

ERCS Board Meeting: Minutes of 18 November 2025, 2-5 pm

Online meeting

Present: Lloyd Austin - Chair (LA), Tom Ballantine (TB), Grainne McGinn (GMcG), Pippa Scott (PS), Aedán Smith (AS), Jamie Whittle.

Apologies: Julie Christie - Treasurer (JC), Kevin Dunion (KG), Jim Jarvie (JJ). Deborah Long – Vice chair (DL).

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

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| 1. | <p>Welcome and apologies</p> <p>Trustee Check-In Apologies were noted from Julie, Kevin, Deborah and Jim.</p> <p>Lloyd welcomed Grainne and Jamie to their first full Board meeting.</p> <p>Trustee declaration of any conflicts of interest 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>There were no new declarations of interest.</p> | |
| 2. | <p>Minutes of last meeting from 19 August 2025 (Paper 1), 8 October 2025 (Paper 1a) and matters arising</p> <p>Minutes There were no comments on these Minutes, which were approved.</p> <p>Outstanding actions not covered in the agenda 25/11: SF to circulate members survey – agreed to review in 2026 with strategy consultation - new action.</p> <p>25/12: SF to recruit a volunteer fundraiser –on fundraising workplan for 2026.</p> | <p>25/29: SF to post approved August and October minutes.</p> <p>25/30: SF to review circulating members survey with draft strategy post February Board meeting.</p> |



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| | <p>25/15: Trustees to complete skills audit for November Board meeting –to complete for May Board meeting in preparation for AGM - new action.</p> <p>25/17: SF to circulate draft annual report (done) and strategy - draft strategy postponed to February Board mtg.</p> <p>25/20: SF to organise inductions for JW and GM - to include time with Jack to go through SharePoint and Data Handling policy - TBA.</p> <p>25/28: SF to present new risk register for February Board meeting.</p> <p>All other actions were completed.</p> <p>The Board noted that, as agreed previously, the ERCS website would only show previous two years of minutes. This is what is shown on the members page, but all minutes are now available from the Resource Library.</p> <p>Decision: The Board approved posting the Board minutes on the website.</p> | <p>25/31: Trustees to complete skills audit for May Board meeting in preparation for AGM.</p> |
| 3. | <p>Executive report – Paper 2</p> <p>Shivali presented the Executive report to the Board.</p> <p>Summary</p> <p>In summary, the highlights in this reporting period were:</p> <ul style="list-style-type: none">• Our Birthday Party celebration and AGM.• Expanding our work on Gypsy/Traveller sites.• Collaborating with Inclusion Scotland and Glasgow Disability Alliance on Disability inclusion.• The launch of our Advocacy Manifesto.• Submitting responses to the calls for views and providing evidence and input to Stage 1 proceedings for the Ecocide Bill and Crofting and Scottish Land Court Bill.• Publishing new guides on greenwashing and Environmental Impact Assessments for planning applications.• Finalising our financial processes to launch ERCS Legal Ltd. <p>Trustees agreed that the Birthday Party was very successful and welcomed the Advocacy Manifesto. Pippa mentioned the Clean up</p> | |



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| <p>Scotland's Sewage campaign – to be launched on 22 November and how well this has been coordinated by Julia.</p> <p>ERCS Legal Ltd report – Paper 2a</p> <p>Ben presented the ERCS Legal Ltd report to the Board.</p> <p>As well as all ERCS staff and trustees signing a confidentiality agreement, Tom raised the importance of allowing the sharing of information between ERCS SCIO and ERCS Legal Ltd in the law firm's terms of business / letters of engagement.</p> <p>With everything now in place, the law firm will go live on 1 December.</p> <p>The Board noted the reports. The trustees asked Shivali to ensure the full team were congratulated on their work.</p> | <p>25/32: BC to review confidentiality / sharing of information explainer between ERCS SCIO and ERCS Legal Ltd in the firm's terms of business.</p> |
| <p>4. Financial report – Paper 3</p> <p>Accompanying papers for information:</p> <ul style="list-style-type: none">- Paper 3a: Management accounts to 30 September.- Paper 3b: Financial forecast.- Paper 3c: Internal Financial Controls. <p>In Julie's absence, Shivali presented the financial report to the Board.</p> <p>Income and expenditure as at 30 September 2025</p> <p>Paper 3a presented ERCS's management accounts as at 30 September 2025. The Cash Summary Report now has an additional column which separates out the costs attributable to ERCS Legal Ltd (LPU). It shows year to date income as £242,140, total expenditure as £218,679, net cash surplus of £23,461 and an overall cash balance of £345,746.</p> <p>The budget variance report showed that we have spent £21,125 less than we had provided for in our budget of £490,678.</p> <p>Financial forecast 2025 - 2029</p> <p>Paper 3b provided a revised financial forecast alongside the budget approved at the May Board meeting. Figures have been adjusted in light of the six months' income and expenditure and budget variance reports.</p> | |



Trustees noted that the forecast income is intentionally less than expenditure for 2025 – 26 and the following two years so that we draw down on our reserves. In part, this was anticipated and planned for in deciding to establish the law firm.

Trustees also noted the updated Internal Financial Controls for ERCS SCIO (paper 3c).

Fundraising workplan October update

Paper 4 provided an update to the fundraising workplan presented to the May Board meeting.

Trustees noted that Beacon CRM is now set up as the interface for donations which has reduced administration processes and is working well.

Shivali highlighted that, in relation to grant income, ERCS is confident that the fundraising target for 2025/6 will be met and discussions with existing funders are in the diary. New funders have been identified for 2026/7 but this is reliant on ERCS Legal Ltd being operational to demonstrate the case for increased funding as well as forecasting income from legal aid.

ERCS Legal Ltd

Following lengthy delays with different banks, ERCS Legal Ltd is now financially operational with two new Business Accounts for business and client monies with the Bank of Scotland. As at 30 September, the balance was £984.71.

The Internal Financial Controls for ERCS Legal Ltd: which includes the finance processes between the law firm and its cashroom provider, SLAB bookkeeping accountant and ERCS SCIO is being finalised and will be presented to the February Board meeting.

ERCS has appointed Wbg to undertake the independent examination of accrued accounts for both ERCS SCIO and ERCS Legal Ltd for 2025/6. Under their advice, and to be absolutely sure everything is now covered, Ben will ‘check-in’ with a charity law firm on how we explain the relationship between ERCS SCIO and ERCS Legal Ltd for trading purposes.

25/33: New fundraising workplan to be presented to May Board meeting.

25/34: ERCS Legal Ltd Internal Financial Controls to be presented to the February Board meeting.

25/35: BC to confirm how to explain the relationship between ERCS SCIO and ERCS Legal Ltd for the auditors.



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| | <p>Going concern tests</p> <p>As approved in May 2025, at every Board meeting, trustees will consider whether the following three standards are met (going concern tests):</p> <ol style="list-style-type: none"> 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. <p>Shivali referred to papers 3a and 3b to show how these tests have been met for November 2025.</p> <p>Decision: the Board</p> <ol style="list-style-type: none"> 1. Noted the income and expenditure and cash balance of £345,746 as at 30 September 2025. 2. Noted the revised financial forecast. 3. Noted the update to the fundraising workplan. 4. Noted the revised Internal financial controls for ERCS SCIO. 5. Noted that ERCS Legal Ltd has two business accounts with the Bank of Scotland. 6. Agreed that the three going concern tests are met. | |
| 5. | <p>Governance – Paper 5</p> <p>Election of office bearers – Paper 5</p> <p>Trustees approved the addition of section 5: process for electing office bearers in the Protocol on electing trustees and tenure.</p> <p>Trustees forms to complete</p> <p>Trustees noted that the OSCR Trustees week was w/c 3 November and all the latest guidance for trustees.</p> <p>Lloyd reminded all trustees to complete the following forms as requested on 31 October:</p> <ul style="list-style-type: none"> - Trustee code of conduct: updated with the new disqualifications introduced last year. - Trustee declaration of interests. - ERCS / ERCS Legal Ltd confidentiality agreement. | <p>25/36: Trustees to complete all forms by 30 November and send to JW.</p> <p>25/37: To agree AGM event at</p> |



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| | <p>2026 AGM</p> <p>It was discussed that the next AGM would be hybrid following the ERCS annual in-person event. Date in October and subject of the event will be decided at the May Board meeting.</p> <p>Trustees noted Lloyd's (probable?) apologies for the AGM.</p> | May Board meeting. |
| 6. | <p>AOCB</p> <p>Dates for the diary:</p> <ul style="list-style-type: none">- 17 February 2026, 19 May 2026, 18 August (away day?), 17 November 2026. <p>There being no other business, the meeting closed at 4pm.</p> | 25/38: Trustees to give ideas for Away day location. |

These minutes were approved as an accurate record on 3 March 2026.

Signed by Lloyd Austin, Chair.