

Report to:	QSMTM
Report by:	Claire Stephen, Head of Policy and Information
Meeting Date:	19 February 2025
Subject/ Title: (and VC no)	Scottish Information Commissioner's Publication Scheme Assurance Report 2024-25 VC223687
Attached Papers (title and VC no)	None

Purpose of report

1. The purpose of this Committee Report (CR) is to provide assurance that the Scottish Information Commissioner (the Commissioner) is publishing and making accessible as much information as possible, as required by law, in line with the Commissioner's policy and as required by the governance reporting arrangements.

Recommendation and actions

2. I recommend
 - (i) the Senior Management Team (SMT) notes the CR and the assurance provided in paragraph 18
 - (ii) this CR is published in accordance with paragraph 26

Executive summary

3. FOISA requires, under section 23, authorities to adopt and maintain a publication scheme which sets out the information they publish and how people can access it
4. The Commissioner has adopted the Model Publication Scheme (MPS). The Commissioner recognises that this is the minimum standard for publication. In consultation responses, the Commissioner has acknowledged that the Publication Scheme duty is now outdated and has failed to deliver intended results.
5. The outmoded document-based index no longer reflects the way the public seek information, or the most effective/efficient way for a public authority to disseminate information.
6. SMT have agreed that our approach to the publication scheme duty/proactive publication should be amended over the coming years and a project is listed the Operation Plan to address this.
7. Taking the above into account, from Q2 2024/25, HOPI took over responsibility of our publication scheme duties from HOCS. HOPI now has management responsibility for the publication and maintenance of the Commissioner's Publication Scheme and the Guide to Information (GTI) and ensuring that the Commissioner's GTI not only complies with updates of the MPS (last updated in March 2021) but also strives to proactively publish as much information as possible.

8. The Commissioner's GTI
- is published on the Commissioner's website
 - allows anyone to see what information is available (and what is not available) in relation to each class
 - states what charges may be applied
 - explains how to find the information easily
 - provides contact details for enquiries and to get help with accessing the information
 - explains how to request information that has not been published
9. In the GTI, Class 3 (How we take decisions and what we have decided), we publish agenda, Committee Reports (and related papers) and minutes of the SMT meetings. On occasion, some information may be subject to redaction at the point of publication. These redactions do not preclude the provision of information should an information request be received – each request is considered on a case-by-case basis.
10. The information we publish is not limited to items considered at SMT meetings.
11. In addition to complying with our MPS in 2024/25, we have also actively monitored request for information and have published the following in 2024/25:
- (i) Live Enforcement case data
 - (ii) Case related information/correspondence where there is a high public interest or a high media interest, as appropriate
 - (iii) Interventions data
12. Throughout 2025/26, in addition to SMT meetings, we will begin publishing approved minutes from the following meetings:
- (i) Enforcement Team Meetings
 - (ii) Policy and Information Team Meetings

Governance Reporting Arrangements

13. The Key Document C1 Governance Reporting Arrangements (GRA) requires the HOPI to provide assurance that the Commissioner is publishing and making accessible as much information as possible, in line with the Commissioner's published good practice.

Website accessibility

14. The Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018 ('the Regulations') set out requirements regarding website accessibility and the Regulations provide that all public sector bodies must publish an Accessibility Statement that explains how accessible their website is. The Commissioner's Website Accessibility Statement can be viewed here: [Accessibility | Scottish Information Commissioner \(itspublicknowledge.info\)](https://itspublicknowledge.info/Accessibility-Statement)
15. We conduct regular reviews of the documentation on our website, part of that review will ensure that all future versions of PDFs on our website will be assessed for accessibility before publication.

16. Some of our older PDFs, published before 23 September 2018, do not meet accessibility standards. The Regulations do not require us to fix PDFs or other documents published before 23 September 2018 if those documents are not essential to providing our services. It is not planned to fix these until these documents are subject to our regular reviews. This does not impact users' ability to access our services and all of these documents are available in different formats on request.
17. As we move forward, our aim is that all new PDFs or Word documents will meet accessibility standards.

Assurance

18. I am able to provide the following assurance:
- we are publishing and making accessible information in line with our published policies and procedures
 - we are actively reviewing information requests received to add to identify common themes to add to proactive publication
 - we proactively publish information where there is a strong public interest or a high media interest, as appropriate
 - the GRA requirements regarding assurance are met by way of this CR
 - the related objectives in the Operational Plan 2024-25 relating to the maintenance of a compliant publication scheme and guide to information and, also, assurance reporting have been achieved.

Risk impact

19. This annual review and assurance report are controls in place to ensure that the impact of the operational risk relating to the failure to monitor and review our publication scheme is mitigated.

Equalities impact

20. There is no direct equalities impact arising from this review.

Privacy impact

21. There is no privacy impact arising from this review.

Resources impact

22. There is no resource impact arising from this review.

Operational/ strategic plan impact

23. None arising from this report.

Records management impact (including any key documents actions)

24. None arising from this report.

Consultation and Communication

25. MSMTM minute.

Publication

26. This CR should be published in full.