**Assessment of Board Effectiveness – December 2021 Appendix 1**

| **Performance Category** | **Performance Indicator** | **Evidence** | **Possible Action Required** |
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| 01  Purpose and Strategic Direction | 1. The Board has a clear understanding of the purpose of the organisation as well as the role of the organisation in developing strategy for its own operations and advice to Ministers. 2. The Board has a sufficient understanding of the business and the environment in which the organisation operates to enable it to direct strategy. 3. The Board has sufficient opportunity to discuss matters of a strategic nature. | In March 2021 there were two new Board appointments. It is important to ensure that all board members understand the purpose of the organisation whether they have a background in law or not. They undertook On Board training and attended high level Induction sessions.  Board meetings and papers are strategic in nature. The Chief Executive update contains technical and strategic information regarding matters of interest to the Board.  Board papers are issued to the Board to ensure adequate time to read and digest information to ensure effective discussion at the Board meeting. | Please see Training schedule |
| 02  Appointments | 1. The organisation targets a diverse pool of potential Board members from which to recruit. 2. The organisation has a clear understanding of the relevant knowledge and skills that it requires from Board members. | After a successful recruitment process two strong Board appointments were made. This followed direct targeting of a range of organisations representing diverse groups and the use of board member testimonies to attract candidates.  A recent submission to the Government details the work towards achieving the 50/50 gender target. We are only just outside that target currently.  The Chair and CEO devise a Succession Plan for Board appointments. This includes the use of a board member skills matrix.  The skills matrix has been recently updated in consultation with members. | None at this time. |
| 03  Knowledge development | 1. The induction process ensures that new Board members are able to acquire knowledge and understanding of the organisation 2. Ongoing knowledge development allows members to contribute effectively. | Induction process is in place for new board members.  New Board members are enrolled in the On Board training and have high level sessions with CE and CEO Manager for understanding of corporate matters.  The appraisal process considers Members’ skills development relevant to their roles. | Please see training schedule. |
| 04  Understanding the role | 1. Board members have a clear sense of their roles and responsibilities. | Direct feedback from the board appraisal documentation indicates Board Members understand their role and responsibilities.  The Board have access to On Board training and the Government On Board guide to use as reference. Members also have access to the SG’s Governance Hub which has helpful links to resources to reinforce skills necessary for Board members.  There is no evidence to suggest that any Board member is unsure of their role and responsibilities. | None at this time. |
| 05  Working Together | 1. The Board works effectively together as a team. | Although this is challenging to assess during remote working, direct feedback via the board appraisal reflection submission notes that the Board members agree that they work together effectively, that they listen to one another and are comfortable to contribute. | The Executive are planning a strategy day in early 2022 (subject to Covid regulations) to meet in person as a group for the first time since December 2019. |
| 06  Constructive and Effective Scrutiny | 1. The Board provides a balanced evaluation of the performance of the organisation with the aid of data analysis and through a range of information sources. 2. The Board insists on additional evidence or analysis to aid its decision making. 3. The Board is able to bring insight, original thinking to bear in its consideration of issues presented to it. | Direct feedback provided via the board appraisal reflection document shows the board consider that they are able to challenge the Executive and raise issues for discussion.  The Board receives papers on Performance at each meeting.  Additionally, the Board considers it has the right skills and experience to be able to scrutinise effectively.  The board meetings highlight Board interventions and influence on decision making. Recent examples include:   * **EHRC**   Correspondence and discussions were held in relation to wording of the Section 23 Agreement as well as consideration to reputational impact.     * **Resilience Fund**   Discussions were held in relation to the operational impact and resourcing as well as the professions reaction to the grants and refusals.   * **COP26**   Feedback was received regarding announcements from the SSBA and the majority of local Bar Associations regarding the boycott of Duty rota plans for the duration of COP26 summit.  Concerns were voiced and regular updates was requested.  Learning aids and updates on The Governance Hub have been brought to the attention of Board Members. | It could be suggested to the Government that The Hub might be better resourced to ensure it is utilised.  A feature of the Training Schedule is for SLAB to consider Bulletins or Briefing papers to ensure Board members are up to date. |
| 07  Developing  Capability | 1. Board members take a proactive role in their own development. | Board Members demonstrate the ability to prepare in advance of meetings to enable them to effectively participate and contribute in meetings | Promote the governance hub set up by SG to allow for collaboration with other boards. |
| 08  Continuous Improvement | * 1. There is a continuous review of governance arrangements. | The Board reviews its own effectiveness and the Standing Orders are reviewed periodically.  Board and committee minutes demonstrate governance issues are considered at Board meetings such as:   * changes to Standing Orders; * changes to the decision making process during Covid-19 which included the amendments to the Delegated Authority Matrix; * Changes made to the management of Board and Committee meetings in response to Covid-19; | A governance task to review Board and Committee effectiveness will be undertaken in 2022. |
| 09  Administration | * 1. Board meetings are well managed and organised.   2. The Board meets regularly, with an appropriate level of operational business, strategy and learning and development content. | There has been regular feedback throughout the year from Board members complementing the Executive Team on the quality and standard of papers provided.  Feedback was received during the appraisal process which noted that complex matters might benefit from a short crib sheet that identified the main projects or issues that are likely to come before the committee, and which also included a short explanation of key terms or acronyms that are likely to be found in committee or Board papers. | None at this time. |