

Business Case: New website development and build project

Business case to be completed in line with our Procurement Policy and Procedures (VC100368)

Name of project/programme
Website development and build project (CWP Project 7 in Operational Plan 2021-22)
Name of Customer
Erin Gray (Head of Policy and Information)
Name of Purchaser
Corporate Services Team - TBC
Brief description of project / programme
This project will develop, build and launch a Phase 1 website for the Scottish Information Commissioner, in order to replace the current website which will be unavailable from February 2022.
Why should we do it?
<p>The Scottish Information Commissioner (the Commissioner) requires a website in order to effectively meet and deliver their statutory duties (including compliance with FOI law). A website is also required in order to provide information to public authorities and members of the public about FOI, and their duties and rights.</p> <p><u>Why a new website is required:</u></p> <p>Accessibility regulations</p> <p>During work conducted in 2020 regarding the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018, the Commissioner's team determined that a number of accessibility issues existed with the current website which constituted a disproportionate burden to address via the current website platform, as they were not supported or possible without significant development of new functionality and capabilities. As set out in the Commissioner's accessibility statement for the website, these included a lack of responsive page layout, issues with pop-up messages and headings and tables.</p> <p>In determining that these issues constituted a disproportionate burden to address via the current website, the Commissioner stated that the aim would be to begin work towards the development of a new website during the financial year 2021-22 (subject to funding being secured, the relevant governance and decision-making procedures, procurement and project timescales), and that it was expected that a new site would enable most of the issues identified to be addressed.</p> <p>Current website service ceasing to be hosted and maintained</p> <p>In June 2020 the Commissioner's team was informed by the third-party contractor which hosts and maintains the website that the platform and content management system it was built on (a proprietary system developed and owned by the contractor) was being decommissioned in the next 2-3 years.</p>

In June 2021 the contractor then advised that they would cease to provide hosting and maintenance services for the Commissioner’s website by 30 November 2021. The contractor has subsequently agreed to extend this deadline to February 2022.

As a result, the current website will be unavailable after 28 February 2022.

What do we expect to achieve?

We expect this project to deliver the following outputs:

- Clarify and map phases and scope of the Phase 1 website development build and launch p
- Procure website agency to to develop, build, launch and maintain Phase 1 website
- Develop and deliver:
 - o All preparatory work required, including: detailed user stories and journeys; content strategy and plan; optimised visual identity (as far as possible, taking account of the requirements of the organisation), style guide and tone of voice guidance for web context; Domain, redirect and SEO plan – including integration of archived pages where required.
 - o Build a new website using Digital Scotland Design System and an open-source (non-proprietary) content management system, with initial phase launched by the end of February 2022 at the latest
 - o Ensure ongoing maintenance and upkeep requirements of the website are clear and relevant contracts in place prior to the launch of the Phase 1 website
- Ensure requirements of the following are met throughout the project:
 - o [Digital Scotland Service Standard](#)
 - o The [Technology Assurance Framework](#)
 - o Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018 and AA minimum accessibility standard
 - o Cyber security requirements

It is noted that work in relation to accessibility and PDFs may not be possible as part of the Phase 1 project. The nature of the relevant solution will be scoped and explored as much as possible.

Are you procuring a consultancy? Could the product be delivered in-house? If not, why not?

No re: website – we are procuring an external service to develop and build a Phase 1 website and not procuring a consultancy.

Yes – re: business analyst support {TBD}

The expertise, capacity and knowledge required for this project is not available in-house, but are essential in order to develop, build and launch a website.

What other benefits may arise from the project/programme?

It is anticipated that the project will increase internal skills, confidence and literacy on website and digital matters within the Commissioner's office, enabling higher confidence and quality work in this area to take place in future.

The outputs from the project will also inform and enhance outputs of a range of other projects in the operational plan – including review of the appeal and statistics portals, review of resources, audience needs and channels (for both promoting FOI and improving authority practice work strands).

What resources will be required (staffing, admin support, budget)?

The budget available for the entire Phase 1 website project is £70,000, including VAT (this will include all costs, such as legal and procurement support, business analyst support).

This Phase 1 website project will be led and managed by the Head of Policy and Information. There will need to be close liaison with the Head of Corporate Services and the CST. The administration for the project will largely be provided by the Administration Officer for the Policy and Information Team, but some support may be required as necessary from members of the Corporate Services Team (as noted below, in relation to specific areas of the project).

Across the period of delivery it is expected that active and frequent involvement will be required throughout from the whole Policy and Information Team (largely in relation to project management, user-focus, journeys and content); some active involvement will be required from the Corporate Services Team (in preparation of content relevant to their work, as well as supporting procurement, IT, security and other matters); some involvement will also be required from the Head/Deputy Heads of Enforcement and potentially one or two other members of the enforcement team (in preparing relevant content as required).

Representatives of all teams (at least one per team) would be asked to participate in a Phase 1 working party about the project, and all staff would be updated and consulted at relevant milestones in the project. The Head of Corporate Services will also be a member of the Phase 1 Website working party.

What are the associated risks (of both doing and not doing)?

In conducting this work, there is a risk that the Commissioner's needs/wishes may require inputs which exceed available resource, budget and capabilities to deliver in such a tight timeframe. However, the project will be delivered in two phases (Phase 1 being an initial launch of 'minimum viable product' and Phase 2 developing further functionality as required) to ensure all essential elements are available before the current website ceases to exist, and to allow time to fully scope and explore solutions and mitigations early in the wider project lifecycle.

There is also a risk that both the Phase 1 and the Phase 2 project will involve large amounts of work for all the Commissioner's teams, which may have impact on delivery of other areas in the operational plan and KPIs. This will be mitigated by the two-phased approach noted above, securing external resource to support delivery where possible, planning required work as much in advance as possible, moving any non-essential projects to 2022-23 financial year where possible, and clearly defining and prioritising the 'minimum viable product' for launch in February 2022.

There is also a risk that personal data may be accessed unlawfully if systems of the contractor or Commissioner's office are breached. However, the Pre-DPIA (VC156737) indicates that this risk would be low in severity and likelihood as regards the Phase 1 website project, and would be

mitigated by following existing processes to ensure appropriate suppliers are used (i.e. via pre-contracting questionnaire and relevant terms and conditions, as appropriate).

Not carrying out this project would risk:

- Failing to comply with a range of statutory/regulatory requirements, such as those under the Freedom of Information (Scotland) Act 2002 (which the Commissioner enforces), the Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018 and a range of others.
- Negatively impacting FOI performance and the reputation of FOI across Scotland, by failing to provide resources, guidance, information and information about FOI duties and rights in an easily accessible way to FOI practitioners and those wishing to make a request
- Fewer appeals being made to the Commissioner as a result of lack of information and contact details being publicly available
- Failure to deliver a range of aspects of the Commissioner's Strategic Plan 2020-24 and operational plan projects

GDPR compliance

Is personal data involved?

Yes. Pre-DPIA checklist has been completed for phase 1 of the project, and will be completed for phase 2 when this is further scoped.

Will a third party process¹ personal data on SIC's behalf?

Yes. Pre-DPIA checklist completed.

¹ "Processing" means any operation in relation to personal data including obtaining, storing, holding, accessing, using, disclosing, destroying, erasing or anonymising it.