLUSION: **WELL DEVELOPED**

## 7. A CONTRIBUTION TO SUSTAINABLE DEVELOPMENT:

- consideration of the social, economic and environmental impacts of activities and decisions both in the shorter and longer term, underpinning the principles of:

- living within environmental limits;
- ensuring a strong, healthy and just society;
- achieving a sustainable economy;
- promoting good governance; and
- using sound science responsibly

### SELF ASSESSMENT AGAINST CORE PRINCIPLES

### ACTION REQUIRED

The goal of Sustainable Development is to enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without comprising the quality of life of future generations. This goal is pursued in an integrated way through a sustainable, innovative and productive economy that delivers high levels of employment, and a just society that promotes social inclusion, sustainable communities and personal well-being. This is carried out in ways that protect and enhance the physical and natural environment, and use resources and energy as efficiently as possible.

- There is a commitment at both Executive and Non-Executive leadership and senior management level to contribute to the achievement of sustainable development.
- Contributing to the achievement of sustainable development is reflected in the organisation's objectives and reflected in all strategies and plans at corporate and operational level.
- These plans, priorities and actions are informed by consultation with stakeholders and the communities affected by the organisation; and by joint working with the organisation's key partners nationally and locally.
- Performance indicators, measures and targets are designed to demonstrate and report on the organisation's contribution to the achievement of sustainable development.
- Review activities take account of sustainability issues and assess the impact of policy proposals on sustainable development.
- Sustainable development requirements are taken into account in the procurement strategy.
- There is a systematic approach to the management of resources which contributes to the achievement of sustainable development.

### SELF ASSESSMENT:

- The Commission's commitment to sustainable development is proportional to its size and nature of business. As a result, activities focus on environmental, resource and procurement activities.
- The Commission's Corporate Plan for 2022-25 identifies the alignment to National Outcome 14 – "We reduce the local and global environmental impact of our consumption and production." Contribution to this national outcome is monitored through the following national indicators:

**7.1**

- *Reduce Scotland's Carbon Footprint*
- *Increase the proportion of journeys to work made by public or active transport*
- *Reduce waste generated*
- 
- These indicators have been specifically incorporated into business plan objectives and form part of the Commission's environmental action plan, which is appended to the Environmental Policy. Progress on environmental matters are monitored and reported quarterly and details published annually within the Commission's annual report. The latest environmental policy commitments include:
  - to reduce energy and minimise waste, paper and water consumption;
  - to minimise the impact of the Commission's travel arrangements on the environment;
  - to purchase products and services with regard to environmental impact; and
  - to ensure staff are aware of and are committed to the duty to reduce the impact of the Commissions operations on the environment.
- In addition to the national indicators, as part of the Commission's environmental action plan, quarterly monitoring of waste, paper usage and energy usage is undertaken in order to assist in the identification of enhanced sustainability. Both the Environmental Policy and subsequent action plan was fully reviewed and comprehensively updated during 2023-25. A new Biodiversity Report was also undertaken and published on the Commission's website.
- The Commission's procurement activities also take into account environmental and sustainability issues. For all goods purchased, an environmental assessment is undertaken as part of the purchase ordering procedure where possible. For larger scale procurement, contractors and suppliers are required to confirm their environmental and sustainability credentials. This is explicitly covered within the Commission's Procurement Policy.

#### Summary of Action Points:

**7.1 By 31 March 2025 to have fully considered the Commission approach to adapting to climate change and set this out within the context of the Environmental Policy on adaptations.**

**OVERALL SUMMARY CONCLUSION: WELL DEVELOPED**

## 8. EQUAL OPPORTUNITIES:

- a culture which encourages equal opportunities and is working towards the elimination of discrimination;
- adopting the meaning of "equal opportunities" as is set out in Schedule 5 to the Scotland Act 1998, namely, "the prevention, elimination or regulation of discrimination between persons on the grounds of sex or marital status, on racial grounds or on grounds of disability, age, sexual orientation, language or social origin or of other personal attributes, including beliefs or opinions, such as religious beliefs or political beliefs"; and
- meets the requirements, as applicable, of present and future equality legislation.

### SELF ASSESSMENT AGAINST CORE PRINCIPLES

### ACTION REQUIRED

- The organisation's objectives are highlighted in all corporate and service level plans including the encouragement of equal opportunities and that all equal opportunities requirements are met.
- The organisation reflects in its planning, designing and improvement of services that different groups within the community have different needs, which must be taken into account to allow them to access those services.
- All leaders and senior officers within the organisation are committed to considering the needs of equality groups in their policies, functions and services, where relevant. Performance measures should be identified on the delivery of equal opportunities and reported to the public.
- The organisation, wherever relevant, collects information and data on the impact of policies, services and functions on different equality groups to help inform future decisions and that it engages with and involves equality groups to improve and inform the development of relevant policy and practice.
- Where the organisation has employees it implements policies that are in line with its commitment to equal opportunities, including training. That a programme of equal pay audits, comparability studies and equal pay reviews of the workforce is carried out. It should be shown that pay and reward systems meet the legislative requirements and that any existing areas of discriminatory practice are being addressed.
- The organisation ensures that it takes whatever action is necessary to meet its obligations under equal opportunities legislation. This includes, where required, the completion of equality schemes and reviewing and reporting on them as required.

### SELF ASSESSMENT:

- Within its Corporate Plan the Commission continues to aligned itself to National Outcome 7 – “We have tackled the significant inequalities in Scottish Society.” The Commission’s contribution to the outcome is set out in the following indicators:
  - 
  - *Promote equality and reduction of discrimination and prejudice.*
  - *Increase number, diversity and attendance at information events.*
  - *Applicant demographic is in line with the Scottish Prison and Crime Statistics.*
  - *Increase visibility and accessibility in line with the Communications Strategy.*
  - *Access to more information via the publication scheme and communication mediums.*
  - *Increase participation in appropriate legal reform consultations.*
  -

- Contribution to all the identified national outcomes and respective indicators is promoted within the Commission's Business Plan, which interprets these into specific objectives. These objectives specifically cover the areas of the Commission's Equal Opportunities Policy, planning and targeting of information events, internal research into applicant demographics, production of a Communications Strategy and the active participation in legal reform consultations.
- The Commission's commitment to equality is set out within its Equal Opportunities Policy which was reviewed and updated in March 2021.
- In compliance with the Equality Act 2010, the Commission produces an Equality Duty Mainstreaming Report every 2 years which sets out its planned activities to promote ongoing compliance with the Act. The report also provides an analysis of the Commission's employee diversity.
- The Commission's employment policies and procedures fully reflect equality of opportunity and have been specifically reviewed as part of the Investors in People process and internal audit review. All employees have equal access to training and development opportunities and all employee forward job plans include an equalities objective as standard. Board Members are also required to undertake equalities training on a regular basis.
- The Commission has a system of equality impact assessment in place for all new and existing policies, procedures and practices. This process formally considers the potential impact of policy decisions on those with protected characteristics and seeks to mitigate/minimise any such impact.
- The Commission recognises the diversity of its applicants and continues to review applicant diversity as part of research activities on an ongoing basis. These reviews specifically compare the Commission's applicants in terms of gender, age and ethnicity with comparable statistics in relation to court disposals and prison populations.
- The Commission is a member of the HTT group and has subsequently put in place revised procedures for language assistance through a collaborative arrangement.
- The Commission has undertaken considerable work in respect of applicants with learning difficulties in order to ensure that its service is fully accessible. As a result, a new "easy read" information leaflet and application form was put in place in 2018.
- Applicant diversity is monitored and reviewed on an annual basis with the results published in the Commission's annual reports along with any agreed improvements.
- The Commission undertook a review of website accessibility during 2023-24. This identified a number of limitations regarding the current website operability and subsequent non-compliances with accessibility standards.

**8.1**

**8.2**

#### **Summary of Action Points:**

**8.1 By 30 June 2024, the Commission will produce and publish an updated Equality Duty Mainstreaming Report in line with the requirements of the Equality Act 2010.**

**8.2 By 31 December 2024, to put in place a new corporate website which is fully compliant with accessibility standards and provides enhanced functionality and the ability to interact with the Commission securely.**

**OVERALL SUMMARY CONCLUSION: WELL DEVELOPED**

## 9. JOINT WORKING:

- a culture which encourages joint working and service delivery with public sector partners, sponsor departments (if appropriate) and the relevant business, social economy, voluntary and community sectors where this will contribute to better services and customer-focused outcomes.

### SELF ASSESSMENT AGAINST CORE PRINCIPLES

### ACTION REQUIRED

- Executive and non-Executive leadership and senior managers actively encourage opportunities for formal and informal joint working, joint use of resources and joint funding options, where this will offer scope for improvement.
- The organisation is committed to working with partner organisations to ensure a joined up approach to meeting the needs of its communities and stakeholders. That where the partnership is involved in joint delivery this includes:

- (a) agreeing respective roles and commitments and areas of collective responsibility;
- (b) integrated management of resources where appropriate;
- (c) effective monitoring of collective performance; and
- (d) joint problem-solving and learning.

- Executive and Non-Executive leadership address impediments and barriers which inhibit integrated approaches to joint funding and joint management of activities with internal and external partners.
- Appraisal of joint working approaches with regard to the projected benefits, takes into account wider policy issues, current agendas and the potential impact on equalities and sustainable development.
- The organisation seeks to explore and promote opportunities for efficiency savings and service improvements through shared services initiatives with partners.
- In joint working with partners (both external and internal, including support services) the organisation works openly to agreed objectives and performance management and reporting mechanisms.
- Where appropriate and possible it shares information and seeks to develop data compatibility with partners.
- Where appropriate, it responds to opportunities to aggregate procurement demand with partners.

### SELF ASSESSMENT:

- The Commission's commitment to joint working is set out at the highest level specifically with the inclusion of the following strategic aim, as published within the Corporate Plan 2022-25; *to work with others to delivery a quality service which is person-centred and trauma informed*. The Corporate Plan also identifies how the Commission will set out to deliver this aim.
- The Commission recognises its stakeholders comprise: applicants and potential applicants; legal representatives; the High Court; the Scottish criminal justice system and agencies within it; Scottish Ministers and the Scottish Government; the Scottish Parliament; members of the public; and staff and Board Members.
- The Commission has a number of Service Level Agreements (SLAs) and protocols in place with other departments/agencies such as Crown Office/Justiciary Office, Police Scotland and the Scottish Prison Service. These arrangements set out clearly the nature of the joint working relationships and define roles, responsibilities and expectations.

9.1

- The Commission continues to explore and promote opportunities for efficiencies considering, where applicable, collaborative procurement arrangements and shared services available within the sector.
- The Commission has in place a detailed Procurement Policy which sets out in detail arrangements for considering where collaborate procurement is appropriate, when Framework Contracts should be considered and identifying opportunities for shared services as a way of reducing both contract cost and procurement resource and expertise.

**Summary of Action Points:**

**9.1 By 31 March 2025, the Commission will review all existing service level agreements and protocols to ensure that these are appropriate and up to date, make recommendations for enhancements and identify further opportunities to formalise protocols with other organisations.**

**OVERALL SUMMARY CONCLUSION: WELL DEVELOPED**



## BEST VALUE ACTION PLAN

### 1. COMMITMENT & LEADERSHIP

Ref:	Action Required:	Responsibility:	Review Date:
1.1	By 30 September 2024 to identify and consider further methods of evaluation performance and achievement of strategic aims and objectives, within the context of ongoing stakeholder engagement and the Commission's research and development activities.	Management Team	30 September 2024
1.2	By 30 June 2024 to extend quarterly reporting to the Board to include detailed quarterly business plan implementation performance reports.	Director of Corporate Services	30 June 2024

### 2. SOUND GOVERNANCE AT A STRATEGIC & OPERATIONAL LEVEL:

2.1	By 31 March 2025, undertake an internal review of governance arrangements to identify, inform and implement improvements to the overall assurance and performance reporting framework.	Management Team	31 March 2025
2.2	By 31 March 2025, undertake a full review of the Commission's information governance policies and procedures to ensure that these remain appropriate, robust and compliant with all related legislation.	Data Protection Officer	31 March 2025

### 4. SOUND MANAGEMENT OF RESOURCES:

4.1	By 30 June 2024, provide a quarterly risk update to the Board to compensate for delays in reporting as a result of changes to Audit Committee meeting cycles.	Director of Corporate Services	30 June 2024
4.2	By 31 December 2024 to consider the results of the latest independent staff survey and put together plans to address any perceived issues.	Management Team	31 December 2024



5. RESPONSIVENESS & CONSULTATION:			
5.1	As a means of enhancing service levels with key stakeholders, consideration be given to establishing key service standards which can be measured, monitored and reported upon.	Management Team	31 March 2025
5.2	By 31 December 2024, commence the production of annual comparative performance reports, where possible, with peer organisations in order to gauge overall performance which can be reported to the Board.	Director of Corporate Services	31 December 2024
7. A CONTRIBUTION TO SUSTAINABLE DEVELOPMENT:			
7.1	By 31 March 2025 to have fully considered the Commission approach to adapting to climate change and set this out within the context of the Environmental Policy on adaptations	Environmental Officer	31 March 2025
8. EQUAL OPPORTUNITIES:			
8.1	By 30 June 2024, the Commission will produce and publish an updated Equality Duty Mainstreaming Report in line with the requirements of the Equality Act 2010.	Director of Corporate Services	30 June 2024
8.2	By 31 December 2024, to put in a place a new corporate website which is fully compliant with accessibility standards and provides enhanced functionality and the ability to interact with the Commission securely.	Director of Corporate Services	31 December 2024
9. JOINT WORKING:			
9.1	By 31 March 2025, the Commission will review all existing service level agreements and protocols to ensure that these are appropriate and up to date, make recommendations for enhancements and identify further opportunities to formalise protocols with other organisations.	Management Team	31 March 2025
Scottish Criminal Cases Review Commission			