

Scottish Information Commissioner
Minutes of the Quarterly Senior Management Team Meeting
9 November 2023 – by MS Teams

NOTE TO READER:

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Scottish Information Commissioner, Kinburn Castle, Doubledykes Rd, St Andrews, Fife, KY16 9DS
enquiries@itspublicknowledge.info

Present: Scottish Information Commissioner – David Hamilton (DH) (Chair)
 Head of Corporate Services - Helen Gardner-Swift (HGS)
 Head of Enforcement – Euan McCulloch (EM)
 Head of Policy & Information – Claire Stephen (CMS)
 Finance and Administration Manager – Kim Berry (KB)
 Finance and Administration Manager – Liz Brown (LB) (Minutes)

Apologies:

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 – 11/10/2023</p> <ul style="list-style-type: none"> ○ The minutes were approved and will be published with the relevant papers ○ It was agreed that HGS will sign the minutes <p>1.2 Action points update</p> <ul style="list-style-type: none"> ○ Reinforced autoclaved aerated concrete (RAAC) – quotes for a survey to be obtained and further discussions with SMT and the landlord if required <p>1.3 Matters outstanding</p> <ul style="list-style-type: none"> ○ No matters outstanding 	LB	30/11/23	Yes	Minutes published in full
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2. Finance Report

<ul style="list-style-type: none"> • The SMT noted: <ul style="list-style-type: none"> ○ the Committee Report (CR) and the Financial Summary – Variance Analysis as at 30 September 2023 ○ HGS explained that variances can change throughout the year ○ DH and HGS discussed the budget and the drawdown process ○ The SMT agreed the publication recommendations 			Yes	<p>CR published in full</p> <p>Finance Report available here</p>
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3. Information Requests and Reviews

<ul style="list-style-type: none"> • The SMT noted: <ul style="list-style-type: none"> ○ the contents of the CR ○ that the information in the CR has been uploaded to the FOI and EIR statistics platform ○ The SMT agreed the publication recommendations 			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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4. Subject Access Requests

<ul style="list-style-type: none"> • The SMT noted: <ul style="list-style-type: none"> ○ the contents of the CR ○ that the information regarding the number of subject access requests received has been uploaded to the FOI and EIR statistics platform ○ The SMT agreed the publication recommendations 			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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5. Service Standards – Compliments/Complaints

<ul style="list-style-type: none"> • Compliments <ul style="list-style-type: none"> ○ DH noted that the number and types of compliments were very positive ○ DH asked that we consider publishing compliments in some way – HGS/CMS to 			Yes	<p>CR published in full</p> <p>2 supporting papers –</p>
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<p>identify appropriate compliments and how and where to publish them</p> <ul style="list-style-type: none"> • Complaints <ul style="list-style-type: none"> ○ In line with the Scottish Public Services Ombudsman's complaints reporting requirements and our updated Governance Reporting Arrangements (GRA) and Complaints Handling Procedures, HGS now submits this report to the SMT on a quarterly basis. ○ Key performance indicators have also been updated and the CR reflects these changes ○ The SMT noted: ○ noted the contents of the CR ○ agreed the publication recommendations ○ DH queried whether the Consumer Duty under the Consumer Scotland Act 2020 applies to the Scottish Information Commissioner and EM agreed to check this. 	HGS /CMS	01/12/2023		Exemption s38(1)(b)
	EM	01/12/2023		

6. Enquiries Service

<ul style="list-style-type: none"> • The SMT noted: <ul style="list-style-type: none"> ○ the CR ○ the increase in the number of enquiries received and dealt with over the last 4 quarters ○ The SMT agreed the publication recommendations 			Yes	CR published in full
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7. Website

<ul style="list-style-type: none"> • The SMT noted: <ul style="list-style-type: none"> ○ the CR and ○ the Website Statistics Report Q1 and Q2 2023-24 ○ DH queried the higher bounce rate. CMS is meeting with the website provider to discuss this and thinks it may relate to the google analytics upgrade to GA4. ○ The website manual is being finalised and will be submitted to the SMT for approval as soon as possible 			Yes	CR and Website Statistics Report Q1-Q2 2023-24 published in full
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<ul style="list-style-type: none"> ○ The SMT agreed the publication recommendations 				
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8. Investigations Performance

<ul style="list-style-type: none"> • The SMT: <ul style="list-style-type: none"> ○ noted the CR ○ agreed the publication recommendation subject to amendments in paragraph 18, 19, 20 & 28 (refers to Q1 instead of Q2) 	EM	01/12/2023	Yes	CR published in full
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9. Quality Assurance - Investigations

<ul style="list-style-type: none"> • Report not required for 2023-24 but remains in Governance Reporting Arrangements (GRA) and QSMTM agendas until re-started in 2024-25 			N/A	N/A
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10. Key Documents

<ul style="list-style-type: none"> • Deferred to a MSMTM 			N/A	N/A
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11. UK GDPR Report

<ul style="list-style-type: none"> • The SMT noted: <ul style="list-style-type: none"> ○ the CR and the update for 2023-24 Q2 ○ the annual all staff data protection training is due to take place in November and December ○ as regards data incidents and near misses: <ul style="list-style-type: none"> ○ our Data Protection officer (DPO) provides good, practical advice on dealing with data incidents ○ the data incidents and near misses are also discussed at the monthly GDPR working party to consider what lessons can be learned and what guidance can be communicated to staff ○ DH asked that the statistics on near misses also be included in the quarterly report • Subject to an amendment in paragraph 15, the SMT agreed the publication recommendation 	HGS LB	Q3 QSMTM 01/12/2023	Yes	CR published in full
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12. Interventions Report

<ul style="list-style-type: none"> • The CR and the Interventions Activity Report 2023-24 Q1 (IAR) were noted by the SMT 			Yes	CR and IAR published in full
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<ul style="list-style-type: none"> DH asked CMS to consider making the Intervention work more visible on our website The publication recommendations set out in the CR were agreed 	CMS	Q3 QSMTM		
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13. Workforce Planning

<ul style="list-style-type: none"> Deferred to a MSMTM 			N/A	N/A
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14. Strategic Risk Register 2023-24

<ul style="list-style-type: none"> The SMT reviewed the Strategic Risk Register (SRR) 2023-24 and updates were discussed and noted HGS will update the SRR 2023-24 and will ask DH to provide Q2 commentary when this has been done 	HGS DH	01/12/2023 01/12/2023	No	Strategic Risk Register withheld – Exemptions s30(b)(ii), s30(c) and s39(1)
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15. Review of Human Resources Strategy

<ul style="list-style-type: none"> The SMT noted: <ul style="list-style-type: none"> the CR and considered the review of the annual actions for 2022-23 under the Human Resources Strategy (HRS) as set out in the Executive Summary The SMT agreed <ul style="list-style-type: none"> the change of the reporting period for this annual review from Q2 to Q1 the publication recommendations 			Yes	CR published in full
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16. British Sign Language Plan – 2018-2023 (final review and report)

<ul style="list-style-type: none"> Deferred to a MSMTM 			N/A	N/A
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17. Enforcement Team - Recruitment

<ul style="list-style-type: none"> The SMT: <ul style="list-style-type: none"> noted the CR approved the business cases relating to the DHOE and FOIO(E) recruitment approved the proposed recruitment exercises agreed the publication recommendations 			No	CR withheld – Exemption s30(b)(ii)
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<ul style="list-style-type: none"> Following the meeting, on 15/11/23 the SMT agreed that an internal recruitment exercise be undertaken for the DHOE recruitment 				
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18. Accessibility Statement

<ul style="list-style-type: none"> The SMT: <ul style="list-style-type: none"> noted the CR agreed that as further time is needed for the SMT to provide comments on the draft interim website accessibility statement, that comments will be provided by email agreed the key document recommendations subject to further comments on the draft accessibility statement agreed the publication recommendations 	HGS/EM to provide comments		Partial	<p>CR published with the exception of paragraph 7 – Exemption s30(c)</p> <p>C2 Interim Accessibility Statement withheld – Exemption s27(1)</p>
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19. AOB

<ul style="list-style-type: none"> COVID- 19 risk assessment – office premises The SMT noted: <ul style="list-style-type: none"> current risk assessment for the office premises and the related risk mitigations relating to the COVID-19 pandemic are being revised and updated in line with public health guidance DH welcomed this move forward Website <ul style="list-style-type: none"> Looking forward to the future development of the website, SMT agreed that additional specific domain names would be purchased 	CST	10/11/23		
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Signed off by: David Hamilton

Date: 04 December 2023