

**Scottish Information Commissioner**  
**Minutes of the Quarterly Senior Management Team Meeting**  
**14 February 2024 – by video conference**

**NOTE TO READER:**

The Scottish Information Commissioner publishes the minutes of Senior Management Team (SMT) meetings and the papers considered at the monthly and quarterly meetings, unless he considers, at the time of publication, that the minutes and/or papers are exempt from disclosure under the Freedom of Information (Scotland) Act 2002 or the Environmental Information (Scotland) Regulations 2004 (FOI law). Where minutes or documents are not published, the minutes indicate the exemption that is applied at the time of the decision

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Present: Scottish Information Commissioner – David Hamilton (DH) (Chair)  
 Head of Corporate Services - Helen Gardner-Swift (HGS)  
 Head of Enforcement – Euan McCulloch (EM) (items 1 -8)  
 Head of Policy & Information – Claire Stephen (CMS)  
 Finance and Administration Manager – Liz Brown (LB) (Minutes)  
 Finance and Administration Manager – Kim Berry (KB)

Apologies:

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

<p><b>1.1 Review of minutes – 21/12/2023 and 22/01/2024</b></p> <ul style="list-style-type: none"> <li>○ The minutes were approved and will be published with the relevant papers.</li> </ul> <p><b>1.2 Action points update</b></p> <ul style="list-style-type: none"> <li>○ No action points outstanding.</li> </ul> <p><b>1.3 Matters outstanding</b></p> <ul style="list-style-type: none"> <li>○ Key documents – HGS and KB to review the key document process and the SMT will revisit in Q4</li> </ul>	All	31/03/2024	Yes	
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**2. Finance Report**

<ul style="list-style-type: none"> <li>• The SMT noted:           <ul style="list-style-type: none"> <li>○ the Committee Report (CR) and the Financial Summary – Variance Analysis as at 31 December 2023</li> </ul> </li> </ul>			Yes	CR published in full
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<ul style="list-style-type: none"> <li>Clarification was provided on staff costs</li> <li>DH and HGS discussed whether forecasting information could be included with this CR. HGS will look at this with KB.</li> <li>The SMT agreed the publication recommendations</li> </ul>	HGS/KB	Q4 Finance Report		Finance Report available <a href="#">here</a>
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### 3. Information Requests and Reviews

<ul style="list-style-type: none"> <li>The SMT noted: <ul style="list-style-type: none"> <li>the contents of the CR</li> <li>the information in this CR has been uploaded to the FOI and EIR Statistics Platform</li> </ul> </li> <li>DH queried whether the frequency of this report and the subject access requests report could be reduced from quarterly to 6 monthly.</li> <li>As statistics need to be produced quarterly for submission to the statistics platform, HGS will look at whether this report needs to be considered at each QSMTM for the 2024-25 reporting year.</li> <li>The publication recommendations set out in the CR were agreed by the SMT</li> </ul>			Partial	<p>CR and exemptions/ exceptions table published in full</p> <p>Summary table published <a href="#">here</a> (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"> <li>The SMT noted: <ul style="list-style-type: none"> <li>the contents of the CR</li> <li>that the information in this CR regarding the number of subject access requests received has been uploaded to the FOI and EIR Statistics Platform</li> </ul> </li> <li>DH queried whether the frequency of this report and the information requests and reviews report could be reduced from quarterly to 6 monthly.</li> <li>As the number of subject access requests received needs to be produced quarterly for submission to the statistics platform, HGS will look at whether this report needs to be considered at each QSMTM for the 2024-25 reporting year.</li> <li>The publication recommendations set out in the CR were agreed by the SMT</li> </ul>			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

<ul style="list-style-type: none"> <li>The SMT noted: <ul style="list-style-type: none"> <li>the contents of the CR</li> </ul> </li> </ul>			Partial	CR published in full
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<ul style="list-style-type: none"> <li>The publication recommendations set out in the CR were agreed by the SMT</li> </ul>				2 supporting papers – Exemption s38(1)(b)
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## 6. Health & Safety

<ul style="list-style-type: none"> <li>The SMT noted: <ul style="list-style-type: none"> <li>the contents of the CR</li> <li>the assurance provided by the HOCS that the Commissioner is meeting his statutory obligations in respect of employee health and safety, wellbeing and related training (where required)</li> </ul> </li> <li>HGS/LB to review the publication recommendation and update accordingly.</li> <li>SMT agreed that the CR should be published if appropriate to do so</li> </ul>	HGS/LB	29/02/24	Yes	CR published in full
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## 7. Investigation Performance

<ul style="list-style-type: none"> <li>The CR was noted by the SMT</li> <li>The publication recommendations set out in the CR were agreed by the SMT</li> </ul>			Yes	CR published in full
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## 8. Quality Assurance - Investigations

<ul style="list-style-type: none"> <li>Report not required for 2023-24 but remains in Governance Reporting Arrangements (GRA) and QSMTM agendas until re-started in 2024-25</li> </ul>			N/A	N/A
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## 9. Operational Plan 2023-24 Monitoring Report

<ul style="list-style-type: none"> <li>The SMT reviewed the Operational Plan 2023-24 Monitoring Report (the Report)</li> <li>HGS asked the SMT to add update the comments column for their areas of work to provide details of the end of year position</li> <li>DH asked that the start and end dates reflect the lifespan of each piece of work rather than dates within the operational year. This approach will be taken when the Operational Plan 2024-25 is drafted and when this is signed off the new Monitoring Report will show the projected timescales.</li> <li>The SMT agreed the Report could be published subject to a correction to a date on the Human Resources Management tab</li> </ul>	All	March MSMTM	Yes	Report published in full – available <a href="#">here</a>
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### 10. UK GDPR Report

<ul style="list-style-type: none"> <li>The SMT noted the CR</li> <li>DH asked that future reports include more detail on the work of the GDPR working party</li> <li>The publication recommendation set out in the CR was agreed by the SMT</li> </ul>			Yes	CR published in full
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### 11. Interventions Report

<ul style="list-style-type: none"> <li>Deferred to a MSMTM</li> </ul>			N/A	N/A
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### 12. Workforce Plan 2023-24 Monitoring Report

<ul style="list-style-type: none"> <li>The SMT reviewed the Workforce Plan 2023-24 Monitoring Report</li> <li>P&amp;I resources are a challenge at the moment and DH is aware of this</li> <li>The Workforce Plan for 2024-25 will be drafted and discussed by the SMT in Q4 23-24/Q1 24-25.</li> <li>DH wanted to have a discussion regarding the contents and construction of that report prior to drafting work commencing</li> <li>The SMT agreed the publication of this report with the exception of the comments column</li> </ul>	DH/HGS	31/03/24	Partial	Report published with the exception of comments column – Exemptions s30(b)(ii) and s38(1)(b)
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### 13. Operational Risk Register 2023-24 (ORR)

<ul style="list-style-type: none"> <li>The ORR was reviewed and updates agreed</li> <li>HGS will update the ORR following the review</li> </ul>	HGS	28/02/24	No	ORR withheld – Exemptions s30(b)(ii), s30(c) and s39(1)
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### 14. Strategic Risk Register 2023-24 (SRR)

<ul style="list-style-type: none"> <li>The SRR was reviewed and updates agreed (EM to provide comments to HGS on the updated wording for risk 5a)</li> <li>HGS will update the SRR following the review</li> <li>DH will provide the Q3 commentary</li> </ul>	EM	28/02/24	No	SRR withheld – Exemptions s30(b)(ii), s30(c) and s39(1)
	HGS	29/02/24		
	DH	01/03/24		

### 15. Publication Scheme (Commissioner) Assurance Report

<ul style="list-style-type: none"> <li>Deferred to a MSMTM</li> </ul>			N/A	N/A
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### 16. Self-Assessment Tools

<ul style="list-style-type: none"> <li>CMS explained that she is currently collating google analytics data to track the use of the self-</li> </ul>			N/A	N/A
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assessment tools and has therefore deferred this item to a MSMTM				
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### 17. Equality Monitoring – Service Users

<ul style="list-style-type: none"> <li>A replacement system for carrying out this monitoring is being investigated and various possible solutions were discussed at the meeting</li> <li>It was agreed that before any solutions are investigated further, HGS will prepare a note/CR detailing the purpose of the monitoring and how it was used/will be used to feed into the work of the organisation to allow the SMT to consider the next steps</li> </ul>	HGS	27/03/24	N/A	N/A
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### 18. Employment Policy Update

<ul style="list-style-type: none"> <li>Deferred to a MSMTM</li> </ul>			N/A	N/A
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### 19. Biodiversity Duty Report

<ul style="list-style-type: none"> <li>The SMT considered the CR and the draft Biodiversity Duty Report (the Report)</li> <li>The SMT: <ul style="list-style-type: none"> <li>approved the Report</li> <li>approved the key document provisions</li> <li>agreed the publication recommendations</li> </ul> </li> </ul>			Partial	CR published in full Draft Report withheld – Exemption s27(1)
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### 20. British Sign Language Plan –2023-28

<ul style="list-style-type: none"> <li>Claire noted that some of the actions in the plan have been carried out but the report is deferred to the next MSMTM</li> </ul>			N/A	N/A
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### 21. AOB

<p>Accessibility statement</p> <ul style="list-style-type: none"> <li>The SMT approved the updated website accessibility statement, subject to any comments from EM (EM confirmed via email on the 14/02 that he was happy with the statement)</li> <li>The future actions were agreed <ul style="list-style-type: none"> <li>CMS queried whether we could look at shared services for regular audits of accessibility standards on our website and website accessibility training</li> </ul> </li> </ul>			Partial	CR published subject to the redaction of the link in paragraph 7 – Exemption s30(c)  Accessibility statement withheld - Exemption s27(1)
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<ul style="list-style-type: none"> <li>○ HGS will consult the Officeholders representatives and the SPCB on this</li> <li>• The SMT <ul style="list-style-type: none"> <li>○ approved the key document recommendations</li> <li>○ agreed the publication recommendations</li> </ul> </li> </ul> <p>Employee Benefits</p> <ul style="list-style-type: none"> <li>• DH had a preliminary discussion with a Employee Benefits service provider and was keen to offer cycle to work, retail discounts etc to staff. He asked HGS to explore this further and review the benefits currently offered and offerable to staff under our existing EAP provision.</li> </ul>	HGS	31/03/24		
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**Signed off by:**



**Date:** 08/03/2024