

Environment Standards Scotland (ESS) – Board Meeting Minutes of meeting on 26 March 2021 (Held on MSTeams)

Present

Jim Martin (JM)	Chair
Richard Dixon (RD)	Member
Marie Fallon (MF)	Member
Paul McAleavey (PM)	Member
Annalisa Savaresi (AS)	Member

In attendance

Transition Team:

Brendan Callahan (BC)	Interim CEO
Neil Langhorn (NL)	Head of Interim Strategy Development
Jamie McGrandles (JMcG)	Head of Investigations
Rebecca Peppiette (RP)	Head of Secretariat

Scottish Government (SG) (Item 4):

Charles Stewart-Roper, Head of Environment Strategy and Governance Unit

1	Board closed session
2	Welcome
2.1	<p>The Board welcomed Brendan Callaghan as the new interim CEO, starting on 19 April 2021.</p> <p>No apologies or specific conflicts of interest were registered. Board members discussed areas of interest, which may be registered for future meetings.</p> <p>The minutes from 26 February 2021 were approved. The running list of matters arising were reviewed.</p>
3	Mission, vision, values and principles update
3.1	<p>MF and NL led a follow-up session on the proposed ESS mission statement, vision, values and principles, building on feedback from the Board meeting of 26 February 2021.</p> <p>With regard to the mission statement, it was recommended that this statement should be more confident and should: focus on environment and health; not overlap with other public authorities; and be refined to ensure the purpose of ESS was clear to the general public.</p> <p>Through discussion on the vision, the Board expressed a preference for a formulation that was focused on the real world outcome it wanted to help achieve. It was also recommended that the statement should: implicitly set out that ESS will be assessing environmental law; and include a reference to international benchmarking and recognition. It was also agreed that there was not a need in the vision statement to include the term economic growth.</p>

	<p>Four external values were agreed, which will now be embedded into strategy and policy development. BC will undertake further work on the four provisionally agreed internal values after taking up post.</p> <p>Related to all the updates discussed, some rewording of the principles was proposed to make the focus of ESS' work clear. MF and NL will review all areas and circulate a revised draft for final approval at the 30 April 2021 Board meeting.</p>
4	Scottish Government Environment strategy: initial monitoring framework
	<p>CSR presented 'Lessons from the Monitoring Framework for the Environment Strategy for Scotland'. This included: an overview of the Strategy vision and outcomes; how these linked to Scotland's national outcomes; and more detailed information on the framework. In describing the framework it was highlighted that there is a wealth of relevant environmental data that can be drawn on (as shared on www.environment.gov.scot), with some areas identified as needing additional development to incorporate meaningful composite measures of progress.</p> <p>The Board thanked CSR for the presentation and commended the ambition of the strategy. Discussion continued regarding the challenges in capturing outcome related data and balancing indicators. There was also a discussion of the relevance of the air quality indicator chosen. CSR confirmed that although there will be further work carried out in assessing and developing new analysis opportunities, indicators and a reporting schedule, existing data will continue to be gathered to inform publications such as the State of the Environment and National Performance Framework reports.</p>
5	Transition plan
	<p>RP outlined progress to date on: accommodation; core services; communications; elements of the transition plan in general; and an overview of the outline budget. In addition, RP reported two new business support team members have now been appointed and will start in May/June 2021.</p> <p>The Board requested: the continued development of a skills analysis for both the Board and staff team based on business needs and competencies; inclusion within the recruitment strategy of intentions regarding an apprenticeship strategy; and, in collaboration with the HR specialist, consideration for flexibility on terms and conditions where required.</p> <p>The Board agreed that sections of the draft Scottish Government framework document should be developed once BC has taken up post, with a view to signing off the final document before the vesting date.</p>
6	Strategy Development
	<p>NL provided a brief update on meetings that have been held and/or are planned, and also noted the publication of a legacy report by the ECCLR Committee at the Scottish Parliament. A briefing note on the latter will be prepared and circulated to Board Members. NL presented a paper setting out the proposed approach to stakeholder mapping and engagement, including: meetings held to date; publications; and communications.</p>

	<p>The mapping process included an introductory letter from the ESS Chair being issued to an initial list of 125 stakeholder organisations, plus all 32 local authority Chief Executives, COSLA, SOLACE and the five organisations that ESS is charged with respecting and avoiding overlap with in the Continuity Act.</p> <p>The Board agreed the principles of the approach proposed and the stakeholder typology, and suggested the inclusion of a range of additional organisations (for example community led organisations) and careful consideration of where there are overlaps. It was also recommended that consideration be given to categorising those organisations under (and not under) the jurisdiction of ESS, organisations that support outcomes, and where ESS may receive representations from.</p>
7	High level draft investigation plan
	<p>JMcG presented a paper on the ESS draft enforcement policy setting out: the nature of enforcement action; effectiveness; openness and transparency; proportionality; focus; timeliness; consistency and accountability. As an annex to this paper JMcG included a set of flowcharts that set out the wider draft investigation process.</p> <p>The Board approved the principles set out, and encouraged flexibility to be maintained, alongside the addition of terms such as ‘public health’ to mirror the wider vision and principles discussed at item 3. The Board also discussed the need to ensure that processes have clear understandable terminology, and that progress updates are built in for those making referrals. The Board recommended that its role is made clear as part of the process, and that details of this are added to the Standing Orders.</p> <p>It was agreed that there would be ongoing discussion on: the requirement to publish information, including the rationale for certain investigations; alongside capturing learning both for the benefit of ESS and other public authorities. As part of this discussion it was also agreed that it would be important to assess known longstanding issues, to test draft procedures and to explore the scope for action by ESS during its non-statutory phase.</p>
8	Any Other Business
	<p>Future schedule of meetings: Friday 30 April 2021, Friday 21 May 2021, Friday 25 June 2021, Friday 30 July 2021, Friday 27 August 2021.</p>

James Martin
Chair, Environmental Standards Scotland
 30 April 2021