

Report to:	MSMTM
Report by:	Daren Fitzhenry, Scottish Information Commissioner
Meeting Date:	26 January 2023
Subject/ Title: (and VC no)	Annual review of Strategic Plan 2020-24 VC179925
Attached Papers (title and VC no)	None

Purpose of report

1. To provide an update to Senior Management Team (SMT) following the annual review of the Strategic Plan 2020-24

Recommendation and actions

2. I recommend:
 - (i) the SMT notes the contents of this report
 - (ii) that this report is published in line with the “Publication” section below.

Executive summary

3. Following the review, I note that the Strategic Plan was written at a time of flux for FOI, with FOISA under review, both in terms of the primary legislation and section 5 Orders. These changes are still ongoing, despite being delayed due to the Covid-19 pandemic, with consultations underway for both a private member’s Bill and a Scottish Government consultation.
4. Despite the strategic challenge of the Covid-19 pandemic and more recently the cost of living crisis, the key pillars of the Strategic Plan (written at a time of flux) still stand. Indeed, both the pandemic and the current cost of living crisis have emphasised the need for Freedom of Information and increased its impact. It continues to be our vision that both at this time of crisis as at other times, FOI be recognised and valued as the key enabler of openness and transparency of public functions in Scotland, enhancing people’s right to access the information that matters to them.
5. The six Strategic Objectives still stand, many of them more critical in the current circumstances:
 1. increase knowledge and understanding of FOI rights
 2. enable and support high standards of FOI policy and practice
 3. develop Scottish public sector culture and practice where the proactive disclosure of information is routine and valued (crucial to the pushing out of important information to the population, including service users and others at a time of crisis)
 4. influence and support the development and strengthening of Scottish FOI law and practice

5. contribute to Scotland being respected as a world-leader in openness and transparency
6. be recognised as an organisation of independent and trusted experts that is run efficiently, governed effectively and is open and transparent
6. In terms of the section on resources, this still remains relevant, with the impact of the pandemic being able to be considered under the broad existing headings, especially contingency funding being required for “specific projects or initiatives”, and references to potential “impacts” which may alter required resources. We are managing the impact of application numbers and workload generally in our consideration of risks and management of our Operational planning.
7. Accordingly, having reviewed the Strategic Plan I consider that it is flexible enough to have withstood the strategic shock of Covid-19 and the cost of living crisis and does not require amendment at the current time. Indeed, changing it just before a new Commissioner is appointed would potentially distract the organisation from continuing with the current clear focus and potentially damage Strategic Objectives, particularly number 6.

Risk impact

8. The draft Strategic Plan 2020-24 sets out the vision and strategic aims of the Commissioner and helps to mitigate both strategic and operational risks when carrying out the Commissioner’s functions.

Equalities impact

9. There is no direct equalities impact arising from the Strategic Plan 2020-24 which sets out the vision and strategic aims of the Commissioner. Equalities impact assessments will be considered when the Commissioner’s functions under each strategic aim are carried out.

Privacy impact

10. There is no direct privacy impact arising from the Strategic Plan 2020-24 which sets out the vision and strategic aims of the Commissioner. Privacy impact assessments will be considered when the Commissioner’s functions under each strategic aim are carried out.

Resources impact

11. The Strategic Plan 2020-24 focuses on core funding requirements and sets out the minimum needed to continue to meet statutory functions.
12. As the Commissioner does not hold contingency funding, additional, discrete funding from the SPCB Contingency Fund may be sought for legal costs to defend appeals against decisions, for one-off high priority purchases such as replacement equipment, to meet health and safety requirements, to respond to unexpected events or for funding specific projects or initiatives.

Operational/ strategic plan impact

13. The Strategic Plan 2020-24 sets out the framework against which the operational plan, targets and key performance indicators are set.

Records management impact (including any key documents actions)

14. The relevant key document actions will be carried out to record this annual review.
15. No amendments are required to the Strategic Plan 2020-24 therefore the version published on the website remains current and up to date.

Consultation and Communication

16. N/A

Publication

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