

ERCS Board Meeting: Minutes of 16 May 2023

Hybrid meeting

Present: Lloyd Austin Chair (LA), Tom Ballantine (TB), Julie Christie Treasurer (JC), Mary Church (MC), Campbell Gemmell (CG), Juliet Harris (JH), Aedán Smith (AS),

Apologies: Deborah Long Vicechair (DL), Jackie Erdman (JE), Clare Symonds (CS).

In attendance: Shivali Fifield Chief Officer & minutes (SF).

		Actions
1	<p>Welcome</p> <p>Trustee check-in</p> <p>Apologies were noted from Deborah, Jackie and Clare.</p> <p>Following his attendance as an observer, in February, it was noted that the Board had agreed to co-opt Tom, and he was welcomed to this meeting as a new Trustee.</p>	
2	<p>Minutes of last meeting - Paper1</p> <p>The minutes of the last Board meeting on 21 February were approved as an accurate record.</p> <p>All action points have been completed except for:</p> <ul style="list-style-type: none"> - 23/2 SF to update recruitment policy on ERCS becoming a Level 1: Disability Confident Committed employer organisation. - 23/3: SF to remove minutes from the website from September 2023 to keep within 2-year scope – as agreed at November meeting. <p>There were no other matters arising that were not covered in the agenda.</p> <p>Decision: The Board approved posting the February minutes on the ERCS website.</p>	<p>23/2: SF to update recruitment policy.</p> <p>23/3: SF to remove minutes from the website from September 23.</p> <p>23/11: SF to post approved minutes on website for 21 February.</p>



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Executive report – Papers 2, 2a, 2b, 2c, 2d

The Board noted the report and accompanying papers and wanted to thank the ERCS team on their outputs since the last report.

In summary, the highlights from the last meeting were:

- Developing our role in rights awareness and outreach including publishing online *Voices for justice* blogs and FAQs.
- Beginning our joint project with MECOPP Gypsy/Travellers service.
- Increasing our advice enquiries and publishing a snapshot of the first eighteen months of the Advice Service.
- Submitting representations to ESS (now at 6), an appeal to the UK Information Tribunal and follow up to our joint communication to ACCC on equal rights of appeal in planning.
- A successful parliamentary event with attendance from SG teams, civil society and clients from the Advice Service – who are forming an environmental justice network.
- Progress in our advocacy for a Scottish Environment Court and articulating the substantive right to a healthy environment.
- Establishing relationships with the press media and regular coverage to advance our advocacy objectives.
- 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.
- Steadily increasing our membership and subscribers.
- Increasing our social media profile with corresponding increase in website activity and downloads.

Rights awareness and outreach

All noted the operational start of our work with the MECOPP Gypsy/Traveller project in March - which had good engagement from residents at the first site. SF explained the reasons for pausing the follow-up action until MECOPP are ready. A second site has been agreed and desktop research and analysis has been provided.



	<p>Advice service</p> <p>Trustees discussed the 6 representations made to Environmental Standards Scotland and the two complaints ERCS have made re their closure of two cases. SF said she was meeting with Mark Roberts, CEO on 1 June and would discuss further advocacy steps with Lloyd and Campbell. It was also agreed that SF would seek a meeting with SEPA.</p> <p>SF gave an update on different scoping discussions re options appraisal for establishing ERCS's own law firm. She still has a few people/organisations to talk to including ERCS Associates and the Advice Steering Group. An Advice Strategy discussion paper will be presented to the August away day.</p> <p>Advocacy</p> <p>Trustees noted that the Advocacy Working Group would be meeting later in the week and noted the updates.</p> <p>Communications</p> <p>Juliet and Mary praised Benji and Cornell for ERCS tweeting. It was noted again that more communication is happening via LinkedIn. All agreed that, although Twitter is problematic, it remains the most appropriate social media channel for ERCS at present. SF noted that ERCS still needs to commission consultancy on ERCS's communication plan and social media platforms will be reviewed at that time – most likely end of 2023/early 2024 to coincide with the development and growth of ERCS.</p>	<p>23/12: SF to follow up with LA/CG after meeting with ESS and arrange introductory meeting with SEPA.</p> <p>23/13: SF to circulate Advice Strategy discussion paper for August Board Meeting/ away day.</p> <p>23/14: SF to commission consultancy on ERCS's communication strategy end 2023/early 2024.</p>
4	<p>Financial report – Papers 3, 3a, 3b</p> <p>Income and expenditure at year end 31 March 2023</p> <p>Julie drew attention to ERCS's cash summary report at year end which shows a surplus of £43,564 for the year and a cash balance of £169,883.</p> <p>2023-2024 budget forecast - adjusted</p> <p>The February Board meeting approved the budget for 2023-24. Julie drew attention to <i>Paper 3b Budget forecast</i> which provides the 2023-</p>	



2024 adjusted budget forecast including minor adjustments to the expenditure informed by the year end analysis and an increase in the budget for Advice Service Development from £30,000 to £50,000 - to allow for renting new premises for the law centre in early 2024 (if agreed). Aedán agreed this was a good idea as RSPB are reviewing their office space which may have implications for hosting ERCS.

With our ringfenced **reserves of £58,123** (calculated at 3 months' salary costs as at 1 September 23) ERCS is forecast to have an **available funds balance of £52,792 at year end 31 March 2024**. This is a conservative figure as it does not take into account the fundraising targets of an additional £20,000 from Esmée Fairbairn Foundation and £55,000 from Polden-Puckham Charitable Foundation from January 2024 for three years.

Trustees noted the changes to staff contracts and discussed recruiting a temporary administration assistant to support the events organisation over the summer and backfill the reduction in hours from the finance and administration post. SF to action the most efficient recruitment process and confirm length of contract.

Revised financial forecast 2023-2026

A revised three-year financial forecast 2023-2026 will be provided for the August Board meeting when grant applications will be known.

In summary, the ERCS Board, on the recommendation of the Operations Working Group:

- I. Noted the income and expenditure at year end 31 March 2023 with a cash balance of £169,883 including £58,123 ringfenced reserves for contingencies (Paper 3a)**
- II. Noted the revised budget forecast to 31 March 2024 and predicted available balance of £110,915 including £58,123 reserves (Paper 3b).**
- III. Approved the recruitment of a temporary Administration Assistant (3+ months) to support ERCS activities/events over the summer period – recruitment process to be decided.**
- IV. Decided that the going concern tests were met.**

The Board thanked Julie for her work as treasurer in supporting the organisation's strong financial position.

23/15: SF to action recruiting an Admin Assistant over the summer/autumn.

23/16: SF/JC to provide a revised forecast 2023-2026 for the August Board Meeting.



5	<p>Staff Handbook & operating policies</p> <p>The Board noted the operational policies under review by the Operations Working Group as noted in the minutes (paper 2d).</p>	
6	<p>Governance</p> <p>Conflict of Interest Policy – Paper 4</p> <p>SF to make a minor amendment and replace:</p> <ul style="list-style-type: none">- <i>All trustees have the obligation to identify and disclose any conflict of interest at the start of each Board Meeting.</i> <p>With:</p> <ul style="list-style-type: none">- <i>All trustees have the obligation to identify and disclose any conflict of interest at the start of the appropriate board meeting and any ongoing discussions.</i> <p>Decision: The Board approved the Conflict of Interest Policy.</p> <p>Risk register – Paper 5</p> <p>Trustees reviewed the new risk register and agreed the new additions were helpful. Mary also commented that the side comments noting the changes from previous high to medium/low risk were welcome.</p> <p>Tom asked how the register is used. SF said that it was a helpful priority list for her that she discussed with the Operations Working Group.</p> <p>Additions to include:</p> <ul style="list-style-type: none">- Difficulty in recruitment- Development of strategic relations now that ERCS is becoming established at holding public bodies to account- Responding to emergencies (e.g. pandemic, fire on premises, etc). <p>Decision: The Board approved the new risk register subject to the agreed additions and will review again in November/December.</p>	<p>23/17 SF to finalise Conflict of Interest Policy.</p> <p>23/18 SF to finalise Risk Register and review for November Board Meeting.</p>



	<p>Board Effectiveness</p> <p>Julie said that she will finalise the survey on Board Effectiveness for trustees to complete by the end of June. This will include some type of 360° feedback from SF as the chief officer.</p> <p>Shivali will also update and circulate the Trustees Skills Audit form. Both will be discussed at the August Board Meeting/away day and will also inform the trustee recruitment process for the AGM.</p> <p>AGM</p> <p>SF confirmed that ERCS only needs an independent examination rather than a full audit for the 2022/23 accounts which will be undertaken by Geoghegans w/c 10 July at £2,650 + VAT. SF will draft Trustees Report for Annual Report by the end of June for comment.</p> <p>SF will circulate a schedule of trustees retiral, election and re-election with Skills audit.</p> <p>Decision: ERCS virtual third AGM will be on 11 October 6-8pm.</p>	<p>23/19 JC to finalise Board Effectiveness Review form.</p> <p>23/20 SF to finalise Trustees Skills Audit and circulate with the schedule of trustees' retiral, election, re-election.</p> <p>23/21 SF to draft Trustees' report for the annual report/accounts.</p> <p>23/22: All trustees to complete Board Effectiveness Review, Skills Audit and advise on whether they want to continue as a trustee.</p>
7	AOCB - none	
	The meeting was closed at 4.30pm	

These minutes were approved as an accurate record on 15 August 2023.

Signed by Lloyd Austin, Chair.