

DRAFT Minutes of the Board meeting held on Friday 2 October 2026, 10:00 – 14:00 held in Lomond, Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HD

DRAFT SUBJECT TO APPROVAL AT THE 5 DECEMBER 2026 BOARD MEETING

Board:

Richard Dixon (RD), Chair
Marie Fallon (MF)
Paul McAleavey (PM)*
Morag Sheppard (MS)
Laura Anderson (LA)
Annalisa Savaresi (AS)
Chris Spray (CS)

*via Microsoft Teams

Attendees:

ESS Team (Items 2-10 as noted):

Mark Roberts (MR), CEO
Neil Langhorn (NL), Head of Strategy and Analysis
Jamie McGrandles (JMcG), Head of Investigations, Standards and Compliance
Rebecca Peppiette (RP), Head of Corporate Services and Communications
Sam Gardner (SG), Head of New Scrutiny Duties Development
Kate Hawkins (KH), Programme Manager
Alisdair Stapley (ASt), Governance Lead
Kirsty Laing (KL), Business Support Officer (minutes)

Observer(s):

Kirsty McLeod (KM), Senior Policy Analyst

1.	Programme Management update MR introduced an update to ESS' Programme Management project, outlining work to provide a single, integrated view of organisational activity. KH presented a draft of the proposed Programme Management dashboard, providing an overview of projects, timelines and key milestones. In discussion, the Board: considered the detail of reports in relation to governance and confidentiality
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	- noted the importance of clear success criteria and metrics to demonstrate improvements - highlighted the need for reporting arrangements to align with organisational priorities and Business Plan objectives The Board thanked KH for her work and the progress made on the project to date. Action: KH to consider proposed success criteria and improvement metrics in the programme management project. Action: KH to provide a second demonstration of the dashboard to the Board using live examples.
2.	Private session The Board attended a private session.
3.	Welcome The Chair welcomed Board members and attendees to the meeting and extended a welcome to the ESS observer KM. No apologies were received. MS declared an interest as Deputy Chair of the Water Industry Commission for Scotland (WICS).
4.	Minutes and Matters arising The minutes of the previous meeting, held on 7 August 2026, were approved by the Board. The Board reviewed the outstanding actions log and noted progress. Action: NL to organise a presentation on staff reflections from observing the Programme Advisory Group for the Natural Environment (Scotland) Act 2026 targets at the next Board meeting.
5.	Chief Executive's update

[KM joined the meeting]

MR provided an update on ESS activities since the previous Board meeting, highlighting:

- recent positive engagement with the Convener and members of the Scottish Parliament's Climate Action Committee
- attendance at the most recent Public Service Reform (PSR) Summit
- discussions with Scottish Government officials regarding Scotland's alignment with European environmental standards

The Board noted the update and discussed the future work of ESS' International Advisory Panel.

Action: MR to engage with Board members regarding next steps for ESS' International Advisory Panel.

6. Governance

MF provided an update on the work of the Audit and Risk Committee ("the Committee"), noting significant progress in the annual audit process. The Board noted that the external auditor's review was incomplete and final confirmation remained outstanding.

The Board agreed that authority would be delegated to the Chair of the Committee to review and approve any additional non-material changes to the Annual Report and Accounts.

CS provided a verbal update as the Board sustainability champion, highlighting:

- ongoing discussions regarding carbon offsetting opportunities
- ESS' achievement of Bronze Carbon Literacy accreditation
- requirements for progressing to Silver Carbon Literacy accreditation in future

MF provided a verbal update as the Board equality champion, highlighting:

- progress in implementing the People Strategy

- the internal audit review and development of staff information and onboarding processes
- the upcoming staff equality awareness training

MS provided a verbal update as the Board cyber champion, highlighting:

- recent ESS attendance at the Scotsoft 2026 AI conference
- positive organisational performance in recognising and reporting phishing attempts
- plans to introduce additional cyber training resources for staff

The Board noted the updates and welcomed the positive progress within the Champions Groups.

RP introduced the Annual Report and Accounts 2025/26. The Board approved the Annual Report and Accounts 2025/26, subject to completion of the external auditor's outstanding internal review processes and any final non-material amendments. The Board thanked all staff involved in preparing and supporting the audit process.

RP presented an update on 2026/27 expenditure and forecasts for 2027/28, providing an outline of costs and staffing considerations.

RP presented a proposal to convert an existing vacant fixed-term post to a permanent position. The Board considered the Committee's endorsement, together with the rationale for the proposal and its contribution to organisational resilience. The Board approved the conversion.

AS presented the corporate risk register, highlighting recent updates.

In discussion, the Board:

- noted updates to the register regarding staff vacancies
- noted recent discussions with Committee members regarding risk assurance
- considered future risks regarding delivery of new duties and the Scottish Government's programme for government

The Board noted the updates to the register and the continued development of risk management arrangements.

RP presented the People Report. RP noted that several elements had been consolidated into a single paper and thanked MS for assistance with its development. In discussion, the Board:

- noted that the report would continue to evolve as dashboards were further developed
- considered staff training and development and emphasised the importance of ensuring activities are accessible, effective and appropriate
- highlighted the ongoing implementation of the People Strategy

The Board welcomed the People Report and noted that future reports would include enhanced dashboard reporting.

RP introduced the Artificial Intelligence (AI) report, outlining ESS' current approach to the use of AI. In discussion, the Board:

- considered the pace of AI development and the need for ESS to remain informed of opportunities
- considered potential applications for analytical, investigatory and corporate support functions
- highlighted the importance of ensuring appropriate governance, security and data protection arrangements, balancing innovation with appropriate safeguards

The Board welcomed the proposal to continue exploring potential uses of AI across the organisation and suggested further discussion at future Board meetings.

	Action: Board agendas to be updated to include a place marker for discussions on future potential AI applications and opportunities relevant to ESS' functions.
7.	New Scrutiny Duties Development SG introduced the New Scrutiny Duties Development report on the progress of ESS' climate change and biodiversity functions. In discussion, the Board: • noted the update on climate change duties and the engagement undertaken with local authorities, public bodies and other stakeholders • noted the progress made in relation to biodiversity duties • considered stakeholder expectations and the importance of clearly communicating ESS' remit, role and approach The Board noted the update and the next steps for the development and delivery of the new duties.
8.	Investigations and representations JMcG presented an update on the work of the Investigations, Standards and Compliance (ISC) team, highlighting: • recent developments in the Special Protection Area (SPA) investigation and potential next steps • progress in several ongoing cases, including those expected to lead to informal resolution and those expected to close • new representations received, including whistleblowing disclosures • recruitment activity within the ISC team The Board noted the update, welcoming the updated dashboard reporting format.
9.	Strategy and Analysis NL provided an update on the work of the Strategy and Analysis team, highlighting:

	• feedback received on the Seafloor Integrity report, noting the positive engagement within the Scottish Government. NL thanked KM and the team for their contributions to the work • progress on the Marine Litter report and the proposed next steps • the Scottish Government's proposed response to ESS' recommendation about Combined Sewer Overflow (CSO) guidance. A further update would be provided at the December 2026 meeting The Board noted the update, discussing the need to bring the CSO guidance recommendation to a conclusion in the near future. Action: NL to provide an update on the CSO guidance recommendation at the December 2026 Board meeting.
10	Any other business The Board formally noted that MF is the Board Deputy Chair. Action: RP to update the ESS website listing for MF to note this role as Deputy Chair.

Dr Richard Dixon

Chair, Environmental Standards Scotland

[DATE]