

# ERCS Board Meeting: Minutes of 21 February 2023

Hybrid meeting

**Present:** Lloyd Austin Chair (LA), Julie Christie Treasurer (JC), Jackie Erdman (JE), Campbell Gemmell (CG), Juliet Harris (JH), Deborah Long Vicechair (DL), Aedán Smith (AS),

**Apologies:** Mary Church (MC), Clare Symonds (CS).

In attendance: Tom Ballantine (TB observer) Shivali Fifield Chief Officer & minutes (SF).

		Actions
1	<p><b>Welcome</b></p> <p>Trustee check-in</p> <p>Apologies were noted from Clare and Mary.</p> <p>Lloyd welcomed Tom as an observer to the Board meeting and reminded trustees that this was an opportunity for both parties to consider/finalise co-opting Tom as a trustee. At the next AGM Tom will have the opportunity to stand for election to the Board.</p> <p>The trustees and Tom introduced themselves in turn.</p>	
2	<p><b>Minutes of last meeting - paper1</b></p> <p>The minutes of the last Board meeting on 8 November were approved as an accurate record.</p> <p>All action points have been completed except for <b>AP7: SF/Ops WG</b> to present new iteration of ERCS’s risk register at February Board meeting (on the agenda).</p> <p>AP3 - SF has actioned ERCS becoming a <a href="#">Level 1: Disability Confident Committed employer organisation</a> and now needs to update the recruitment policy to reflect this.</p> <p>There were no other matters arising that were not covered in the agenda.</p>	<p><b>23/1: SF</b> to post approved minutes on website for 8 November.</p> <p><b>23/2: SF</b> to update recruitment policy on ERCS becoming a <a href="#">Level 1: Disability Confident Committed employer organisation</a>.</p>



	<p><b>Decision: The Board approved posting the November minutes on the ERCS website.</b></p> <p>Julie asked how long Board minutes should be kept on the website. It was agreed that 2 years seemed appropriate as the aim is to be a transparent organisation. SF reported that minutes have only been posted since the first AGM held on 21 September 2021.</p>	<p><b>23/3: SF</b> to remove minutes from the website from September 2023 to keep within 2-year scope.</p>
3	<p><b>Executive report – Papers 2, 2a, 2b, 2c, 2d, 2e</b></p> <p>The Board noted the report and accompanying papers and wanted to thank the ERCS team on their outputs since the last report.</p> <p>In summary, the highlights from the last meeting were:</p> <ul style="list-style-type: none"><li>- Increasing our membership</li><li>- Developing our role in rights awareness and outreach including publishing online <i>Voices for justice</i> blogs and FAQs on water pollution</li><li>- Beginning our joint project with MECOPP Gypsy/Travellers service</li><li>- Increasing our advice enquiries and completing an audit of the first year of the Advice Service</li><li>- Submitting representations to ESS, an appeal to the UK Information Tribunal and follow up to our joint communication to ACCC on equal rights of appeal in planning</li><li>- A successful roundtable event on an environmental court/tribunal and progress in articulating the substantive right to a healthy environment</li><li>- Establishing relationships with the press media to advance our advocacy objectives</li><li>- Consolidating relationships with civil servants from three teams: Human Rights Bill, Civil Courts and Tribunals, and Environmental Strategy and Governance to pursue our advocacy objectives</li><li>- Increasing our social media profile with corresponding increase in website activity and downloads.</li></ul> <p><b>Rights awareness and outreach</b></p> <p>All noted the operational start of our work with the MECOPP Gypsy/Traveller project and are keen to see how it develops. This</p>	



	<p>initial participatory action research project will focus on two case studies. It will ideally identify questions and areas for future collaborative work and policy reform.</p> <p><b>Advice service</b></p> <p>The Board noted papers 2a and 2b: the audit of the first 12 months of the Advice Service and summary of casework. SF informed the Board that the latest audit July - December 2022 was almost complete and that a 4-page summary for publication will be ready for the parliamentary event in March.</p> <p>Juliet asked if the source of referrals could be reported in following audits. All commended the team for the service outputs and the audits.</p> <p><b>Advocacy</b></p> <p>Trustees discussed the opportunities and challenges given the resignation of Nicola Sturgeon that week and the forthcoming leadership elections. It was agreed that ERCS will contribute to letters to the candidates and the new First Minister seeking reassurance that environmental rights will remain on the agenda. The Advocacy Working group will be meeting the following week and Benji and Shivali are keeping abreast of the changing landscape.</p> <p>Juliet noted that Together are noticing more communication via LinkedIn. All agreed that, although Twitter is problematic, it remains the most appropriate social media channel for ERCS at present. Deborah will check with her team if they are getting more communication via LinkedIn.</p>	<p><b>23/4: SF</b> to circulate July-Dec 22 audit of advice service.</p> <p><b>23/5: SF</b> to include source of referrals in future advice service audits.</p>
4	<p><b>Financial report – Papers 3, 3a, 3b</b></p> <p><b>2022-2023 revised budget forecast</b></p> <p>The Board noted the papers. Julie explained <i>Paper 3a: ERCS Budget variance report to 31 December 22</i> and <i>Paper 3b ERCS budget forecast 2022-26</i> which presented the revised budget forecast to 31 March 2023 with a predicted available balance of <b>£118,941</b>.</p>	



The predicted available balance takes into account the following audited figures as brought forward into this operating period:

- £39,755 transfer of assets from LINK to ERCS on 1 July 2021 and brought forward to this year
- £42,888 ERCS operating surplus brought forward from 2020/21
- £50,162 ERCS operating surplus brought forward from 2021/22.

It also takes into account reserves for 3 months' salary costs.

The increase in predicted available balance of approx. £16,000 from the last Board meeting is due to the unexpected receipt of cost of living awards from Joseph Rowntree Charitable Trust, Esmée Fairbairn Foundation and Baring Foundation received in January/February 2023.

It was noted that the 2024/2025 budget will include a review of our reserves policy to accommodate unexpected costs for human resources and the development of the advice service. This is noted in the financial forecast notes.

### Annual pay and cost of living awards

The November Board meeting approved a one-off 8% pay award for all staff from January 2023 in acknowledgement of keeping salaries competitive and the ONS inflation figure of 8.8% at September 2022. Following this, the Operations Working Group has reviewed the annual cost of living award- and together with considering future recruitment needs – to be fully scoped as part of the Advice Service review - it has made a revised recommendation of awarding a 5% cost of living increase from April 2023.

The breakdown of salary costs shows that with these two-phased salary awards (January and April), all posts will be inline and competitive within the sector. This also offers a good starting point and 'wriggle room' to scope the feasibility of introducing a suitable salary incremental scale from April 2024 with a commitment that no salary will be reduced.



	<p><b>2023-2024 budget for approval and revised 3-year financial forecast</b></p> <p>Paper 3b presents a revised budget forecast 2023/24 with a cost of living award of 5% from 1 April 2023 and 4% increase on other operational expenditure. It also includes the recruitment of a Senior Finance/Operations post at 0.8 FTE from September.</p> <p>This gives a predicted available balance of <b>£84,051 at year end 31 March 2024</b> with a £30,000 fund raising target.</p> <p>The three-year financial forecast 2023-2026 provides budgets for the development of the Advice Service subject to further funding.</p> <p><b>In summary, the ERCS Board, on the recommendation of the Operations Working Group:</b></p> <ul style="list-style-type: none"> <li><b>I. Noted the income and expenditure to 31 December 2022</b></li> <li><b>II. Noted the revised budget forecast to 31 March 2023 and predicted available balance of £118,941</b></li> <li><b>III. Approved the recommendation that ERCS awards a 5% cost of living increase to all staff from 1 April 2023</b></li> <li><b>IV. Approved the budget 1 April 2023-31 March 2024</b></li> <li><b>V. Noted the revised 3-year financial forecast 2023 -2026</b></li> <li><b>VI. Noted that ERCS will undertake a review of its overall salary structure in autumn 2023, this will include the feasibility of introducing a suitable salary incremental scale to adopt for the organisation moving forward.</b></li> <li><b>VII. Decided that the going concern tests were met.</b></li> </ul> <p><b>The Board thanked Julie for her work as treasurer in supporting the organisation’s strong financial position.</b></p>	<p><b>23/6: SF</b> to write to staff informing them of their cost of living award from 1 April 2023 and to process the 2023/2024 budget figures for bookkeeping/Xero.</p>
5	<p><b>Staff Handbook &amp; operating policies</b></p> <p>The Board noted the operational policies under review by the Operations Working Group as noted in the minutes (paper 2e).</p> <p>The Conflict of Interest Policy for trustees will be discussed at the next working group meeting. The policy will formally reflect the process, in line with ERCS’s Constitution and Procurement Policy, which was undertaken to manage the personal conflict of interest in</p>	<p><b>23/7 SF/Ops WG:</b> to present draft Conflict of Interest Policy to May Board meeting.</p>



	commissioning ERCS trustee Campbell Gemmell to write a report on a dedicated Scottish Environment Court.	
6	<p><b>Governance</b></p> <p><b>Risk register – Paper 5</b></p> <p>At the November Board meeting the risk register was approved and all agreed it was a robust and effective operational tool.</p> <p>In light of new risks emerging with the impacts of the cost of living crisis, political climate for advocacy work and the maturity/development of the advice service, it was suggested that that the next iteration of the risk register would be presented to the February Board Meeting. This has been deferred to the May Board meeting to give time for SF to develop the Advice Service Strategy and discuss with the Operations Working Group at their April meeting.</p> <p><b>Strategic plan</b></p> <p>All agreed it was great to see the ERCS Strategy 2023- 2026 signed off within the agreed timescales.</p>	<p><b>23/8: SF/Ops WG</b> to present new risk register at May Board meeting.</p>
7	<p><b>AOCB</b></p> <p>Trustees offered ideas for the Board away day that staff would be invited to attend for the non-business part. It was agreed to review the AGM date provisionally earmarked for 20 September 2023 6 – 8pm.</p>	<p><b>23/9: SF</b> to follow up on possible sites for the Board away day 15 August.</p> <p><b>23/10: SF/LA</b> to reorganise AGM date.</p>
	The meeting was closed at 4.15pm	

These minutes were approved as an accurate record by the Board of Trustees on 16 May 2023.

Signed by Lloyd Austin, Chair.