

Operational Plan 2018-19

Scottish Information Commissioner



Introduction

This document sets out the Scottish Information Commissioner's operational plan for the period from 1 April 2018 to 31 March 2019. The plan explains how we will realise the Commissioner's vision and strategic aims, and provides a tool for on-going monitoring of outcomes and management of resources, financial and human.

Vision

Freedom of Information will add demonstrable value to public services and contribute positively to the transparency and accountability of public functions in Scotland

Strategic aims

To realise this vision

The Commissioner's office will:

1. support the on-going development of Scottish public sector culture and practice where the sharing and disclosing information is routine, and which actively serves openness, transparency and the public interest
2. help people to be familiar with their rights to access information and exercise them knowledgeably and responsibly
3. enable and support Scottish public authorities to develop and maintain high standards of FOI policy and practice. We will do this through a combination of regulation, advice and assistance, and appropriate collaboration. This includes promoting and embedding FOI in good communication, excellent customer service, creation and management of records and in supporting efficient, equitable and accountable delivery of statutory functions
4. contribute positively to Scotland being respected as a world-leader in openness, transparency, and access to information law, policy and practice. Including supporting the development of Scottish access to information law to ensure it remains fit for purpose
5. be recognised as an organisation of accessible experts, that is run efficiently, governed effectively and leads by example in the delivery of its statutory functions. We will ensure that delivery of our functions meets and keeps pace with recognised standards and national public service improvements, and is delivered openly and transparently.

Structure of the operational plan

The plan is laid out as a programme of actions listed under types of operational activity, with cross references to which strategic aim(s) it supports. The actions listed are business as usual (BAU) and one-off projects. This is a working document which forms the basis of on-going monitoring and assessment.

In general, BAU will be managed and monitored in line with set targets, performance indicators, established reporting structures and approved policy.

Projects will be managed according to project management principles and practice. Each project is scoped, approved by the Senior Management Team and reported on monthly for its duration.



Monitoring and reporting

Progress against plan will be reviewed monthly using the Operational Plan Monitoring Report and an update of progress will be published quarterly.

Achievement and output against individual line items will be assessed and reported in line with the organisational targets and indicators and measures set out in our Performance and Quality Framework.

Resources

The Commissioner's budget for 2018-19 is:

Total staff costs	£1,245,593
Total revenue costs	£316,800
Capital expenditure	£3,500
Total	£1,565,893

At the time of putting in place this Operational Plan, the Scottish Government has been consulting on the extension of public authorities regulated under FOISA to include registered social landlords and related bodies. The draft Order indicates a commencement date in April 2019. It is estimated that the additional resource in the region of £140,000 will be required to ensure that the Commissioner is sufficiently resourced to be able undertake the regulation of the public authorities under the proposed designation.

At this stage, it should be noted that it is not possible to assess fully the monetary effect of the designation, as regards the required resources and capacity, however, preliminary calculations indicate the following:

- three additional members of staff will be required - two Freedom of Information Officers (Grade 4) and one Administrative Assistant (Grade 2).
- additional resource will also be required for the validation of appeals. At present, there is one permanent Validation Officer (0.9 FTE) and a pilot of an additional full time Validation Officer is being undertaken, with the temporary member of staff due to take up their post in the next few weeks. However, as additional validation resource will be required if the designation is made, it is apt for this post to also be included within the estimated resources.
- there will be set up costs for each additional member of staff, for example, office equipment, IT equipment and licences – this will be required for 3 members of staff.
- there will be a set up period to enable preparation work to be undertaken
- training will need to be provided to the newly designated public authorities



Summary of activity

The majority of activity in relation to regulation of FOI (investigations and publication schemes) is recorded as business as usual (BAU). Only the major activities are shown in this plan. Underpinning this is the day-to-day management of the organisation and its resources, which again is not listed in detail.

Functional areas are:

- Human resource management (HRMgt)
- Improving authority practice (IAP)
- Information and records management (IRM)
- Planning and reporting (PlanRep)
- Promotion and communications (PromCom)
- Quality assurance (QA)
- Regulation and enforcement (RegEnf)
- Resource management (ResMgt)
- Risk management (RiMgt)
- Strategic Management (StrMgt)

The dates in the plan are as firm as they can be at the start of the year but may change in response to external factors or a change in priorities.

KEY:

BAU: Business as Usual

DHOE: Deputy Head of Enforcement

HOCS: Head of Corporate Services

HOE: Head of Enforcement

HOPI: Head of Policy and Information

Priority: Statutory, High, Medium, Low
(relative)

SIC: Scottish Information Commissioner

SMT: Senior Management Team





Human resource management

BAU		Frequency	Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1				2	3	4	5			
1	Report to SMT on Performance & Development Framework	Annual	01/05/2018	31/07/2018					X	H	HOCS
2	Learning & Development Plan (internal)	Annual	01/06/2018	31/07/2018					X	H	HOCS
3	Review HR Strategy	Annual	01/06/2018	31/07/2018					X	M	HOCS
4	Apply & monitor Performance & Development Framework		01/04/2018	31/03/2019					X	H	HOCS
6	Carers Accreditation – monitoring and application		31/08/2018	31/03/2019					X	M	HOCS
7	Security & Vetting scheme- monitoring and application		01/04/2018	31/03/2019					X	H	HOCS
8	Protection of Vulnerable Groups scheme – monitoring and application		01/04/2018	31/03/2019					X	H	HOCS

Project		Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1			2	3	4	5			
1	Employee Handbook	01/04/2018	31/08/2018					X	H	HOCS
2	Procurement - Employment Advice Contract	01/04/2018	31/12/2018					X	H	HOCS
3	Carer Positive Scheme - Accreditation	01/04/2018	31/12/2018					X	H	HOCS
4	Protection of Vulnerable Groups Designated Body Registration and Framework	01/04/2018	31/08/2018					X	H	HOCS



Improving authority practice

BAU		Frequency	Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1				2	3	4	5			
1	Commission and commence public authority compliance monitoring with the Model Publication Scheme	Annual	01/09/2018	31/03/2019	X		X		X	M	HOPI
2	Liaise with Holyrood Events about the annual Holyrood Conference	Annual	01/04/2018	31/12/2018	X		X		X	L	HOPI
3	Deliver a practitioners' conference for the Centre for FOI - May 2018	Annual	01/04/2018	31/05/2018	X		X		X	M	HOPI
4	Prepare a practitioners' conference for the Centre for FOI - May 2019	Annual	01/10/2018	31/03/2019	X		X		X	M	HOPI
5	Maintain and build engagement in the Knowledge Hub group for public authorities		01/04/2018	31/03/2019	X				X	H	HOPI
6	Collect, collate and publish FOI/EIRs statistics portal data from public authorities	Quarterly	01/04/2018	31/03/2019	X		X			S/H	HOPI
7	Provide quarterly intelligence reports to IPM to inform decisions about interventions	Quarterly	01/04/2018	31/03/2019	X		X		X	H	HOPI
8	Provide monthly intervention reports to IPM	Monthly	01/04/2018	31/03/2019	X		X			S/H	HOPI
9	Intervention Procedures: ensure non-compliance is recorded and take action in line with procedures and resources		01/04/2018	31/03/2019	X		X		X	S/H	HOE
10	Provide support to new public authorities to prepare for FOI duties		01/04/2018	31/03/2019	X		X		X	H	HOPI
11	Provide new advice and guidance (as required)		01/04/2018	31/03/2019	X		X		X	H	HOE
12	Complete public authority compliance monitoring with the Model Publication Scheme	Annual	01/04/2019	30/05/2019	X		X		X	M	HOPI

Project		Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1			2	3	4	5			
1	Publish a self assessment toolkit for public authorities on monitoring and managing FOI performance	01/08/2018	31/12/2018	X		X	X		H	HOPI
2	Preparation of Registered Social Landlords and subsidiaries	01/06/2018	31/03/2019	X		X	X		S	HOPI



	to meet their new FOI duties										
3	Decisions Round Up – evaluate, review and way forward	01/01/2019	28/02/2019	X	X	X	X	X	M	HOPI	
4	Promote revised Section 38/Regulation 11 guidance (when issued)	01/05/2018	25/05/2018	X	X	X	X	X	S/H	HOPI	



Information and records management

BAU		Frequency	Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1				2	3	4	5			
1	Coordinate on-going IRM controls and procedures and ensure they are applied		01/04/2018	31/03/2019	X	X			X	S/H	HOCS
2	IRM Assurance report to SMT	Annual	01/04/2018	31/07/2018	X	X			X	S/H	HOCS
3	Maintenance of secure and reliable IT network		01/04/2018	31/03/2019					X	S/H	HOCS
4	Review Programme for Key Documents	Annual	01/05/2018	31/07/2018	X	X	X	X	X	H	HOCS
5	Manage Key Documents as per the Review Programme		01/04/2018	31/03/2019	X	X	X	X	X	H	HOCS
6	Monitor compliance with data protection legislation and the General Data Protection Regulation		01/04/2018	31/07/2018	X				X	S	HOCS
7	Maintain a compliant publication scheme and guide to information		01/04/2018	31/03/2019	X	X		X	X	H	HOCS
8	SIC Publication Scheme Assurance report to SMT		01/01/2019	30/04/2019					X	S	HOCS
9	Monitor SIC compliance in responding to RFIs and reviews – compliance with statutory timescales, policy and procedures and quality assurance (quality assurance report to be provided by HOE to HOCS)		01/04/2018	31/03/2019			X		X	S	HOCS

Project		Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1			2	3	4	5			
1	Deliver implementation plan to ensure SIC is GDPR compliant	01/04/2018	31/03/2019	X		X	X	X	S/H	HOCS
2	IT and Digital Strategy	01/04/2018	31/07/2018					X	S/H	HOCS/SIC
3	Cyber Resilience Action Plan	01/04/2018	31/03/2019					X	H	HOCS
4	Cyber Essentials Accreditation	01/04/2018	31/05/2018					X	H	HOCS
5	Cyber Essentials Plus Accreditation	31/05/2018	31/10/2018					X	H	HOCS
6	IRM – consider and recommend way forward as regards review, retention and assurance	01/04/2018	31/03/2019	X	X			X	H	HOCS



Planning and reporting

	BAU Activity	Frequency	Start Date	End Date	Strategic Aim					Priority	Lead Manager
					1	2	3	4	5		
1	Incorporation of 3Es statement in Annual Report & Accounts	Annual	01/04/2018	01/09/2018					X	S	HOCS
2	Annual Report & Accounts: Accountability Report and Financial Statements - ensure compliance with FReM, prepare and obtain approval	Annual	01/04/2018	30/09/2018					X	S	HOCS
3	Annual Report & Accounts: Performance Report – ensure compliance with FReM, prepare and obtain approval	Annual	01/04/2018	30/09/2018					X	S	HOPI/HOCS
4	Annual Statement of Assurance to SIC	Annual	01/04/2018	31/07/2018	X	X	X	X	X	S/H	HOCS
5	Performance and statistical reporting		01/04/2018	31/03/2019	X	X	X	X	X	S	HOCS
6	Manage and report on Enquiries Service	Six monthly	01/04/2018	31/03/2019	X	X	X	X	X	H	HOCS
7	Public Service Reform (Scotland) Act 2010 – annual expenditure reporting	Quarterly	01/04/2018	31/03/2019					X	S	HOCS
8	Operational Plan 2018-19 – monitor and report progress	Quarterly	01/04/2018	31/03/2019	X	X	X	X	X	H	SMT
9	Operational Plan 2018-19 Projects – monitor and review progress	Monthly	01/04/2018	31/03/2019	X	X	X	X	X	H	SMT
10	Key Documents – reviews due and overdue reviews - monitor	Monthly	01/04/2018	31/03/2019	X	X	X	X	X	H	SMT
11	Operational Plan 2019-20 - coordinate and prepare	Annual	01/01/2019	31/03/2019	X	X	X	X	X	H	HOCS
12	Governance Reporting Arrangements – reporting against cycle		01/04/2018	31/03/2019	X	X	X	X	X	H	HOCS/HOPI/HOE
13	Governance Reporting Arrangements- compliance report to SMT	Annual	01/04/2018	31/07/2018	X	X	X	X	X	H	HOCS
14	Case Management System – reporting (manual and automatic)								X	M	HOCS
15	Prescribed Persons (Reports on Disclosure of	Annual	01/04/2018	31/07/2018					X	S	HOCS



	Information) Regulations 2017											
16	Report on biodiversity (as required by the Nature Conservation Act 2004)	Annual	01/04/2018	31/07/2018					X	S		HOCS
17	Sustainable Development - monitor and report on carbon footprint	Annual	01/04/2018	31/03/2019					X	S		HOCS

Project		Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1			2	3	4	5			
1	Case Management System – implementation of recommendations following internal audit of performance reporting	01/04/2018	31/03/2019	X	X	X	X	X	H	HOCS
2	Case Management System – development of additional reporting	01/04/2018	31/03/2019					X	M	HOCS
3	Case Management System – publication scheme reporting	01/04/2018	31/03/2019					X	H	HOCS
4	Enquiries Service – review reporting arrangements	01/04/2018	31/07/2018	X	X	X	X	X	H	HOCS
5	Strategic Plan – revision	01/04/2018	31/03/2019	X	X	X	X	X	H	SIC



Promotion and communications

BAU		Frequency	Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1				2	3	4	5			
1	Communication Strategy Report	Annual	01/04/2018	31/03/2019	X	X	X	X	X	H	HOPI
2	Manage and maintain press and media enquiry service		01/04/2018	31/03/2109	X	X	X	X	X	H	HOPI
3	Deliver training and briefing events to promote effective use of FOI rights to civil society and media organisations		01/04/2018	31/03/2019		X		X	X	S	HOPI
4	Research public awareness of FOI rights through omnibus poll	Annual	01/04/2018	31/03/2019		X				H	HOPI
5	Report on website usage and social media reach against performance targets	Quarterly	01/04/2018	31/03/2019	X	X	X		X	H	HOPI
6	Maintain website content, ensuring it is up to date and relevant and reporting progress	Quarterly	01/04/2018	31/03/2019	X	X	X		X	H	HOPI
7	Maintain and support standing advisory group of practitioners, e.g. development of resources and learning		01/04/2018	31/03/2019	X		X		X	M	HOPI

Project		Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1			2	3	4	5			
1	Raise awareness of young people of their FOI rights through a workshop	01/04/2018	31/08/2018		X		X		S/H	HOPI
2	Produce and publish a case study to promote FOI rights to young people	01/08/2018	31/12/2018		X		X		S/H	HOPI
3	Review of website and signposting	01/04/2018	31/03/2019	X	X	X		X	H	HOPI
4	British Sign Language – Action Plan	01/04/2018	31/10/2018		X		X		H	SIC



Quality Assurance

BAU		Frequency	Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1				2	3	4	5			
1	Compliments and complaints – record, analyse and report	Six monthly	01/04/2018	31/03/2019					X	S	HOCS
2	Information Requests to SIC: (a) record, analyse and monitor performance in accordance with the Section 60 Code of Practice (b) upload details to the FOI/EIRs statistics portal	Quarterly	01/04/2018	31/03/2019	X		X	X	X	S	HOCS
3	Information Requests to SIC – provide assurance to HOCS that responses to information requests comply with relevant legislation and related guidance	Quarterly	01/04/2018	31/03/2019	X		X	X	X	S	HOE
4	Equalities Statistics – Service Users – recording, analysis and reporting	Annual	01/04/2018	31/03/2019			X		X	H	HOCS
5	Investigation targets and Key Performance Indicators - monitor and review to ensure appropriate and fit for purpose		01/04/2018	31/03/2019					X	H	HOE
6	Performance and Quality Framework – managers to report on performance for their areas of responsibility (including carrying out appropriate quality assurance reviews) and to review Key Performance Indicators and other targets and standards annually		01/04/2018	31/03/2019	X	X	X	X	X	S/H	SMT

Project		Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1			2	3	4	5			
1	Review effectiveness of appeal portal for service users to inform future developments	01/10/2018	31/03/2019		X		X	X	M	HOPI



Regulation and Enforcement

BAU		Frequency	Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1				2	3	4	5			
1	Enforce FOI in line with Enforcement Policy		01/04/2018	31/03/2019	X		X	X	X	S	HOE
2	Register, validate, investigate and decide applications in line with approved procedures and Key Performance Indicators	Monthly	01/04/2018	31/03/2019	X		X	X	X	S	HOE
3	Monitor investigation and enforcement performance	Monthly	01/04/2018	31/03/2019	X				X	S/H	HOE
4	Report on investigation and enforcement performance	Quarterly	01/04/2018	31/03/2019	X				X	S/H	HOE
5	Provide legal advice to, or procure legal advice for, the SIC on matters including litigation, FOI law (including how this affects or is effected by other areas of law) or other corporate responsibilities and duties and ensure that the legal advice is recorded and the record kept up to date		01/04/2018	31/03/2019	X				X	H	HOE
6	Maintain a rolling programme to ensure standard/template letters on the case management system are reviewed and regularly updated, as required.		01/04/2018	31/03/2019	X				X	S	DHOE
7	Maintain a list of bodies suitable for consideration for designation under Section 4 and Section 5 and report on proposed list to be submitted to the Scottish Ministers	Annual	01/04/2018	31/03/2019	X			X	X	S	HOPI
8	Review the Model Publication Scheme, SIC guidance and support materials (including presentation of materials), publish updates and communicate updates to all public authorities	Annual	01/04/2018	30/05/2018	X		X	X	X	S	HOPI
9	Manage and monitor notifications from new authorities re: compliance with publication scheme duty		01/04/2018	31/03/2019	X		X	X	X	S	HOPI

Project		Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1			2	3	4	5			
1	Manage and monitor notifications by Registered Social Landlords and subsidiaries re compliance with publication scheme duty	01/04/2018	31/03/2019	X		X		X	S/H	HOPI/HOE
2	Contribute to post-legislative scrutiny of the FOISA	tbc	tbc	X	X	X	X	X	S	SIC





Resource management

BAU		Frequency	Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1				2	3	4	5			
1	Set and profile budget for 2019/2020	Annual	01/06/2018	30/09/2018	X	X	X	X	X	H	HOCS
2	Budget monitoring and control – 2018/19	Quarterly	01/04/2018	31/03/2019	X	X	X	X	X	H	HOCS
3	Monitor and report on payment of invoices	Quarterly	01/04/2018	31/03/2019					X	H	HOCS
4	Workforce monitoring and planning	Six monthly	01/04/2018	31/03/2019	X	X	X	X	X	H	HOCS
5	Maintenance of premises		01/04/2018	31/03/2019					X	H	HOCS
6	Contracts (all except as noted below in (9), (10) (11) and (12))– procurement and management	As agreed in relevant contract	01/04/2018	31/03/2019					X	H	HOCS
7	Case management system – review reporting requirements and requisition new reports (as required)		01/04/2018	31/03/2019					X	H	HOCS
8	Governance Statement of Assurance to SIC	Annual	01/04/2018	31/03/2019					X	H	HOCS
9	External provision of legal services: contract management	As agreed in contract	01/04/2018	31/03/2019					X	H	HOE
10	External provision of website: contract management	As agreed in contract	01/04/2018	31/03/2019					X	H	HOPI
11	Contract for design and printing of Annual Report & Accounts	As agreed in contract	01/04/2018	31/03/2019					X	H	HOPI
12	Contract for press cutting service	As agreed in contract	01/04/2018	31/03/2019					X	H	HOPI

Project		Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1			2	3	4	5			
1	Case management system – upgrade	01/04/2018	31/08/2018					X	H	HOCS
2	IT Support and Maintenance Contract – review arrangements	01/04/2018	31/08/2018					X	H	HOCS
3	Lease Renewal	01/04/2018	31/03/2019					X	M	HOCS
4	Procurement of legal services contract	01/04/2018	31/08/2018					X	H	HOE
5	Review website supported hosting and maintenance	01/10/2018	31/03/2019					X	H	HOPI



	arrangements									
6	Recruitment of additional staff if extension of FOISA to RSL's and subsidiaries (provided additional funding allocated to the Commissioner)	01/04/2018	31/03/2019					X	H	HOPI/HOCS



Risk management

BAU		Frequency	Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1				2	3	4	5			
1	Review of operational risk	Monthly	01/04/2018	31/03/2019	X	X	X	X	X	H	SMT
2	Review of strategic risk	Quarterly	01/04/2018	31/03/2019	X	X	X	X	X	H	SMT
3	Updating risk registers	Monthly/quarterly	01/04/2018	31/03/2019	X	X	X	X	X	H	HOCS
4	Annual assessment and review of risk and report to SMT	Annual	01/04/2018	31/07/2018	X	X	X	X	X	H	HOCS
5	Internal Audit Plan - report	Annual	01/04/2018	31/01/2019	X	X	X	X	X	H	HOCS
6	Business Continuity Plan – maintenance of plan and testing (as required)		01/04/2018	31/03/2019	X	X	X	X	X	H	HOCS
7	Health and Safety – reporting and monitoring	Quarterly	01/04/2018	31/03/2019	X	X	X	X	X	H	SMT
8	Advisory Audit Board – reports on audits and review of strategic risk	As required	01/04/2018	31/03/2019	X	X	X	X	X	H	HOCS

Project		Start Date	End Date	Strategic Aim					Priority	Lead Manager
Activity	1			2	3	4	5			
1	Internal audit – GDPR compliance – external audit to assess implementation process and compliance	01/11/2018	31/03/2019	X	X	X	X	X	H	HOCS
2	Internal audit – investigations – external audit to review compliance with approved processes in place for undertaking FOI investigations	01/09/2018	31/12/2018	X	X	X	X	X	M	HOCS/HOE
3	Internal audit – planning & resources – in house audit to assess whether level of resources adequate to enable SIC to carry out functions.	01/10/2018	31/03/2019	X	X	X	X	X	H	HOCS
4	Risk management – in-house audit using Audit Scotland toolkit - assessment of compliance with legislation, best practice and effectiveness of policy and procedures.	01/04/2018	31/07/2018	X	X	X	X	X	M	HOCS
5	Investigations: review quality assurance arrangements	01/06/2018	30/09/2018	X	X	X	X	X	H	HOE
6	Enquiries: review quality assurance arrangements	01/04/2018	31/07/2018	X	X	X	X	X	H	HOCS



Document Control Sheet

Document Information	
Full name of current version: Class, Title, Version No and Status. <i>E.g. C1 MOU Between the SIC and the IC v01</i>	C2 Operational Plan 2018-19 CURRENT ISSUE
VC No.	103517
Type	Plan
Approver	SMT
Responsible Manager	HOCS
Date of next planned review	N/A – new plan issued each year
Approval & Publication	
Approval Date of current major version	25 April 2018
For publication (Y/N)	Y
Date published	07/06/2018
Name of document in website file library	OperationalPlan201819
Technical Changes / Unplanned or Ad hoc reviews (see Summary of changes below for details)	
Date of last update	

Summary of changes to document				
Date	Action by <i>(initials)</i>	Version updated <i>(e.g. v01.25-36)</i>	New version number <i>(e.g. v01.27, or 02.03)</i>	Brief description <i>(e.g. updated paras 1-8, updated HOPI to HOCS, reviewed whole section on PI test, whole document updated, corrected typos, reformatted to new branding)</i>
07/06/18	KB	01.00	01.01	New document created from draft following approval
07/06/18	KB	01.01	01.02	DCS updated, published on website