

Report to:	Quarterly Senior Management Team Meeting
Report by:	Erin Gray (Head of Policy and Information)
Meeting Date:	12 May 2021
Subject/ Title: (and VC no)	2020-21 Publication Scheme (Public Authorities) Performance Report VC149383
Attached Papers (title and VC no)	None

Purpose of report

- To provide the publication schemes (public authorities) performance report 2020-21 as required by the Governance Reporting Framework, and to provide assurance that management of publication scheme adoptions is meeting the key performance indicators set out in the Performance and Quality Framework.

Recommendation and actions

- I recommend that:
 - The Senior Management Team (SMT) note the contents of this report.
 - This committee report is published in full, as set out in the publication section below.

Executive summary

- The key performance indicators for publication schemes for new bodies 2020-21 are:

Publication Schemes	Annually	Publication Scheme notifications for new bodies completed: (i) 80% within one month of due date (ii) 100% notified or enforcement commenced within 3 months of due date (set at point of creation of publication scheme file)
---------------------	----------	---

2020-21 Publication Scheme Notifications

- 7 authorities were due to notify the Commissioner of their adoption of a publication scheme in 2020-21:

Authority Name	Authority type	Notification due date
Public Health Scotland	Sch. 1 Part 4	01/04/20
South of Scotland Enterprise	Sch. 1 Part 7	30/04/20
Wheatley Care	Section 5 (2019)	01/08/20
Ferguson Marine Ltd	Section 6	31/05/20
Scottish Animal Welfare Commission	Sch.1 Part 7	26/06/20
Scottish National Investment Bank	Sch.1 Part 7	31/12/20
Parkhead Development Company	Section 5 (2019)	26/02/21

The impact of Covid-19 inevitably had an impact on some authorities’ ability to meet the deadlines set for notification. Whilst six of the above authorities submitted their notifications by or on the due date, two authorities initially failed to meet the deadline(s).

Public Health Scotland submitted their notification on 3 July – 9 weeks after the due date. Wheatley Care was given 3 extensions due to the impact of Covid-19. The original deadline was 1 April, another 3 deadlines were issued – 1 May, 1 July and 1 August 2020, they submitted on 30 July.

Table 1: KPIs for new bodies 2020-21

			Target	Actual
Number of bodies: 7				
KPI 1: notified by date due		6	80%	86%
KPI 2: completed within 3 months, comprising:		7	100%	100%
a) notified by due date (KPI 1 above)	4			
b) notification within three months of date due (without enforcement), or	5			
c) enforcement commenced within three months of date due	0			
completed later than 3 months after due date		0		
not completed		0		
enforcement action ongoing		0		

Forthcoming publication notifications 2021-22

- 5. SMT may wish to note that the following new bodies are due to notify us of adoption of a publication scheme in the reporting year 2021-22. These will be reported in the coming year.

Authority Name	Authority type	Notification due date
Consumer Scotland	Sch. 1 Part 2	TBC
Environmental Standard Scotland	Sch. 1 Part 2	01/09/21
Redress Scotland	Sch. 1 Part 7	TBC
Scottish Biometrics Commissioner	Sch. 1 Part 7	TBC

Risk impact

- 6. The risks associated with failure to adequately monitor public authority compliance are sufficiently adequately captured in the current documentation.

Equalities impact

- 7. Equalities impacts arise from adoption of the Model Publication Scheme as it requires authorities to make published information available in a range of formats to ensure equitable access.
- 8. There are, however, no identified equalities impacts arising from the notification process.

Privacy impact

9. There are no privacy impacts arising from publication scheme adoptions beyond the retention of public authority contact information in publication scheme case files.

Resources impact

10. Management of publication scheme notifications by new bodies created by primary legislation is a business as usual activity for which resources are allocated as part of routine operational planning.
11. We have previously recognised and prepared for the significant resource demands associated with managing notifications by registered social landlords and their subsidiaries, the largest single tranche of new bodies since 2005.

Operational/ strategic plan impact

12. Management of publication scheme notifications is a 'business as usual' item in the Commissioner's annual operational plan. It has not raised any unanticipated impact for current or future operational and strategic plans.

Records management impact (including any key documents actions)

13. No new impacts identified.

Consultation and Communication

14. None required – this report will be published on the Commissioner's website.

Publication

15. I recommend that this committee report is published in full.