

Scottish Information Commissioner
Minutes of the Quarterly Senior Management Team Meeting
04 August 2021 – by video conference

NOTE TO READER:

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Tel: 01334 464610

Fax: 01334 464611

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Present: Head of Corporate Services - Helen Gardner-Swift (HGS) (Chair)
 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: Scottish Information Commissioner - Daren Fitzhenry (DF) (items 1-8 & 11-19)

Details	Action By	Target Completion Date	Publish Yes / No	Comments
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1. Minutes, action points update and matters outstanding

<p>1.1 Review of minutes – 30/06/2021</p> <ul style="list-style-type: none"> The minutes were approved electronically on the 27/07/21 and have been published with the relevant papers. <p>1.2 Action points update</p> <ul style="list-style-type: none"> No action points outstanding <p>1.3 Matters outstanding</p> <ul style="list-style-type: none"> No matters outstanding 			Yes	
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2. Finance Report

<ul style="list-style-type: none"> The Committee Report (CR) was deferred and will be submitted to the MSMTM due to take place at the end of September 2021 			N/A	
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3. Health & Safety

<ul style="list-style-type: none"> The CR was deferred until further work has been carried out in respect of the possible reopening of the office premises 			N/A	
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4. Information Requests and Reviews

<ul style="list-style-type: none"> The CR was noted The SMT noted that the information in this CR has been uploaded to the FOI and EIR Statistics Portal The publication recommendations were agreed subject to 2 comments being removed which had been included in error on the copy circulated 	LB	04/08/21	Partial	<p>CR 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>
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5. Subject Access Requests

<ul style="list-style-type: none"> The CR was considered and the SMT noted the following: <ul style="list-style-type: none"> the low number of requests received does not reflect the resources required to respond to subject access requests the information in this CR regarding the number of subject access requests received has been uploaded to the FOI and EIR Statistics Portal The publications recommendations were agreed 			Partial	<p>CR published in full</p> <p>Summary table published here (Class 7)</p> <p>Outcome of requests table not published – Exemption s38(1)(b)</p>
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6. Investigations Performance

<ul style="list-style-type: none"> The CR was considered MK highlighted the following areas: <ul style="list-style-type: none"> Applications this year are at a more normal level after last year's dip when we initially went into lockdown Cases are being processed efficiently through the validation process There are a high number of cases at Investigation which means it is taking longer to allocate cases, which will affect the KPIs 			Partial	<p>CR and appendix published in full</p> <p>Dashboard reports withheld – Exemption s27(1)</p>
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<ul style="list-style-type: none"> ○ The Enforcement team are looking at streamlining some processes ● The publication recommendations were agreed 				
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7. Operational Plan 2021-22 - Monitoring Report

<ul style="list-style-type: none"> ● The SMT reviewed the Operational Plan 2021-22 Monitoring Report and agreed it could be published 			Yes	2021-22 report published in full – available here
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8. UK GDPR Report – 2021-22 Q1

<ul style="list-style-type: none"> ● The CR content was noted ● The publication recommendations were agreed 			Partial	<p>CR published in full</p> <p>GDPR Implementation Plan 2019-20 withheld – Exemption s30(b)(ii), s30(c) and s39(1)</p>
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9. Operational Risk Register 2021-22

<ul style="list-style-type: none"> ● Consideration deferred until 05/08/21 so that DF could also review this with the SMT ● The SMT reviewed the Operational Risk Register 2020-21 (ORR) ● Updates were discussed and HGS to update the ORR 2021-22 following the review 	HGS	14/08/21	No	Operational Risk Register withheld – Exemptions s30(b)(ii), s30(c) and s39(1)
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10. Strategic Risk Register 2021-22

<ul style="list-style-type: none"> ● Consideration deferred until 05/08/21 so that DF could also review this with the SMT ● The SMT reviewed the Strategic Risk Register 2020-21 (SRR) ● Updates were discussed and HGS to update the SRR 2021-22 following the review 	DF/HGS	14/08/21	No	Strategic Risk Register withheld – Exemptions s30(b)(ii), s30(c) and s39(1)
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11. Performance & Development Framework 2020-21

<ul style="list-style-type: none"> ● This report was deferred to a MSMTM 			N/A	
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12. Learning & Development Plan 2021-22

<ul style="list-style-type: none"> This report was deferred to the a MSMTM 			N/A	
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13. Review of HR Strategy

<ul style="list-style-type: none"> This report was deferred to a MSMTM 			N/A	
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14. Interventions Report 2020-2021

<ul style="list-style-type: none"> The CR and the activities undertaken were noted. It was agreed that reports on intervention activity will be prepared and presented to the SMT on a quarterly basis The key document C1 Governance Reporting Arrangements will be updated by HGS to reflect this change 	LB/HGS	14/08/21	Yes	CR and attached report published in full
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15. Quality Assurance – Investigations

<ul style="list-style-type: none"> The CR was considered and very high compliance with the Investigations Handbook was noted. The publication recommendations were agreed 			Yes	CR and Appendix published in full
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16. Review of temporary closure of the office premises

<ul style="list-style-type: none"> A verbal update was provided by HGS and the following was noted <ul style="list-style-type: none"> the SMT was due to review the temporary closure of the office premises by 31 July 2021 when carrying out such a review the SMT take account of a number of matters, including Scottish government guidance. relevant and updated Scottish Government guidance concerning office working is due to be published the review of the temporary closure of the office premises should be deferred until September 2021 so that account can be taken of this guidance. whilst the work relating to the review is being carried out by HGS, the temporary closure of the office premises and the 			N/A	
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<p>temporary remote working arrangements that are in place should continue</p> <ul style="list-style-type: none"> ○ it is hoped that the next review will provide more certainty as to the likely timescales for the re-opening of the office premises. <ul style="list-style-type: none"> ● It was agreed <ul style="list-style-type: none"> ○ that the temporary closure of the office premises would remain in place until 30/09, at least ○ the temporary closure would be reviewed by 15/09/21, if possible ○ HOCS will update staff by email 	HGS	07/08/21		
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17. Age Appropriate Design Code

<ul style="list-style-type: none"> ● This CR was considered and it was noted: <ul style="list-style-type: none"> ○ if, in future, any online services are developed which would normally be provided for remuneration, the SMT would assess whether the Code would apply ○ the recommendations in the CR had been considered by the Data Protection Officer ● It was agreed that the Age Appropriate Design Code does not apply to the work of the Commissioner and that the Commissioner is therefore not required to comply with it, but that where possible, relevant and appropriate, the Age Appropriate Design Code will be considered as a source of best practice guidance ● The publication recommendations were agreed 			Yes	CR published in full
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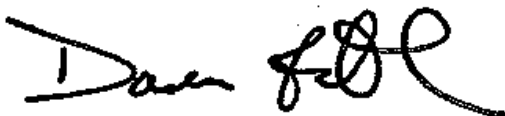
18. Payroll Services Provider

<ul style="list-style-type: none"> ● The CR was considered and the following were noted: <ul style="list-style-type: none"> ○ 3 minor corrections required ○ the update provided ○ the new payroll service provider now in place ○ Data Protection Impact Assessment will continue to be reviewed regularly by HOCS ● The publication recommendations were agreed 	LB	14/08/21	No	This CR and attached paper withheld - Exemptions s30(b)(i) and (ii), s33(1)(b) and s36(2)
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19. AOB

<p>Website appeal portal:</p> <ul style="list-style-type: none"> • The CR was considered • The following recommendations were agreed <ul style="list-style-type: none"> ○ the appeal portal function on the Commissioner’s current website is closed as soon as possible and by 18 August at the latest ○ in principle, a new appeal portal service will be put in place when it is possible to do so, while noting that this may not be until after a new website is developed (subject to consideration of the relevant project, budget approval and CR) ○ the appeal form provided for use by those submitting an appeal by email will be reviewed for any changes required to enhance its accessibility for those using assistive technology such as screen readers, as set out in paragraph 20 of the CR • The publication recommendations were agreed 			<p>Partial</p>	<p>Redacted CR – Exemption s30(c)</p>
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Signed off by:



and

Helen Gardner-Swfit

Date: 14/09/2021