

Scottish Biometrics Commissioner - Audit Board Minutes

16 March 2022 @ Bridgeside House

Board	Andy Shaw, Chair David Watt
Attendees	External Auditor – Audit Scotland, Tommy Yule Commissioner – Brian Plastow Operations Manager – Diego Quiroz Corporate Services Manager – Cheryl Glen Business Support Officer – Joanna Milne (note taker)
Invited	SPSO Corporate Services Manager – Fiona Paterson SPCB Officeholder Services – Janice Crerar
Apologies	Audit Scotland, Gillian McCreadie

Item	Subject	Discussion	Actions	Lead
1	Welcome	The Chair welcomed everyone, introduced himself then asked everyone to introduce themselves		
2	Declarations of Interest	The Chair asked those who required to do so to provide an up to date list of Declaration of Interest	Declarations of Interest to be submitted to Business Support Officer	
3	Minutes of previous meeting	<p>1. Minutes of the previous meeting 6 October 2021 were approved with the following points noted</p> <ul style="list-style-type: none"> ▪ Updated version of the draft Scheme of Governance and Control has been developed, now the Governance and Risk Management Handbook (discussed under item 6) ▪ January 2022 risk workshop cancelled due to impact of Covid-19 however SBC Team met and conducted risk session late February 		

		<ul style="list-style-type: none"> ▪ The Commissioner confirmed that an accounts direction had now been received from Scottish Ministers 		
4	Commissioner's update	<ol style="list-style-type: none"> 1. The Commissioner thanked Janice and Fiona for their support 2. Physical office at McDonald Road now up and running with 3 staff members now recruited 3. Consent of the Scottish Ministers has been received for the draft Code of Practice via the Cabinet Secretary for Justice and Veterans to lay the draft before Parliament. Once the draft is laid, it will most likely be considered by the Criminal Justice Committee 4. Scotcen were commissioned to conduct a survey on our behalf to gain a better understanding of the Scottish public's awareness of biometrics. Response has been positive. Findings will be published and be included in the Annual Report 		
5	Operations Manager update	<ol style="list-style-type: none"> 1. The Operations Manager highlighted priority work areas since joining the team in January 2022 <ul style="list-style-type: none"> ▪ Stakeholder Analysis ▪ Developing a public information animation for the website – to help ensure children, young people and vulnerable adults have an understanding of Biometrics ▪ Report on public attitudes survey ▪ International horizon scanning which included submitting a paper to the EU Human Rights Commission raising awareness of our role 2. Children, Young People and Vulnerable Adults thematic - we hope to conduct this work in partnership with the Scottish Police Authority and Children's Commissioner 		
6	Corporate Services Manager	<ol style="list-style-type: none"> 1. The Corporate Services Manager highlighted priority areas of work including: <ul style="list-style-type: none"> ▪ Developing internal and external or policies, working closely with Fiona and Helen from SPSO 		

		<ul style="list-style-type: none"> ▪ First draft Records Management Plan has been created and liaising with NRS to progress ▪ Governance and Risk Handbook has been drafted , recognise that changes will be needed as the Office begins new work <p>2. Finance monitoring will move from SPCB to SBC from beginning of 2022/23</p> <p>3. Finance performance and monitoring will be managed monthly and included within Assurance Report allowing monitoring of budget and KPIs</p>		
7	Governance	<p>1. The AAB felt encouraged with progress made by the SBC Office in such a short time period</p> <p>Business Continuity Plan</p> <p>2. Discussion around the risks of cyber security and reduced staff members</p> <ul style="list-style-type: none"> ▪ The Commissioner highlighted that the SBC uses the Scottish Government’s SCOTS network which undergoes rigorous testing; SPSO also developing a Cyber Security Incident Policy which the SBC have been invited to be part of ▪ The Commissioner also highlighted that reduced staff numbers will always be one of our biggest risks given such a small team. Mitigating factor is to ensure we have cross functionality across Operations Manager and Corporate Services Manager roles; also supported by having Shared Services with SPSO and the possibility of engaging with one of our stakeholders for seconded support <p>3. The AAB highlighted that the paragraph on leave should be removed</p> <p>4. The AAB highlighted the plan didn’t show a clear enough dependency with the SPSO through the Shared Services arrangements for Bridgeside House, ICT and HR . It was suggested this could be strengthened through Service Level Agreements</p> <p>5. The External Auditor questioned whether it is appropriate that two members of staff were needed to activate the Incident Plan</p> <p>Shared Services</p>		

		<p>There is a Shared Services Agreement in place with the SPSO covering all aspects of HR, Payroll, H&S in Bridgeside House with elements of Finance being covered by SPSO and SPCB although the latter arrangement will cease at the start of 2022/23. It was made clear that in regards to Finance, the SPSO provide an administrative function only, processing invoices while approvals and authorisations rest with the SBC</p> <p>Risk Management (incl. internal audit)</p> <ol style="list-style-type: none"> 1. The SBC Team held a risk management session which resulted in a Strategic Risk register aligned to the Strategic Plan 2. An Assurance Report is currently being developed bringing together risks, strategic objectives and budget monitoring into one report 3. The AAB commented it's unusual to see a Public Authority describe themselves as being 'Hungry' as their Risk Appetite <ul style="list-style-type: none"> ▪ 3.1 The Commissioner explained as a small organisation we need to be creative 4. The AAB described an inaccuracy to Figure 1 in relation to reporting mechanisms 5. The AAB queried the sign-off amount for expenses claims within the Scheme of Delegation and suggested the SBC consider the level 6. The AAB highlighted the need for a Register of Interests to be published on the website 7. The AAB enquired about our Internal Audit process, highlighting that due to having Share Services with the SPSO there should be a different internal auditor to SPSO would need to procure another independent auditor <p>Risk Register</p> <ol style="list-style-type: none"> 1. The AAB asked for Impact and Likelihood definitions and also raised some queries which were answered as follows: 	<p>Shared Services Agreements to be disseminated to AB</p> <p>Amendments to Governance and Risk Management Handbook</p>	<p>CSM and BSO</p> <p>CSM</p>
--	--	--	---	-------------------------------

		<p>from the Statement could be removed and used within the ARA and the tense of the document should reflect what has been achieved</p> <p>5. The Commissioner reiterated that the financial year and the strategic year are misaligned and hoped this would not cause an issue with reporting</p>		
9	Terms of Reference	The AAB highlighted the Terms of Reference doesn't need to be set out in such definite terms including no need to define dates of meetings and to remove bios	Board members to provide up to date bio's for the website	AS and DW
10	Meeting Schedule	The AAB agreed meetings are set to twice a year with the next one scheduled once accounts and meeting with the External Auditor has been scheduled	Meeting between External Auditor and the Commissioner	TY and BP
11	AOB	For Reading – SBC Assessment		