

Title	Minutes of the Board Meeting
Description	Minutes of the Board Meeting held on 11 May 2023
Paper owner	Heather Baily
Paper author	Nick Hill
Agenda reference	01a
Meeting date	25 July 2023

**The Board is invited to approve these minutes.**

Board members wishing to request clarification on a paper should contact the paper's owner in advance of the meeting (preferably by email). Material responses to the requests will normally be circulated to all Board members prior to, or at, the meeting.

### Freedom of Information

Reference to discussion on this paper at the meeting will usually be published in the Board minutes unless exempted under the Freedom of Information Act 2000. Board papers may be published or released on request unless exempted under the Freedom of Information Act 2000.

For completion by the author:

Should this paper be considered for exemption under freedom of information?

**Yes**

If yes, please provide the reason for non-disclosure and exemption that applies:

**Agenda Item 5 –Exempt under section 31 of the Freedom of Information Act**

**Agenda Item 8 – Exempt under section 22 of the Freedom of Information Act**

**Agenda Item 11 – Exempt under section 22 of the Freedom of information Act**

# Minutes of the Board Meeting on 11 May 2023

**Date:** 11 May 2023

**Time:** 11:45 - 16:15

**Location:** Room 1.06, 10SC

**Chair:** Heather Baily

## **Attendees:**

Alec Wood (AW), Deputy Chair and NED Board member

Trevor Reaney (TR), NED Board member

Zoe Billingham (ZB), NED Board member

Simon James (SJ), NED Board member

Michelle Russell (MR), Chief Executive and Board member

Paul Fullwood (PF), Executive Director of Inspections & Enforcement and Board member

Steve McCormick (SM), Executive Director of Licensing & Standards and Board member

Dianne Tranmer (DT), Executive Director of Transformation and Board member

Kevin Barretto (KeBa), Head of Finance and Procurement

Jamie Hunt (JH), General Counsel

Fiona Wilson (FW), Head of Strategy & Governance

Nick Hill (NH), Governance Manager and Secretariat

Anita Bailey (AB), Head of Safeguarding ALBs, Home Office

Caroline Rowe (CR), Policy lead for the Public Protection Unit, Home Office

Tony Holyland (TH), Head of Individual Standards (item 4)

Nick Banks (NiBa), Senior Decisions Manager (item 5)

Iestyn David (ID), Head of Licensing & Service Delivery (item 5)

Mark Burtonwood (MB), Head of VAS Programme (item 6)

Alero Harrison (AH), Head of External Communications (item 7)

Sophie Hillsdon (SoHi), Transformation Lead (item 10)

Veera Yohanan (VY), Head of Risk and Information Assurance (item 15)

Ainsley Cumberbatch (AC), Senior Customer Service Manager (staff observer)

## Apologies

Caroline Corby (CC), NED Board member

Natalie Benton (NaBe), Executive Director of Corporate Services and Board member

Christian Shaw (CS), Senior Data Analyst (item 9)

Shehla Husain (ShHu), Deputy Director and Head of Public Protection, Home Office

## **1. Welcome and apologies for absence, declarations of interest, minutes of the previous meeting and matters arising.**

### **Welcome and Apologies**

- 1.1 The meeting had no virtual attendees.
- 1.2 There were apologies from Caroline Corby, NED Board Member, Natalie Benton, Director of Corporate Services and Board Member, Christian Shaw, Senior Data Analyst and Shehla Husain, Deputy Director and Head of Public Protection, Home Office.
- 1.3 The meeting was quorate.
- 1.4 The Chair welcomed Ainsley Cumberbatch, Senior Customer Service Manager as an SIA staff observer.
- 1.5 The Chair welcomed external observers from the Home Office (Anita Bailey, Head of Safeguarding ALBs, and Caroline Rowe, Policy lead for Public Protection Unit).

### **Declarations of Interest**

- 1.6 There were no declarations of interest.

### **Declarations of Minutes**

- 1.7 The Deputy Director and Head of Public Protection at the Home Office's name was spelt incorrectly. With that correction, the minutes were approved.

### **Matters arising**

- 1.8 Action November-21-05 and May-22-01: about Direction of Voluntary Approval Strategy/ SIA Approved Contractor Scheme management (ACS) was on the meeting agenda. Closed.

- 1.9 Action November-22-01 about cyber security risks: covered in the Board risk appetite session in the morning. Closed.
- 1.10 Action November-22-04: an update on the Chatbox pilot to be given to Board in November. Open.
- 1.11 Action November-22-06: an update on protected characteristics data was on the meeting agenda. Closed.
- 1.12 Action February-23-03: about licensing decisions discussed during the meeting and to be brought back to July Board. Open.
- 1.13 Action February-23-04: about licensing decisions audits was on the meeting agenda and to be brought back to July Board (can be combined with Feb-23-03). Open.
- 1.14 Action February-23-07: about the new digital and data strategy - an update was delivered by The Transformation Lead, with the new Data and Digital Strategy to be presented for approval at the July 2023 Board. Open.
- 1.15 Action February-23-08: an action complimented by action November-21-05 and May 22-01 and to be brought back for final approval to the Board Strategy Day in June 2023. Open.
- 1.16 Action Febraury-23-09: the Public Bodies Review terms of reference have been agreed by the Minister with the work due to start in July once a reviewer has been identified by the Home Office and approved by the Minister. Closed.
- 1.17 Action March-23-01: Board effectiveness review - on the meeting agenda. Closed.
- 1.18 Action March-23-02: Board effectiveness review - on the meeting agenda. Closed.
- 1.19 Action March-23-03: the Strategic Plan been submitted by FW and agreed by colleagues. Closed.
- 1.20 Action March-23-04: the Strategic and Business Plans were submitted to the Home Office in May following approval of Board amendments. Closed.
- 1.21 Action March-23-05: an update was provided at item 10 on the agenda. A further update on digital kit for frontline teams to be given to the Board in November. Closed.
- 1.22 Action March-23-06: new key performance indicators (KPIs) approved for the new Strategic Plan which are now with the Minister with the Strategic and Business Plans. Closed.

- 1.23 Action March-23-07: a new equality, diversity, and inclusion KPI to be considered at the Equality, Diversity and Inclusion Committee in May 2023 then brought to People Committee in July. Open.
- 1.24 Home Office Action October-15-08, July-22-01 and July-22-02: CR confirmed that the Public Protection Unit is working to secure a legislative slot for the information sharing gateway with HMRC and other changes; the Crime and Justice Bill is an option, in the fourth session. Open.

## **2. Chair's report and Board effectiveness review action plan**

- 2.1 The Chair reported that there was positive feedback for the SIA from the stakeholder forum, praising the leadership of the SIA including the Chief Executive Officer (CEO) in driving forward key issues including industry skills and public protection. The Chair stated the forum has become an increasingly important tool for the organisation, especially since Kate Bright's tenure as a non-executive director on the Board ended on 3<sup>rd</sup> of February 2023.
- 2.2 A NED Board Member raised concerns about the feedback from the industry about buyers of security looking for the cheapest service as supposed to the best service. The Director of Licensing & Standards acknowledged this issue confirming that there is a longstanding piece of work around encouraging buyers to use ACS companies and to address this; however, unless there is a fundamental change in the approach of buyers it will remain an area of concern.
- 2.3 The Head of Strategy & Governance presented a paper on the Board effectiveness review which proposed acceptance of all but four recommendations from the review. Of those four, one was linked to several other recommendations, one was too vague to identify an action on and the other two were already being addressed. The Head of Safeguarding ALBs, Home Office formally acknowledged on behalf of the Home Office the report and welcomed its recommendations and the SIA response. A NED Board Member queried how progress would be monitored and it was noted that the Board would be updated at its meetings and the actions feed into the next Board effectiveness review to gauge progress. The Head of Strategy and

Governance was seeking approval of the plan to progress the recommendations.

**DECISION:** The Board confirmed support for the proposed approach, and agreed they will continue to monitor progress with implementation of the recommendations.

### **3. Chief Executive's report and risk report**

- 3.1 The CEO took her report as read and highlighted three key items. They drew attention to the excellent performance and achievements of the organisation in the last year delivering positive financial results and good work across all directorates and asked her thanks and appreciation to all staff be recorded; the customer service excellence accreditation results; and the downward management of the cyber risks.
- 3.2 The Head of Safeguarding ALBs, Home Office acknowledged the excellent work the organisation has done and will share this with the Minister.
- 3.3 The Chair formally recorded the Board's thanks to the CEO, Executive Directors, and the organisation for the excellent results.

### **4. Manchester Arena Inquiry (MAI): SIA's response to the second chapter of MAI report recommendations (trauma training in First Aid)**

- 4.1 The Head of Individual Standards presented the report on the options and recommended way forward and confirmed that similar recommendations were given to other public bodies. The Department for Health and Social Care (DHSC) has a monitored recommendation to set a standard for the provision of health care in events settings. He presented the six options that had been considered on how to respond to the recommendation.
- 4.2 The recommendation concerns basic trauma care in major incidents such as blasts. The Director of Inspections & Enforcement confirmed the support of the Regulatory Affairs Board and executive that the most proportionate approach would be to combine options 2 and 6 creating option 6a: encourage more training by working with both DHSC and the Health and Safety Executive. This was on the basis Health and Safety England (HSE) has added a module so that training delivered to the Forestry and Construction industries includes

knowledge on responding to catastrophic bleeding. The HSE strongly advised we wait for and adopt the new DHSC standard they are working on. The benefit of this is there would be consistency of result. This may well lead to a change in the Emergency First Aid At Work syllabus for security, rather than the need for a further course to be developed and implemented.

- 4.3 The Board noted that the recommendation does not preclude security businesses training their staff to a higher standard or acting sooner, should they wish to do so. The recommendation is about the minimum standard set by the regulator.
- 4.4 The Board endorsed the paper's recommendation of pursuing options 2 and 6 in tandem, option 6a, supported by a clear and comprehensive communication plan. However, they were concerned to ensure timely progress by DHSC. The Head of Individual Standards confirmed he was on the working group.

**Action May-23-01:** The Head of Individual Standards to update the Board in November on the progress the Department of Health and Social Care has made, alongside alternative options if sufficient progress has not been made.

## **5. Licensing decisions involving historical sexual offences**

**Highlighted text from paragraph 5 is exempt from publication under section 31 of the Freedom of Information Act, which relates to prevention or detection of crime on the basis this allows those who want to circumvent detection of their criminality to do so.**

- 5.1 The Head of Licensing & Service Delivery delivered the report alongside The Director of Corporate Services, breaking the paper down and their presentation into three sections: a) current approach towards considering whether to grant a licence to an applicant (new or renewal) who has any marker of sexual offending recorded on their UK criminality certificate in licensing decisions; b) the work being done by the Licensing Team to assess and manage the risks prior to the current approach [REDACTED] and; c) the actions being taken to provide assurance of the efficacy of the current approach.
- 5.2 It was noted that Get Licensed sets out a prescriptive approach on whether any offence that is listed in Get Licensed continues to be relevant to a person's

suitability to hold a licence, depending on the severity of the penalty received and when that penalty was imposed. The criteria used is approved by the Home Secretary - Get Licensed is published on the SIA website.

[REDACTED]

[REDACTED]

[REDACTED]

5.4 Since [REDACTED] new processes were implemented including a weekly complex case review meeting to consider historic offences.

5.5 The paper confirmed that in January 2022 updated the gov.uk pages containing the Criminal Record Indicator made clear and included confirmation - "*We take all sexual offences into account regardless of when your sentence restrictions ended.*"

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5.8 The Head of Licensing & Service Delivery confirmed progress with commissioning an external independent review (those involved had a police background and in vetting and safeguarding). The review is intended to focus on both the efficacy of the current process and the robustness of the decisions made to date, using dip sampling.

5.9 A NED Board Member suggested that it would be prudent to include a reviewer from a non-police background with experience in licensing decisions, instead of or in addition to the two identified. In response to a question, the Director of Licensing & Standards assured the Board that the review commissioned would ensure that the decisions being made are the right ones and confirmed the review would look at the efficacy of the weekly review panel and the robustness and proportionality of decision making.



**Action May-23-02:** The Director of Licensing & Standards to share the terms of reference for the external review with the Public Protection Unit at Home Office.

5.10 A NED Board Member raised a concern about the risk relating to those who had been granted a licence prior to the current approach, acknowledging the impact on public safety and credibility of the licensing process if the individual went on to commit inappropriate conduct.

5.11 Head of Licensing Services acknowledged the risk and confirmed it was impossible to eliminate the extent of the risk without carrying out a manual review of all licences awarded in this period: [REDACTED]

[REDACTED] The Head of Licensing Services confirmed their team were continually reviewing and investigating options to divert/increase resource to support further 'dip sampling' and other actions to help provide greater levels of assurance on past decisions. A NED Board Member asked that the dip sampling continue and be increased.

5.12 A NED Board Member queried what degree of risk the SIA is willing to tolerate versus the time it would take to review all licence applicant decisions before the new approach considering the change in societal attitude.

5.13 The Board agreed that the historical sampling and reviewing of historical decisions should continue and be expanded. Whilst the Executive would need to consider the operational implications of checking more cases [REDACTED]

[REDACTED] it was supportive of diversion of resource and recognised this may impact on processing new applications and KPI performance.

**Action May-23-03:** Head of Licensing & Service Delivery and Director of Corporate Services to review and increase the sampling and review of previous decisions of licences awarded before November 2021.

**Action May-23-04:** Head of Licensing & Service Delivery to update the Board on the progress and output of the independent review back to the Board in July.

5.14 The Policy Lead of the Public Protection Unit, Home Office recommended the SIA and Home Office teams follow up after the meeting on potential legal issues, and for this matter to be considered considering the recent Home Office external review of the disclosure and barring regime, led by Simon Bailey. The Policy Lead of the Public Protection Unit, Home Office advised should SIA wish

to adopt a zero-tolerance approach to any historical sexual offences in the future, Ministerial approval, and changes to Get Licensed would be required.

## **6. Voluntary Approval Scheme**

- 6.1 The Chair introduced the item by noting the importance of the voluntary approval scheme in light of the Ministerial decision not to proceed with the monitored recommendation MR8 on business licensing from the Manchester Arena Inquiry. This would be a major programme of work for the SIA over the next three years.
- 6.2 The Director of Licensing & Standards presented the paper which set out the new strategic principles, with the focus on public protection. They explained that sub-contracting and labour supply are the biggest threats to public protection in relation to vetting.
- 6.3 A NED Board Member raised various points including the viability of securing a suitably competent external assessor for the new voluntary scheme and the risk of designing a scheme which could not be implemented. The Head of VAS Programme noted that whilst the current assessing organisations were not currently skilled to do this, this could be readily addressed once the scheme design had been finalised.
- 6.4 A NED Board Member queried the proposed long timescale for delivery of this programme and the reliability of resource figures cited in the paper for its delivery. The Director of Licensing & Standards confirmed that further refinement work was required on the annexes on governance, financial costs, and timelines for key deliverables to provide assurance to the Board this was feasible in implementation. However, they advised that anything under three years for design and consultations would be unrealistic considering the fundamental change of the scheme, the complexities which lie within the proposals (including it is less generic) and the need to gain and maintain support from the industry.
- 6.5 The CEO supported a timescale of three years if this included design, consultation, build, pilot and roll out with transition, but not longer.

**DECISION:** The Board endorsed the strategic principles presented in the paper, but noting further work was required to provide assurance on the feasibility of programme delivery and implementation.

- 6.6 The Chair confirmed that the principles should form a standalone strategy with public protection at its centre, to be approved by the Board.
- 6.7 To be assured of the strategy's deliverability further work was required. The item should come back with a schedule showing key milestones and deliverables against time; the programme governance; the communication plan; and the resource requirements clearly identifying any difference between the provisions already made in the business plan 2023/24 for finances and staffing and additional ones which would be required making clear the financial assumptions being made for SIA resource in the following two years.

**Action May 23-05:** The new Voluntary Approval Scheme standalone Strategy, together with an updated plan on governance, timing, key deliverables, and resourcing to be brought to the June Board Strategy Day for sign off.

## **7. External Communications forward look**

- 7.1 The Head of External Communications updated the Board that SIA's announcement of an inquiry into allegations of bribery and corruption by security operatives working at the Brixton 02 was the most reported SIA story in the last quarter. The Chief Executive had been recently interviewed by the BBC on the issue of violence against security operatives.
- 7.2 A corporate video is being planned to explain who the SIA is, what it does, and why it matters for public safety to be put at the front of the SIA's public safety campaign.
- 7.3 The Head of External Communications thanked the SIA for the work it is doing and to let them know anything they can do to help and support. The Head of Safeguarding ALBs, Home Office updated the Board that summer recess will start on 20 July and that there could be an opportunity to ask the Minister to add a soundbite to the 20<sup>th</sup> anniversary video which is being planned.

## **8. Finance reporting including Q4 report and year end finances including full year variance figures.**

- 8.1 The Head of Finance and Procurement updated the Board that the SIA successfully operated within its delegated revenue (RDEL) and capital (CDEL) totals for financial year just gone. The full year RDEL outcome was a deficit of £2.8 million against a budgeted deficit of £4.9 million, a favourable variance of £2.1 million. Capital expenditure for the year was £1.7 million in line with the CDEL allocation, meaning the SIA fully spent the Home Office allocation.
- 8.2 The National Audit Office recently carried out field work which is due in the coming weeks, with the SIA annual accounts and reports expected to be published by summer recess.
- 8.3 The Head of Safeguarding ALBs, Home Office confirmed that the Accounting Officer delegation letter for 2023/24 was now back with HOSU awaiting final sign off; they highlighted one difference from previous years was that the permitted forecasting variance had been lowered from a 2% accuracy to 1% baselined on P6.
- 8.4 They had asked the Home Office finance team to carry out a comparison with previous letters ensuring that the updated spend control is captured and if possible, to remove unnecessary references that clearly do not apply to ALBs. The Head of Safeguarding ALBs, Home Office stated that there are challenges with SIA's three-year financial cycle in the context of Home Office annual allocations.

**Paragraph 8.5 is exempt from publication minutes under section 22 of the Freedom of Information Act which relates to information we intend to disclose at a later date.**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## **9. Performance reporting**

## **Key performance indicators**

9.1 The Director of Transformation updated the Board on the strong performance across all KPIs from the SIA as reflected in the report, acknowledging all the hard work done by staff and enabling the payment of the staff performance related bonuses in April. The Board congratulated the SIA teams on excellent performance, with the Chair formally placing the thanks of the Board on the record.

## **Business Plan**

9.2 The Head of Strategy & Governance presented the final delivery report against the Business Plan 2022-23. Most key deliverables had been completed; for those not completed, the position had been identified earlier in the year and the Board was already aware of the reasons why.

**Action May-23-06:** A review of the 2020-2023 Corporate Strategy to be carried about by The Head of Strategy and Governance at July Board.

## **10. People Committee**

10.1 The People Committee minutes shared were noted.

10.2 There were three key updates from a NED Board Member. The staff survey results were considered by the People Committee; the proposals for an updated Code of Conduct were reviewed and will be considered again by both the Executive Directors' Group and the People Committee following consultation with the union; the People Committee was supportive of the executive proposal to increase robustness of vetting through regular access to the information held on the College of Policing advisory and barred lists.

## **11. Technology and Change quarterly report**

11.1 The Director of Transformation took the report as read and thanked the Home Office for the additional capital money provided to deliver the CRM 2015 upgrade on time in 2023. The SIA is now "in support" for CRM until 2025 which has seen a reduction in cyber and other risk levels.

11.2 The Director of Transformation updated the Board that risk 1901 relating to the recruitment of the Data and Digital Lead post is ongoing with recruitment due to begin for this role, as well as the Head of ICT.

**Paragraph 11.3 is exempt from publication minutes under section 22 of the Freedom of Information Act, which relates to information we intend to disclose at a later date.**

[REDACTED]

**Action May-23-07:** The Director of Transformation to provide an updated Data and Digital Strategy for 2023-2026/7, full business case for the proposed procurement outcome and final position on contract value for July Board for approval due to size of the financial investment.

**Inspections and Enforcement Directorate device trial**

11.4 Confirming the preferred bidder allows the SIA to map out more clearly the allocation of resources including for the I & E Device Trial. This will help the SIA to decide on the best and most suitable devices to enable the inspection and enforcement teams to carry out their jobs more effectively.

**Action May-23-08:** The Director of Transformation and Director of Inspections & Enforcement to update on of the I & E device trial at November Board.

11.5 A NED Board Member left the meeting.

## **12. Licensing and Standards Directorate forward look report**

- 12.1 The Director of Licensing & Standards noted the report highlighting initiatives and activities for the Licensing & Standards Directorate. Key activities included the Voluntary Approval Scheme programme of work for the next quarter, which subject to Board approval, will be entering a phase of set up and implementation.
- 12.2 The Skills Summit is scheduled for early June - the SIA will come together with the industry and experts. Planning has commenced on the establishment of a skills academy.

## **13. Inspections and Enforcement Directorate forward look report**

- 13.1 The Director of Inspections & Enforcement presented their report highlighting key activities that the Inspections & Enforcement Directorate will be undertaking. The Director of Inspections & Enforcement updated the Board that the inspection activity carried out in 2022-23 exceeded the targets set resulting in the target for the new business plan increasing by 20%.
- 13.2 Meetings have been undertaken with the Department for Digital, Culture, Media, and Sport on supporting the forthcoming Coronation of HM The King. A significant amount of good work having been carried out, particularly ensuring advance compliance.
- 13.3 The SIA continues to support the Metropolitan Police Service in the Brixton Academy investigation.
- 13.4 The Memorandum of Understanding (MOU) with the National Police Chief's Council has been agreed in principle. However, in practice it still means information sharing decisions will be down to each police service and commissioner. It was noted that the NPCC MOU only covers England and Wales.

## **14. ARAC Update**

- 14.1 The ARAC minutes shared were noted.

14.2 A NED Board Member updated the Board that a GIAA report had just been received on the Public Sector Equality Duty and the final audit report is due on business continuity, which will come to ARAC in July.

14.3 ARAC is to undertake a self-assessment through the NAO in October, as well as ARAC Effectiveness training through the Civil Service College in the same week.

## **15. Complaints and Freedom of Information annual report**

15.1 The Head of Risk & Information Assurance presented the report, advising the Board that it was discussed at ARAC in April.

15.2 They noted that following feedback from ARAC and the CEO there were three updates that had been made:

- Licence holder demographic data had been added and compared to complaints demographic data with some narrative added where there are variations.
- Three examples of actual verbatim complaints added as requested by ARAC.
- A summary of response rates and compliance on Freedom of Information responses has been added, including numbers responded to and rejected, and exemptions applied as requested by the CEO.

## **16. Any other business**

16.1 The Board confirmed that the earlier Board meeting start time had worked well today, and that they welcomed the change of approach with strategic items first.

16.2 The Chair invited the staff observer to provide their impressions. The Senior Customer Service Manager thanked the Board and confirmed they would encourage other staff members to attend as observers.

16.3 There is a Board Strategy Day on the 8<sup>th</sup> of June 2023.

**Next meeting: Tuesday 25<sup>th</sup> July 2023**