

National Park Authority Board Meeting

Agenda Item 12

Review of Temporary COVID-19 Governance Arrangements



Paper for decision

1. Introduction

1.1 In April 2020 the Board agreed temporary governance arrangements in light of the COVID-19 pandemic, which were to be reviewed by 14 September 2020. The purpose of this paper is to recommend the way forward on these temporary arrangements.

2. Recommendations

- a) That the following temporary governance arrangements come to an end with effect from 14 September 2020:
- i. The temporary Terms of Reference and membership of the Chairs and Executive Meeting and List of Powers including the delegation (in terms of Paragraph 17 of Schedule 1 to the National Parks (Scotland) Act 2000 as applied by the Loch Lomond and The Trossachs National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2002) to the Chairs and Executive Meeting of powers to take urgent decisions on behalf of the Board and approve temporary amendments to Standing Orders for the Board and Planning and Access Committee and the Local Review Body in response to the COVID-19/Coronavirus crisis.
- b) That the following temporary governance arrangements continue and are reviewed no later than 7 December 2020:
- i. The temporary appointments of Heather Reid as an additional Vice-Convenor, Claire Chapman as Acting Vice-Chair of Planning and Access Committee, and Christopher Spray as an additional Vice-Chair of Audit and Risk Committee
 - ii. The provisions of Standing Order 25 continue to apply, and Board, Committee, and Local Review Body meetings will continue to be held virtually, until government restrictions on physical distancing are lifted such that in person meetings can be held safely.

3. Contribution to National Park Partnership Plan and Our 5-year Plan

3.1. The efficient functioning of our Board and Committees ensures good governance which underpins all Outcomes and Priorities of the National Park Partnership Plan and Our 5-year Plan 2018-23.

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4. Background

- 4.1 To ensure business continuity resilience, we put in place temporary governance arrangements in April 2020 to respond to the COVID-19 pandemic. These measures included:
- 4.1.1 Additional deputy roles across the Board and Committees
 - 4.1.2 Expansion of the Chairs and Executive Meeting to include deputies
 - 4.1.3 Additional decision-making powers for the Chairs and Executive Meeting, including to take urgent decisions in response to COVID-19 and to amend the Standing Orders of the Board, Planning and Access Committee, and Local Review Body
 - 4.1.4 Provision for all meetings to be held virtually
- 4.2 From 7 April 2020 to 31 August 2020 we held one virtual Board meeting, 7 virtual Chairs & Executive Meetings, 3 virtual Planning and Access Committee Meetings, 3 virtual Local Review Body meetings, and one virtual Audit and Risk Committee meetings (with a further one scheduled for 8 September 2020). The Chairs and Executive Meeting did not use its additional decision making powers during this period.

Chairs and Executive Meeting

- 4.3 The temporary changes to the Chairs and Executive Meeting, including using an expanded group, meeting more regularly, and having additional decision-making powers if needed, were useful and provided needed resilience given all that was happening. In particular, as the pandemic escalated and circumstances were changing rapidly, the expanded and frequently-held Chairs and Executive meeting enabled staff to discuss with Board members the approach and steps being taken through the various stages of lockdown and resulting easing of restrictions.
- 4.4 However, the additional decision-making powers were not used during this period. Now that lockdown has been lifted in the main, most of our visitor facilities have reopened, and we are nearing the end of the summer visitor season, we expect the pace of change to ease. Whilst we will still be feeling the effects of the pandemic and managing them on a day-to-day basis, we consider that there is no longer a need for the additional decision-making powers within the Chairs and Executive Meeting, and that we can revert to the standard terms of reference. Note that the Standing Orders allow flexibility to take urgent decisions via special Board meetings or by correspondence, if needed.

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- 4.5 We recognise that there is still considerable uncertainty about the near term future, and therefore in conjunction with the Convener we will keep under review the Chairs and Executive Meeting frequency.
- 4.6 The planned Delivery Group meeting in May did not go ahead and instead a report was sent by correspondence and projects were discussed at the Chairs and Executive Meeting. We expect the Delivery Group to resume meeting as we revert to usual governance arrangements.

Additional deputy roles

- 4.7 We also temporarily appointed an additional Vice Convener and additional Deputy Chairs of the Planning and Access Committee and Audit and Risk Committee. The roles were to help ensure that if illness, connectivity, or other issues affected the availability of the existing post-holders there was additional resilience and governance continuity.
- 4.8 We are due to review all post holders (except for the Convener) at the December 2020 Board meeting as part of our regular two-year review of these positions. In addition, if the Board approves the appointment of the new Chair of the Planning and Access Committee (see agenda item 13) it will create a Deputy Chair vacancy for that Committee.
- 4.9 We are proposing to maintain the temporary appointments until the December Board meeting, which will enable the Board to look across all available posts to determine the post holders for the next two year period.

Virtual meetings

- 4.10 Our virtual meetings have been successful to date, ensuring ongoing governance and decision-making across the Board and Committees. While there have been some downsides of not having in-person interaction, there have also been positives such as a reduced carbon footprint and increased accessibility by the public and staff.
- 4.11 We plan to continue to use virtual meetings for at least as long as the COVID-19 physical distancing restrictions remain in place. Government guidance remains that working from home where possible should be the default. Our boardrooms also wouldn't allow for physically-distanced meetings with the number of Board members, staff, and the public that usually attend.

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- 4.12 We also plan to consider what a future meeting model might be post-COVID. There are carbon and governance benefits that we want to try to embed, while also recognising that virtual meetings also present some limitations. We discuss this further with the Board in due course.

Autumn strategy day

- 4.13 We are still planning to hold a strategy day with Board members this autumn. However, we have not yet determined the timing, format, or topics for the day. We will need to establish a format that enables effective discussions alongside COVID-safe measures. We will be in touch with Board members with more detail in due course.

5. December selection process

- 5.1. Temporary governance arrangements aside, the usual two-year appointments made to the following positions will be ending in December 2020:
- Board Vice-Convenor
 - Chair of the Audit and Risk Committee
 - Deputy Chair of the Audit and Risk Committee
 - Chair of Delivery Group
 - Deputy Chair of Delivery Group
- 5.2. Should the Board approve the nomination for the new Chair of the Planning and Access Committee (see agenda item 13), that will also create a vacancy for the Deputy Chair on that Committee.
- 5.3. As per the Standing Orders, we expect to seek nominations for these positions in October or November for consideration at the December Board meeting. The Committee Clerk will email all Board members at the appropriate time.
- 5.4. At the December Board meeting we are also due to reconsider the membership of all Committees and Groups. This is an opportunity for members to indicate whether they would like to change which Committees and Groups they are members of. We will ask all Board members to write to the Committee Clerk to indicate any preferences for change of their current membership. Members are asked to note in particular that at present there remains a vacancy on the Audit and Risk Committee, which we would be looking to fill through this process.
- 5.5. It is also intended that the Standing Orders review will be presented at the December Board meeting.

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