

**Scottish Information Commissioner**  
**Minutes of the Quarterly Senior Management Team Meeting**  
**11 May 2022 (Part 1) & 25 May 2022 (Part 2) – by MS Teams**

**NOTE TO READER:**

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## 11 May 2022 Part 1

Present: Scottish Information Commissioner - Daren Fitzhenry (DF) (Chair)  
 Head of Corporate Services - Helen Gardner-Swift (HGS)  
 Head of Enforcement - Margaret Keyse (MK)  
 Acting Head of Policy & Information – Claire Stephen (CMS)  
 Finance and Administration Manager – Liz Brown (LB) (Minutes)

Apologies: Finance and Administration Manager - Kim Berry (KB)

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

<b>1.1 Review of minutes – 29/03/2022</b> <ul style="list-style-type: none"> <li>The minutes were approved and will be published with the relevant papers</li> </ul>			Yes	Minutes published in full
<b>1.2 Action points update</b> <ul style="list-style-type: none"> <li>No action points outstanding</li> </ul>				
<b>1.3 Matters outstanding</b> <ul style="list-style-type: none"> <li>No matters outstanding</li> </ul>				

### 2. Finance Report

<ul style="list-style-type: none"> <li>The Committee Report (CR) provides the SMT with an update on the organisation spend against agreed 2021-22 budget as at 31 March 2022</li> <li>The reasons for variances were discussed</li> </ul>			Yes	CR published in full  Finance Report available <a href="#">here</a>
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<ul style="list-style-type: none"> <li>• MK suggested an amendment to the wording in the Professional Fees section of paragraph 5 and will forward the proposed changes to HGS who will update the CR</li> <li>• The SMT noted the CR and agreed the publication recommendations, subject to the change in paragraph 5</li> </ul>	MK/HGS	13/05/22		
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### 3. Information Requests and Reviews, including Assurance Statement

<ul style="list-style-type: none"> <li>• The SMT noted the CR, including the assurance statement, and the following: <ul style="list-style-type: none"> <li>○ all KPI's were met in 2021-22</li> <li>○ the information in the CR has been uploaded to the FOI and EIR Statistics Platform</li> </ul> </li> <li>• The publication recommendations were agreed by the SMT subject to a correction in paragraph 19</li> </ul>	LB	13/05/22	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 the CR and the following: <ul style="list-style-type: none"> <li>○ all KPI's were met in 2021-22</li> <li>○ the information in the CR has been uploaded to the FOI and EIR Statistics Platform</li> </ul> </li> <li>• The publication recommendations were agreed by the SMT subject to a correction in paragraph 7</li> </ul>	LB	13/05/22	Partial	<p>CR 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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### 5. Enquiries Service

<ul style="list-style-type: none"> <li>• The SMT noted the CR and the following: <ul style="list-style-type: none"> <li>○ all KPI's were met in 2021-22</li> <li>○ there has been a drop in the number of Enquiries received in 2021-22 but this may be as a result of the increase in website visits and the amount of information we have published</li> </ul> </li> </ul>			Yes	CR published in full
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<ul style="list-style-type: none"> <li>The publication recommendations were agreed by the SMT subject to corrections in paragraph 8 and 19</li> </ul>	LB	13/05/22		
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## 6. Website

<ul style="list-style-type: none"> <li>The SMT noted the CR and the following: <ul style="list-style-type: none"> <li>the Website Statistics Report</li> <li>the Commissioner's new website was launched on 7 April 2022 and the figures reflected in this report relate to the Commissioner's old website</li> <li>CMS is confident that the google analytics dashboard on the new website will be easier to manage and provide more meaningful data</li> </ul> </li> <li>The publication recommendations were agreed by the SMT subject to corrections in paragraph 6 &amp; 9</li> </ul>	CMS	13/05/22	Yes	CR and Website Statistics Report published in full
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## 7. Investigations Performance

<ul style="list-style-type: none"> <li>The SMT noted the CR and the following: <ul style="list-style-type: none"> <li>MK explained that the figures quoted throughout the report are based on figures available at the year end. These figures are still to go through a checking process and, therefore, it is possible that some of the figures in this report will differ from the final figures which will appear in the Annual Report 2021-22.</li> <li>there have been cases where backdated information has been added after 31 March 2021 but that has been picked up and will continue to be monitored.</li> </ul> </li> <li>The publication recommendations were agreed by the SMT subject to amendments in paragraph 20,40 &amp; 41</li> </ul>	MK	13/05/22	Yes	CR published in full
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## 8. Quality Assurance - Investigations

<ul style="list-style-type: none"> <li>This report is no longer required for 2021-22 but remains in the Governance Reporting Arrangements (GRA) and the QSMTM agendas until a review of the GRA in 2022-23 Q1</li> </ul>			N/A	N/A
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## 9. Key Documents

<ul style="list-style-type: none"> <li>• Updates were provided by each Head of Department on the progress being made with the reviews</li> <li>• The following changes were approved: <ul style="list-style-type: none"> <li>○ Internal Communications (VC70218) – the information contained in this document is already covered in other key documents and, therefore, this document should be discontinued and no longer be a key document</li> <li>○ Finance Handbook (VC111081) – amend the review date to July 2022</li> <li>○ Procurement Policy and Procedures (VC100368) - amend the review date to October 2022</li> <li>○ Contracting with the Scottish Information Commissioner: Information for Contractors (VC129611) – amend the review date to October 2022</li> <li>○ Data Protection Policy and Handbook (VC149083) – amend the review date to March 2023</li> <li>○ Employee Handbook (VC153224) – Amend the review date to January 2023</li> </ul> </li> <li>• The DCS on each of the above key documents and the Register of Key Documents will be updated</li> <li>• It was noted by the SMT that the accessibility of key documents should be considered when the Responsible Manager is reviewing them</li> <li>• CMS and MK will consider accessibility when considering the briefings published by the Commissioner</li> <li>• HOCS reminded the SMT that if a planned review of a key document is undertaken and changes are not required following this review, the key document does not need to be referred to the SMT for approval (where the SMT is the approver)</li> <li>• The SMT agreed that the report is published with the exception of the column containing comments</li> </ul>	LB	13/05/22	Partial	Report published with the exception of comments column – Exemptions s30(b)(ii) and s38(1)(b)
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## 10. UK GDPR Report

<ul style="list-style-type: none"> <li>• The CR relating to the update for 2021-22 Q4 was noted by the SMT</li> </ul>			Partial	CR published in full
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<ul style="list-style-type: none"> <li>The publication recommendations were agreed by the SMT, subject to amendments in paragraph 4 &amp; 10</li> </ul>	HGS	13/05/22		GDPR Implementation Plan 2019-20 withheld – Exemption s30(b)(ii), s30(c) and s39(1)
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### 11. Strategic Risk Register 2021-22

<ul style="list-style-type: none"> <li>The SMT reviewed the Strategic Risk Register 2021-22 and updates were discussed and noted</li> <li>DF will provide Q4 commentary and HGS will update the register</li> </ul>	DF/HGS	24/05/21	No	Strategic Risk Register withheld – Exemptions s30(b)(ii), s30(c) and s39(1)
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### 12. Service Standards – Compliments/Complaints

<ul style="list-style-type: none"> <li>The SMT noted the CR</li> <li>The publication recommendations were agreed by the SMT.</li> </ul>			Partial	CR published in full  Record of Compliments and Record of Complaints reports not published – Exemption s38(1)(b)
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### 13. Key document review – Covid guidance

<ul style="list-style-type: none"> <li>The CR was noted by the SMT</li> <li>The SMT agreed that the following key documents are discontinued and removed from the Register of Key Documents: <ul style="list-style-type: none"> <li>C2 Coronavirus (Scotland) Act 2020: Determining the effects of the coronavirus on an authority's ability to respond to requests (VC140244) and</li> <li>C2 Coronavirus (Scotland) Act 2020: Determining the effects of the coronavirus on requests responded to between 7 April and 26 May 2020 (VC140242)</li> </ul> </li> <li>MK will update the Key Documents Log</li> </ul>	MK	20/05/22	Yes	CR published in full
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<ul style="list-style-type: none"> <li>The publication recommendation was agreed by the SMT.</li> </ul>				
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#### 14. Publication Schemes (PAs)

<ul style="list-style-type: none"> <li>Deferred to Part 2 on 25 May 2022</li> </ul>			N/A	N/A
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#### 15. Communication Strategy

<ul style="list-style-type: none"> <li>The CR was noted by the SMT.</li> <li>The publication recommendation was agreed by the SMT, subject to an amendment in paragraph 31</li> </ul>	CMS	13/05/22	Yes	CR published in full
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#### 16. British Sign Language - Action Plan – report and review

<ul style="list-style-type: none"> <li>The CR was noted by the SMT.</li> <li>The SMT agreed that no revisions are made to the BSL Plan at this time, but reviews will continue to take place</li> <li>The publication recommendation was agreed by the SMT, subject to an amendment in paragraph 6</li> </ul>	CMS	13/05/22	Yes	CR published in full
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#### 17. AOB

<ul style="list-style-type: none"> <li>No AOB</li> </ul>			N/A	N/A
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### 25 May 2022 Part 2

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Present: Scottish Information Commissioner - Daren Fitzhenry (DF) (Chair)  
 Head of Corporate Services - Helen Gardner-Swift (HGS)  
 Head of Enforcement - Margaret Keyse (MK)  
 Acting Head of Policy & Information – Claire Stephen (CMS)  
 Finance and Administration Manager - Kim Berry (KB)  
 Finance and Administration Manager – Liz Brown (LB) (Minutes)

Apologies: None

#### 18. Sickness Absence

<ul style="list-style-type: none"> <li>The CR was noted by the SMT.</li> <li>HGS explained that due to the size of the staff complement, any absence of a significant length</li> </ul>			No	Committee Report and
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<p>can have an adverse effect on the overall absence levels</p> <ul style="list-style-type: none"> <li>• The SMT agreed that: <ul style="list-style-type: none"> <li>○ there were no issues arising in relation to absence levels which require noting and further action</li> <li>○ there were no issues in relation to the variance between the Commissioner's statistics and the national statistics which require further action</li> </ul> </li> <li>• the publication recommendations were agreed by the SMT</li> </ul>				attached papers withheld - Exemption s38(1)(b)
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#### 19. Statement of Expenditure – PSRA

<ul style="list-style-type: none"> <li>• Deferred to the next MSMTM</li> </ul>			N/A	N/A
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#### 20. Time taken to pay suppliers

<ul style="list-style-type: none"> <li>• Deferred to the next MSMTM</li> </ul>			N/A	N/A
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#### 21. Interventions Report

<ul style="list-style-type: none"> <li>• Deferred to the next MSMTM</li> </ul>			N/A	N/A
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#### 22. Workforce Trends

<ul style="list-style-type: none"> <li>• The CR was noted by the SMT</li> <li>• The publication recommendation was agreed by the SMT.</li> </ul>			Yes	CR published in full
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#### 23. Quality Assurance - Enquiries

<ul style="list-style-type: none"> <li>• The SMT noted the following: <ul style="list-style-type: none"> <li>○ the CR</li> <li>○ the assurance provided</li> <li>○ telephone enquiries are now being taken – callers are asked to leave a message which is then picked up and allocated to the relevant member of staff for response</li> </ul> </li> <li>• The publication recommendation was agreed by the SMT subject to amendments in paragraph 12 &amp; 17</li> </ul>			Yes	CR published in full
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#### 24. Prescribed Persons (Reports on Disclosure of Information) Regulations 2017

<ul style="list-style-type: none"> <li>• The SMT:             <ul style="list-style-type: none"> <li>○ noted the CR</li> <li>○ subject to one amendment, approved the report set out in Appendix A for publication</li> </ul> </li> <li>• The publication recommendation was agreed by the SMT.</li> </ul>			Yes	<p>CR published in full</p> <p>Report in Appendix A available <a href="#">here</a></p>
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## 25. Information and Records Management (IRM)

<ul style="list-style-type: none"> <li>• The SMT noted:             <ul style="list-style-type: none"> <li>○ the CR</li> <li>○ the assurance provided</li> </ul> </li> <li>• The publication recommendations were agreed by the SMT</li> </ul>			Partial	<p>CR published in full</p> <p>Paragraphs 10,13, 30, 31 and 32 of the IRM Report 2021-22 and the Personal Data Processing Spreadsheet withheld - Exemptions s30(b)(ii) and s39(1)</p>
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## 26. Equalities Monitoring – Service Users

<ul style="list-style-type: none"> <li>• The SMT noted that there was no report for 2021-22 as no surveys were carried out (pending review of survey procedures)</li> </ul>			N/A	N/A
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## 27. Equalities Monitoring – Staff

<ul style="list-style-type: none"> <li>• The SMT noted the following:             <ul style="list-style-type: none"> <li>○ the CR</li> <li>○ the Equalities and Diversity Monitoring – Staff Report (E&amp;DM Staff Report)</li> </ul> </li> <li>• HGS explained that the E&amp;DM Staff Report will feed into workforce planning, recruitment and staff related matters</li> <li>• The publication recommendations were agreed by the SMT</li> </ul>			Partial	<p>CR published in full</p> <p>E&amp;DM Staff Report withheld – Exemption s38(1)</p>
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## 28. Sustainable Growth Statement (PSR) and Sustainable Development Carbon Footprint



<ul style="list-style-type: none"> <li>The SMT noted the CR and approved the draft Statement on Sustainable Growth 2021-22 for publication</li> <li>The publication recommendations were agreed by the SMT</li> </ul>			Yes	<p>Committee Report published in full</p> <p>Statement on Sustainable Growth 2021-22 published in full – available <a href="#">here</a></p>
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### 29. Publication Schemes (PAs)

<ul style="list-style-type: none"> <li>Deferred to the next MSMTM</li> </ul>			N/A	N/A
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### 30. Operational Plan 2022-23

<ul style="list-style-type: none"> <li>The SMT noted the CR</li> <li>The SMT discussed the draft Operational Plan 2022-23 and several amendments were agreed</li> <li>The SMT agreed to defer final approval of the Operational Plan 2022-23 until the 01/06/22 (to enable CMS to be present and take part in the discussion)</li> <li>Subject to the amendments agreed by the SMT on 01/06/22, the following recommendations were agreed <ul style="list-style-type: none"> <li>the Operational Plan 2022-23 was approved</li> <li>the Operational Plan Monitoring Report 2022-23 should be prepared using the approved plan</li> </ul> </li> <li>The publication recommendation was agreed by the SMT.</li> </ul>			Yes	Committee Report published in full
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### 31. Performance and Quality Framework 2022-23

<ul style="list-style-type: none"> <li>The CR was noted by the SMT.</li> <li>The Performance and Quality Framework 2022-23 was discussed and approved subject to final discussions due to take place on 01/06/22 to enable CMS to be present</li> <li>Subject to the amendments agreed by the SMT on 01/06/22, the Performance and Quality Framework 2022-23 was approved.</li> <li>Subject to the above, the publication recommendation was agreed by the SMT</li> </ul>			Yes	CR published in full
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### 32. Risk Management Annual Assurance Report

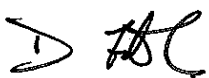
<ul style="list-style-type: none"> <li>• The SMT noted: <ul style="list-style-type: none"> <li>○ the CR</li> <li>○ the assurance provided</li> </ul> </li> <li>• The SMT approved the following: <ul style="list-style-type: none"> <li>○ the C1 Risk Management Policy 2022-23 and relevant key document actions</li> <li>○ the C1 Strategic Risk Register 2022-23</li> <li>○ the C1 Operational Risk Register 2022-23</li> </ul> </li> <li>• The publication recommendations were agreed by the SMT.</li> </ul>			Partial	<p>Committee Report published in full</p> <p>Operational and Strategic Risk Registers withheld – Exemptions s30(b)(ii), s30(c) and s39(1)</p>
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### 33. AOB

<ul style="list-style-type: none"> <li>• The SMT considered a CR circulated by email by HGS on 27 April 2022 relating to the approval of documents for the gradual re-opening of the office premises</li> <li>• The following key documents (and the related key document actions) were approved by the SMT via email on the 28/04/22 <ul style="list-style-type: none"> <li>○ C5 COVID19 Additional Policy and Procedures Guidance</li> <li>○ C5 Remote Working Guidance</li> <li>○ C5 Handbook – Gradual Return to the Office Premises</li> </ul> </li> <li>• The SMT also approved ad hoc updates to the C5 Health and Safety Policy and Handbook</li> <li>• The SMT agreed the publication recommendations set out in the CR.</li> </ul>			Partial	<p>CR published in full</p> <p>The COVID-19 Absences (ill-health, self-isolation, caring responsibilities, vaccinations and foreign travel), is withheld on the basis that section 27 of FOISA applies and the Key Document will be finalised and published in full on our website as soon as possible</p> <p>The Remote Working Guidance is withheld from publication on the basis that section 39(1) of FOISA applies</p>
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				<p>The Gradual Return to Office Premises Handbook is withheld from publication on the basis that section 30(b)(ii) and 39(1) of FOISA applies</p> <p>The Health and Safety Policy and Handbook: the unredacted version is withheld from publication on the basis that section 39(1) of FOISA applies</p> <p>A redacted version is produced but is withheld on the basis that section 27 of FOISA applies and the Key Document will be finalised and published in full on our website as soon as possible</p>
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**Signed off by:**



**Date:** 29 June 2022