

## ERCS Board Meeting: Minutes of 19 August 2025, 2-5 pm

Hybrid meeting at ERCS, Thorn House, 5 Rose St, EH2 2PR

**Present:** Lloyd Austin - Chair (LA), Tom Ballantine (TB), Julie Christie - Treasurer (JC), Kevin Dunion (KG), Campbell Gemmell (CG), Deborah Long – Vice chair (DL), Pippa Scott (PS), Aedán Smith (AS), Clare Symonds (CS).

**Apologies:** Juliet Harris (JH), Jim Jarvie (JJ).

**In attendance:** Shivali Fifield - Chief Officer & minutes (SF), Ben Christman – Legal Director, Jack Withy – Finance & Ops Manager (JW).

	Actions
1. Welcome and apologies	<p>Trustee Check-In</p> <p>Apologies were noted from Jim and Juliet.</p> <p>Julie and Clare joined online.</p> <p>Trustee declaration of any conflicts of interest</p> <p>The Conflicts of Interest Policy was approved at the May 2023 Board meeting and states that:</p> <p><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> <p><b>There were no new declarations of interest.</b></p>
2. Verbal updates from ERCS team: Ben, Kate, Jack, Cornell and Julia.	<p>This was the annual ERCS Board and staff in-person meeting following a visit to the City Art Centre to see 'Out of Chaos: post-war Scottish Art 1945-2000'. Staff members gave a summary of their highlights from the year and what they were looking forward to in the coming year.</p> <p>The trustees welcomed the staff updates as well as noting the Executive Report.</p>



## Executive report – Paper 2

### **Accompanying papers for information:**

- 2a: Advice Service Audit January- July 2025.
- 2b: Operations Subcommittee Minutes 9 July 2025.

### **Summary**

In summary, the highlights in this reporting period were:

- Expanding our work on Gypsy/Traveller sites.
- Collaborating with Inclusion Scotland and Glasgow Disability Alliance on Disability Inclusive Climate Adaptation.
- Reaching 500 enquiries to the Advice Service and submitting ERCS Legal Ltd details for registration with the Law Society.
- ACCC finding our communication on SCJC preliminary admissible.
- Six parliamentary questions and two motions submitted on our advocacy.
- Publishing a new [briefing on legal aid reform](#) and guides to [planning enforcement](#) and [lobbying](#).
- Establishing a [Fossil Free Law student campaign](#).
- Meeting with SEPA and preparing for a campaign to tackle sewage pollution.
- Increasing our website activity, updating our webpages and strengthening relationships with the press media.
- Steadily increasing our membership and subscribers.

Trustees particularly welcomed the draft Advocacy Manifesto which will be launched at the ERCS Birthday Party.

Trustees noted the length of time it has taken to complete all the financial and operational systems for ERCS Legal Ltd – complicated by being refused bank accounts and the uniqueness of the law firm both in size and purpose.

Trustees also noted the restart of the Advocacy Working group and the cessation of the Advice Subcommittee and wanted to thank all the Associates who had contributed to the success of the latter in supporting the development of the Advice Service.



	<p><b>The Board noted the report and accompanying papers. The trustees asked Shivali to ensure the full team were congratulated on their work.</b></p>	
3.	<p>Minutes of last meeting 20 May 2025 - Paper 1</p> <p><b>Minutes</b></p> <p>There were no comments on the Minutes.</p> <p>Outstanding actions not covered in the agenda</p> <p>25/10: SF to present 6 month progress of fundraising workplan at November meeting – <b>for next meeting</b>.</p> <p>25/11: SF to circulate members survey – <b>still do to</b>.</p> <p>25/12: SF to recruit a volunteer fundraiser – <b>still to do</b>.</p> <p>25/15: Trustees to complete skills audit for November Board meeting – <b>for next meeting</b>.</p> <p>25/17: SF to circulate draft annual report (June - completed) and strategy - <b>draft strategy postponed to next meeting</b>.</p> <p>All other actions completed.</p> <p><b>Decision: The Board approved posting the Board minutes on the website and the oldest Board minutes being removed to keep a 2-year rolling cycle.</b></p>	25/26: SF to post approved May minutes.
4.	<p>Financial report – Paper 3</p> <p><b>Accompanying papers for information:</b></p> <ul style="list-style-type: none"><li>- Paper 3a: Management accounts to 30 June 2025.</li><li>- Paper 3b: ERCS accounts and annual trustees report 24-25.</li></ul> <p>Julie presented the financial report (Paper 3) to the Board.</p> <p>Income and expenditure at 30 June 2025 - Paper 3a</p> <p>Paper 3a presented ERCS's management accounts as of 30 June 2025. The Cash Summary Report now has an additional column which separates out the costs attributable to ERCS Legal Ltd (LPU). It shows <b>year to date income as £171,162, total expenditure as</b></p>	



**£107,820, net cash surplus of £63,342 and an overall cash balance of £385,627.**

#### ERCS accounts and annual trustee's report

The Board noted the accounts and annual trustees' report were ready to be approved following the AGM.

#### Going concern tests

As approved in May 2025, at every Board meeting, trustees will consider whether the following three standards are met (going concern tests):

1. There is confirmed available cash for ERCS to meet all its commitments for the next six months.
2. There is a robust and credible budget which shows that ERCS is able to break even or better for the following six months.
3. There are sufficient reserves to cover the forecast three months' operating costs.

Julie referred to the budget and Paper 3a to show how these tests have been met for August 2025.

Campbell noted the increase in staff costs now that ERCS has ten members of staff with 3 month's salary costs at £90,000. This highlights the need to keep abreast of turnover and Julie confirmed that the fundraising workplan will be brought to the November Board meeting.

#### Decision: the Board

1. **Noted the income and expenditure and cash balance of £385,627 as of 30 June 2025.**
2. **Noted that ERCS has received the Independent Examination report from WBG.**
3. **Agreed that the three going concern tests are met.**

5.	<p>Governance – Papers 4 &amp; 5</p> <p>Trustee schedule and recruitment – Paper 4</p> <p>Trustees noted the paper and retiral schedule.</p> <p>Lloyd formally thanked Campbell, Juliet and Clare, who will be retiring at the AGM, for all their efforts and acknowledged it was an</p>	<p>25/27: SF to speak to JW and GM re standing for election.</p> <p>25/28: SF to present new risk</p>
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end of an era with these first trustees retiring and making way for the next phase.

Lloyd also noted that Alison McNab is standing down as an Associate.

The Board discussed the excellent applications from Jamie Whittle and Grainne McGinn to be co-opted to the Board. It was agreed that it would be preferable to invite Jamie Whittle and Grainne McGinn, along with Kevin Dunion, to stand for election at the AGM. This would keep the two co-opted spaces available, if needed, in the coming year.

The list of potential ERCS associates and trustees was reviewed and the Board welcomed the progress that had been made in recruiting new associates and trustees. The list will be reviewed again in May 2026 in preparation for the AGM.

#### **Decision: The Board**

- **Approved Kevin Dunion to stand for election at the AGM.**
- **Approved Shivali to invite Jamie Whittle to stand for election at the AGM.**
- **Approved Shivali to invite Grainne McGinn to stand for election at the AGM.**
- **Approved Amy Fairbairn to become an ERCS associate.**
- **Approved inviting Campbell Gemmell, Juliet Harris and Clare Symonds to become ERCS associates.**
- **Approved rewording the AGM call for trustee nominations to emphasise having an early discussion with Shivali to consider ways of becoming involved in the lead up to the next AGM.**

#### **AGM preparation – general discussion**

Trustees discussed the format of the AGM and agreed it should be short, following the Birthday Party two weeks earlier, and include Shivali presenting on ERCS achievements in the usual format and Ben providing an update on ERCS Legal Ltd.

#### **Risk Register August update – Paper 5**

The trustees noted the updates to the risk register for the significant risks which shows very good outcomes in addressing the previous significant risks identified in October 2024 and May 2025.

register for February Board meeting.



	<p>The risk register will be reviewed again for the February Board meeting.</p>	
6.	<p><b>AOCB</b></p> <p>Dates for the diary:</p> <ul style="list-style-type: none"><li>• 18 September 6-8pm ERCS 5 Birthday Party and launch of ERCS Legal Ltd.</li><li>• Wednesday 8 October AGM 6-7.30pm.</li><li>• Tuesday 18 November 2-5pm Board Meeting.</li></ul> <p>There being no other business, the meeting closed at 4.45pm.</p>	

These minutes were approved as an accurate record on 18 November 2025.

Signed by Lloyd Austin, Chair.