

**Minutes of Board update meeting on 25 June 2021, 10:00 – 13:30  
(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

<b>1</b>	<b>Board closed session</b>
<b>2</b>	<b>Welcome</b>
	<p>RD and AS declarations of interest related to air quality matters remain current, as previously listed in the publicly available Board Minute of <a href="#">May 2021</a>.</p> <p>BC declared an interest related to a recent representation, and passed discussion on this matter to JMcG to update the Board.</p> <p>The minutes from 25 June 2021 were approved. The running list of matters arising was reviewed.</p>
<b>3</b>	<b>CEO Update</b>
	<p>BC provided a verbal update on the new standing agenda item ‘monitoring evaluation activity’. This included an overview of new representations received and recent relevant meetings. As part of this discussion, PM and AS shared that the European Commission will be publishing a package of proposed legislation on 14 July 2021 to deliver the European Green Deal, informally called “Fit for 55”.</p> <p>BC shared the overview of the staffing structure paper being prepared. No new recruitment campaigns will be initiated until after vesting in Autumn 2021. Contingency planning for any temporary staff requirements has also been considered.</p> <p>The Board approved the final ESS milestone plan. It was agreed a progress report would be provided at each meeting, and that the business continuity plan would be listed in the final version. The final specification for a case management system will be completed 3-6 months after vesting, once a fuller sense of requirements has been gathered, as part of the wider digital approach.</p>

	<p>A provisional vesting date was also discussed, taking into account that the Secretary of State for Scotland has signed off the Section <a href="#">104 Order</a>, which will come into force on 1 July 2021. Commencement regulations are now being prepared by Scottish Government and a final vesting date will be confirmed by ESS by the end of August 2021.</p>
<b>4</b>	<b>Governance</b>
	<p>RP shared the draft budget and updated on final costs still being gathered. BC is now the Accountable Officer for ESS, as part of his role as Interim CEO.</p> <p>MF, as the new Chair of the ESS Audit and Risk Committee, shared that the Committee met on 4 June 2021. It was agreed that there would be official appointment letters, and an open recruitment process for a new co-opted member. The Committee will meet quarterly, and report to the Board more fully twice a year.</p> <p>MF handed over to BC to initiate a discussion on risk appetite, based on the Draft Risk Management Policy and Framework paper provided. It was agreed that: the Board would review significant risks on a regular basis; minutes of Audit and Risk Committee meetings will be taken; that a 5x5 risk matrix would be used; that a broad scoping of risks would be considered; and that the paper would be reviewed after a year. In addition, the risk management objectives, the approach to creating a risk appetite statement, the monitoring approach, and roles and responsibilities were approved.</p> <p>The Scottish Government Framework final updates were discussed, and it was agreed that the Framework was now ready to be signed off. Once completed it will be published on the ESS website.</p> <p>RP provided an update on current live procurement processes and timeline adjustments to the existing contracts. Progress on accommodation and recruitment was also provided.</p> <p>NL shared that a new Scottish Environment, Food and Agriculture Research Institutes (SEFARI) fellowship placement starts with ESS in July 2021. The placement will assist with the development of proposals for the ESS approach to monitoring and evaluation and the composition of the analytical team,</p> <p>A paper on stakeholder meetings was also provided, including a verbal update on recent stakeholder meetings.</p>
<b>5</b>	<b>Interim Strategy</b>
	<p>Following Board feedback to the draft overview of the ESS interim strategy, it was agreed that: there would be a revised running order to the strategy; minor updates to the strategic outcomes; issues raised with ESS will be consistently referred to</p>

	<p>as 'representations' (rather than referrals, complaints or similar), and that a glossary of terms will be developed; ensuring compliance, 'and effectiveness', will also be referred to consistently.</p> <p>In addition, further adjustments were recommended by the Board to reference directly from the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, and the use of clearer terminology on monitoring and evaluation.</p> <p>A further draft will be shared before the next Board meeting alongside design proposals, with a view to sign off the final version by August 2021.</p>
<b>6</b>	<b>Investigation planning</b>
	<p>JMcG and BC shared a draft diagram, which provides an easy to follow visual overview of the investigation process. It was agreed that this would be further developed and then published.</p> <p>JMcG gave a verbal update on air quality research, alongside current representations, and will report more fully to the Board at the next meeting.</p>
<b>7</b>	<b>Any Other Business</b>
	<p>Future schedule of meetings:</p> <p>Friday 30 July 2021, Friday 27 August 2021.</p>

**James Martin**  
**Chair, Environmental Standards Scotland**  
**30 July 2021**