

Scottish Information Commissioner

Minutes of the Quarterly Senior Management Team Meeting

29 April 2021 (Part 1) & 12 May 2021 (Part 2) – by video conference

NOTE TO READER:

The Scottish Information Commissioner publishes the minutes of Senior Management Team (SMT) meetings and the papers considered at the monthly and quarterly meetings, unless he considers, at the time of publication, that the minutes and/or papers are exempt from disclosure under the Freedom of Information (Scotland) Act 2002 or the Environmental Information (Scotland) Regulations 2004 (FOI law). Where minutes or documents are not published, the minutes will make it clear why not.

Under FOI law, everyone has the right to request any information held by the Commissioner. This includes minutes or papers which have not been published. If you want to request copies of minutes or documents which haven't been published, make a request (in writing, by e-mail or in any other recordable form) to:

Scottish Information Commissioner, Kinburn Castle, Doubledykes Rd, St Andrews, Fife, KY16 9DS

Tel: 01334 464610

Fax: 01334 464611

enquiries@itspublicknowledge.info

29 April 2021 Part 1

Present: Scottish Information Commissioner - Daren Fitzhenry (DF) (Chair)
 Head of Corporate Services - Helen Gardner-Swift (HGS)
 Head of Enforcement - Margaret Keyse (MK)
 Head of Policy & Information - Erin Gray (EMG)
 Finance and Administration Manager - Kim Berry (KB)
 Finance and Administration Manager – Liz Brown (LB) (Minutes)

Apologies: None

Details	Action By	Target Completion Date	Publish Yes / No	Comments
---------	-----------	------------------------	------------------	----------

1. Minutes, action points update and matters outstanding

1.1 Review of minutes – 26/03/2021 <ul style="list-style-type: none"> The minutes were approved and will be published with the relevant papers. 			Yes	
1.2 Action points update <ul style="list-style-type: none"> No action points outstanding 				
1.3 Matters outstanding <ul style="list-style-type: none"> No matters outstanding 				

2. Finance Report

<ul style="list-style-type: none"> The Committee Report was noted and DF commented that it has been very helpful to have a Committee Report supporting the Finance Report 			Yes	Committee Report published in full
--	--	--	-----	------------------------------------

<ul style="list-style-type: none"> An amendment was agreed to paragraph 9 to provide further detail The SMT agreed the publication recommendations 				Finance Report available here
--	--	--	--	---

3. Information Requests and Reviews, including Assurance Statement

<ul style="list-style-type: none"> The Committee Report was noted The SMT noted that the information in the Committee Report has been uploaded to the FOI and EIR Statistics Portal The publication recommendations were agreed 			Partial	<p>Committee Report and exemptions/ exceptions table published in full</p> <p>Summary table published here (Class 7)</p> <p>Outcome of requests table not published – Exemption s38(1)(b)</p>
--	--	--	---------	---

4. Subject Access Requests

<ul style="list-style-type: none"> The Committee Report was noted The SMT noted that the information in the Committee Report regarding the number of subject access requests received has been uploaded to the FOI and EIR Statistics Portal The publication recommendations were agreed 			Partial	<p>Committee Report published in full</p> <p>Summary table published here (Class 7)</p> <p>Outcome of requests table not published – Exemption s38(1)(b)</p>
---	--	--	---------	--

5. Enquiries Service

<ul style="list-style-type: none"> The Committee Report was noted The SMT noted that paragraph 3 needed to be amended and the correction was agreed The publication recommendation was agreed 			Yes	Committee Report published in full
--	--	--	-----	------------------------------------

6. Website

<ul style="list-style-type: none"> • The Committee Report and Website Statistics Report were noted • The following comments were noted: <ul style="list-style-type: none"> ○ The number of views on the Covid-19 Info Hub pages was very positive and make the effort that went into their development worthwhile ○ Additional information is to be added to paragraph 4 in the Website Statistics Report to record that the Decisions database was not updated in Q1 & Q2 2020/21 • The publication recommendations were agreed 	EMG	28/05/21	Yes	Committee Report and Website Statistics Report published in full
--	-----	----------	-----	--

7. Investigations Performance

<ul style="list-style-type: none"> • The Committee Report was noted • DF highlighted paragraph 6 and suggested this should be included in the Annual Report 2020-21 • The publication recommendations were agreed 			Partial	Committee Report published in full Dashboard reports withheld – Exemption s27(1)
--	--	--	---------	--

8. Key Documents

<ul style="list-style-type: none"> • Updates were provided by each Head of Department on the progress being made with the reviews and a few small changes agreed • HGS noted that recommendations for changes to review dates can be considered by the SMT • The SMT agreed that the report should be published with the exception of the comments column 			Partial	Report published with the exception of comments column – Exemptions s30(b)(ii) and s38(1)(b)
--	--	--	---------	--

9. Operational Plan 2020-21 Monitoring Report

<ul style="list-style-type: none"> • The SMT reviewed the Operational Plan 2020-21 Monitoring Report • Final updates to be completed before publishing in full 	All	21/05/21	Yes	2020-21 report published in full – available here
--	-----	----------	-----	---

10. UK GDPR Q4 2020-21 Report

<ul style="list-style-type: none"> The Committee Report was noted The following comments were noted: <ul style="list-style-type: none"> A change to the table heading in paragraph 31 was suggested and agreed DF is happy with the way we are working with the Data Protection Officer and thanked the GDPR working group for their hard work over the year The publication recommendations were agreed 	HGS	28/05/21	Partial	Committee Report published in full GDPR Implementation Plan 2019-20 withheld – Exemption s30(b)(ii), s30(c) and s39(1)
--	-----	----------	---------	---

11. Strategic Risk Register 2020-21

<ul style="list-style-type: none"> The SMT reviewed the Strategic Risk Register 2020-21 and updates were discussed and noted DF will provide Q4 commentary and HGS will update the register 	DF/HGS	21/05/21	No	Strategic Risk Register withheld – Exemptions s30(b)(ii), s30(c) and s39(1)
---	--------	----------	----	---

12. Service Standards – Compliments/Complaints

<ul style="list-style-type: none"> The Committee Report was noted The meeting date on Committee Report is to be corrected The publication recommendations were agreed 	LB	28/05/21	Partial	Committee Report published in full Record of Compliments and Record of Complaints reports not published – Exemption s38(1)(b)
--	----	----------	---------	--

13. AOB

Website discovery <ul style="list-style-type: none"> [Redacted] 			No	Minute withheld Exemption s35(1)(a)
--	--	--	----	--

<ul style="list-style-type: none"> • [REDACTED] <p>Thanks from DF: DF thanked the SMT and their teams for their hard work in this incredibly difficult year</p>	EMG	12/05/21		
---	-----	----------	--	--

12 May 2021 Part 2

Present: Scottish Information Commissioner - Daren Fitzhenry (DF) (Chair)
 Head of Corporate Services - Helen Gardner-Swift (HGS)
 Head of Enforcement - Margaret Keyse (MK)
 Head of Policy & Information - Erin Gray (EMG)
 Finance and Administration Manager - Kim Berry (KB)
 Finance and Administration Manager – Liz Brown (LB) (Minutes)

Apologies: None

14. Sickness Absence

<ul style="list-style-type: none"> • The Committee Report was noted • The following were noted: <ul style="list-style-type: none"> ○ there were no issues arising in relation to absence levels which require noting and possible further action ○ there were no issues in relation to the variance between the Commissioner's statistics and the national statistics which require possible further action ○ managers are encouraged to discuss sickness absence with staff and to ensure they are not working when sick • amendment needed to paragraph 14 • The publication recommendations were agreed 	KB	28/05/21	No	Committee Report and attached papers withheld - Exemption s38(1)(b)
--	----	----------	----	---

15. Statement of Expenditure – PSRA

<ul style="list-style-type: none"> The figures in the Report were noted The publication of the Report was agreed 			Yes	Report published in full – available here
--	--	--	-----	---

16. Time taken to pay suppliers

<ul style="list-style-type: none"> The Committee Report was noted and the following comments were made: <ul style="list-style-type: none"> 1 amendment needed in the table at the top of the Committee Report the agenda item title is to be amended to match the Committee Report title, that is, "Time taken to pay suppliers" The publication recommendation was agreed 	KB	28/05/21	Yes	Committee Report published in full
	KB	28/05/21		

17. Workforce Trends

<ul style="list-style-type: none"> The Committee Report was noted The publication recommendation was agreed 			Yes	Committee Report published in full
---	--	--	-----	------------------------------------

18. Quality Assurance - Enquiries

<ul style="list-style-type: none"> The Committee Report was noted and the following comments were made: <ul style="list-style-type: none"> HGS is currently reviewing the Enquiry procedures and this review will also look at quality assurance amendment needed to paragraph 3 The publication recommendation was agreed 	LB	12/05/2021	Yes	Committee Report published in full
---	----	------------	-----	------------------------------------

19. Publication Schemes (PAs)

<ul style="list-style-type: none"> The Committee Report was noted and the following comment was made: <ul style="list-style-type: none"> reference to the Scottish Biometrics Commissioner to be added to paragraph 5 The publication recommendation was agreed 	EMG	28/05/21	Yes	Committee Report published in full
---	-----	----------	-----	------------------------------------

20. Quality Assurance - Investigations

<ul style="list-style-type: none"> The Committee Report was noted and the following comment was made: <ul style="list-style-type: none"> DF was pleased to see the high quality of performance across all aspects of the cases that were reviewed 			Yes	Committee Report including Appendix published in full
--	--	--	-----	---

<ul style="list-style-type: none"> The publication recommendations were agreed 				
---	--	--	--	--

21. Communication Strategy

<ul style="list-style-type: none"> The Committee Report was noted The publication recommendation was agreed 			Yes	Committee Report published in full
---	--	--	-----	------------------------------------

22. Prescribed Persons (Reports on Disclosure of Information) Regulations 2017

<ul style="list-style-type: none"> The Committee Report was noted The Report set out in Appendix A was approved for publication on the Scottish Information Commissioner's (Commissioner) website When the Report set out in Appendix A is published, the Scottish Government will be notified The publication recommendations were agreed 	LB	04/06/21	Yes	Committee Report published in full Report in Appendix A available here
--	----	----------	-----	---

23. Information and Records Management

<ul style="list-style-type: none"> The Committee Report, the assurance provided and the Information and Records Management Report 2020-21 in the Appendix were noted The publication recommendations were agreed 			Partial	Committee Report published in full but the Appendix partially withheld – para 12, 15, 32, 33 & 34 redacted – Exemptions s30(b)(ii) and s39(1)
--	--	--	---------	---

24. Equalities Monitoring – Service Users

<ul style="list-style-type: none"> No report for 20/21 as surveys were not carried out this year HGS is looking at the options available to undertake surveys in 21/22 			N/A	
--	--	--	-----	--

25. Equalities Monitoring – Staff

<ul style="list-style-type: none"> No report for 20/21 as surveys were not carried out this year HGS is looking at the options available to undertake surveys in 21/22 			N/A	
--	--	--	-----	--

26. Sustainable Growth Statement (PSR) and Sustainable Development Carbon Footprint

<ul style="list-style-type: none"> • The Committee Report and the draft Statement on Sustainable Growth 2020-21 were noted. • The following comments were made: <ul style="list-style-type: none"> ○ DF advised that he had made 2 journeys in 2020-21 which appear have not been recorded – this is likely to make a very small difference but details should be added ○ KB will recalculate the figures and see what changes are required, if any, to the figures in the Statement on Sustainable Growth 2020-21 to be updated ○ The Open Government Licence statement also needs to be added to the end of the Statement on Sustainable Growth 2020-21 ○ A small change to the wording in paragraph 12 of the Committee Report was agreed to reflect the additional journeys by DF • The publication recommendations were agreed, subject to the changes being agreed 	<p>KB</p> <p>KB</p> <p>KB</p>	<p>28/05/21</p> <p>28/05/21</p> <p>28/05/21</p>	<p>Yes</p>	<p>Committee Report published in full</p> <p>Statement on Sustainable Growth 2020-21 published in full – available here</p>
--	-------------------------------	---	------------	---

27. British Sign Language - Action Plan – report and review

<ul style="list-style-type: none"> • The Committee Report was noted • The SMT agreed that no revisions are required to the British Sign Language Plan 2018-2023 (the plan) at this time • The following comments were noted: <ul style="list-style-type: none"> ○ Joint work across the SMT will take place this year in order to progress actions in the plan ○ A link to the plan is to be inserted into the Committee Report • The publication recommendation was agreed 	<p>EMG</p>	<p>28/05/21</p>	<p>Yes</p>	<p>Committee Report published in full</p>
--	------------	-----------------	------------	---

28. Operational Plan 2021-22

<ul style="list-style-type: none"> • The SMT approved the Operational Plan 2021-22 • The SMT agreed that the Operational Plan Monitoring Report 2021-22 is prepared using the approved plan • The following actions were noted: <ul style="list-style-type: none"> ○ HGS will finalise the Operational Plan 2021-22 for publication 	<p>HGS</p>	<p>21/05/21</p>	<p>Yes</p>	<p>Committee Report published in full</p> <p>Operational plan published in full – available here</p>
--	------------	-----------------	------------	--

<ul style="list-style-type: none"> ○ when this is done LB will prepare the Operational Plan Monitoring Report 2021-22 • The publication recommendations were agreed 	LB	21/05/21		
---	----	----------	--	--

29. Risk Management Annual Assurance Report

<ul style="list-style-type: none"> • The Commissioner and the SMT noted the Committee Report and the assurance provided • The following amendments to the Committee Report were agreed: <ul style="list-style-type: none"> ○ Reference to be added recommending the Risk Management Policy 2021-22 is published ○ A correction in paragraph 6 • The Commissioner and the SMT approved the C1 Risk Management Policy 2021-22 • The Commissioner approved the C1 Strategic Risk Register 2021-22 • The Commissioner approved the C1 Operational Risk Register 2021-22 • The Commissioner and the SMT agreed the publication recommendations 	HGS	28/05/21	Partial	<p>Committee Report published in full</p> <p>Risk Management Policy 2021-22 published in full available here – Class 1</p> <p>Operational and Strategic Risk Registers withheld – Exemptions s30(b)(ii), s30(c) and s39(1)</p>
--	-----	----------	---------	--

30. Improving Authority Practice Strategic Approach - key document review

<ul style="list-style-type: none"> • The Committee Report was noted • The date in the table of the attached paper is to be corrected • The key document 'Improving Authority Practice: Our strategic approach 2020-2024' was approved and it was noted that it supersedes 'C2 Developing Public Authority FOI Practice: Strategic Approach 2016-2020' • The publication recommendations were agreed 	EMG	28/05/21	Partial	<p>Committee Report published in full</p> <p>Improving Authority Practice: Our strategic approach 2020-2024 withheld – Exemption s27(1)</p>
---	-----	----------	---------	---

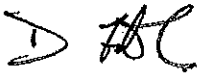
31. Temporary Closure of Office Premises

<ul style="list-style-type: none"> • The Committee Report was noted and the recommendations agreed • A link to the Commissioner's website's 'contact' page should be included in paragraph 5 • The publication recommendation was agreed 	HGS	28/05/21	Yes	Committee Report published in full
---	-----	----------	-----	------------------------------------

32. AOB

<p>Website Cookies</p> <ul style="list-style-type: none"> • The Committee Report was noted • The SMT agreed the recommendations, including which cookies need consent and which do not as set out in paragraph 17 and the subsequent table • The publication recommendations relating to the Committee Report and the observation line were agreed SMT 			<p>Partial</p>	<p>Committee Report partially withheld – para 16 – Exemption s30(c)</p> <p>Observation note partially withheld – Exemption s38(1)(b)</p>
--	--	--	----------------	--

Signed off by:



Date: 02/06/2021