

Scottish Biometrics Commissioner – Advisory Audit Board Minutes

14 February 2023 @ Bridgeside House and on MS Teams

Board	Andy Shaw, Chair David Watt
Attendees	Committee – Andy Shaw, Chair Committee – David Watt External Auditor – Audit Scotland, Tommy Yule External Auditor – Audit Scotland, Neil Maclean External Auditor – Audit Scotland, Maria Niaz External Auditor – TIAA, Martin Ritchie Commissioner – Brian Plastow Operations Manager – Diego Quiroz Corporate Services Manager – Cheryl Glen Business Support Officer – Joanna Milne (note taker)
Apologies	

Item	Subject	Discussion	Actions	Lead
1	Welcome	The Chair welcomed everyone – there were no apologies		
2	Declarations of Interest	All declarations of interest are up to date and published on our website		
3	Minutes of previous meeting	Minutes from the previous meeting on 22 August 2022 were approved Discussed an action from last meeting – to consider using LinkedIn to raise awareness of the SBC. Commissioner explained that this area of business would be considered by a new Communications role which we hope to progress next financial year although is dependent on the funding received for 2023/24	Previous minutes to be published on our website	BSO

4	Commissioner's update	<p>Annual Report and Accounts (ARA)</p> <p>The ARA was signed and laid before Parliament on 25 October 2022 and was well received. After discussion with Audit Scotland it has been agreed that the Section 31 report which includes our performance against budget and the Section 32 annual report on use of biometrics by the bodies to whom our functions extend will be presented separately to Parliament for 2022/23</p> <p>Code of Practice</p> <p>The Code of Practice was approved in Parliament in September, by Ministers in October (without amendment) then laid and took legal effect on 16 November 2022. The Code of Practice was also accompanied by a Complaint's procedure and Data Sharing Agreements with Police Scotland, Scottish Police Authority (SPA) and the Police Investigations and Review Commissioner (PIRC). The media coverage has been very positive</p> <p>Strategic Plan</p> <p>Due to delays in appointing the first Commissioner the Strategic Plan and finances are misaligned. At a recent meeting with the Cabinet Secretary for Justice and Veterans it was confirmed there is no space on the legislative programme to bring about a change to the schedule so they are both in line. The SPA, PIRC and Police Scotland were consulted on the revised Strategic Plan which has also been approved by the SPCB, it will be laid at the end of February</p> <p>Annual Business Plan</p> <p>Due to the issues with the misaligned Strategic Plan and finances we will produce and publish a yearly Business Plan. This will be published early April and will outline what we plan to achieve operationally during that financial year</p>		
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5	Governance	<p>Information Governance Handbook</p> <p>The Information Governance Handbook had previously been seen by the AAB however there have been a few amendments to better reflect how the team are working</p> <p>Records Management Plan (RMP)</p> <p>The completed RMP will be submitted to NRS by 28 February</p> <p>The RMP was written using an approved template as well as reviewing other office holder plans which have already been published</p> <p>Some of the documents / links in the RMP are still outstanding as they have not yet been approved but will be included prior to submission</p>	<p>Element 13 to be amended to show that findings from self-assessment will be shared, monitored and actioned.</p> <p>Element 15 – need to further define the</p>	<p>CSM</p> <p>CSM</p>

		<p>As part of the RMP, emails with attachments will be saved directly into our electronic records management system (eRDM). This will then determine whether it will be deleted in line with the retention period or archived.</p> <p>Our File Plan has already been reviewed and amended several times in line with feedback from NRS</p> <p>The Information Governance Handbook's section on data retention outlines how and when we review records and the RMP. This includes both being reviewed monthly at Management Team Meetings and through the Advisory Audit Board. This is done via our self-assessment checklist which will be reviewed by the Commissioner and brought to future AAB meetings</p> <p>David raised a question re how the findings from the self-assessment checklist of the RMP would be monitored and suggested adding this explanation under Element 13 of the RMP</p> <p>In addition, we intend to participate in the Progress Update Review mechanism offered by NRS and the PRSA Team to ensure we monitor and keep up-to-date with all of our progress</p>	<p>meaning of 'functions' so it is clearer. The word confined is to be amended to confirmed.</p>	
6	Financial Update	<p>The SBC allocated budget for 2022/23 was £421k. We have operated within our budget and are working towards an underspend of around £20k. Any underspend will be returned to SPCB. SBC has achieved everything it set out to in 2022/23 and the underspend is due to a conscious effort not to exceed the budget given</p> <p>There are a number of systems which we use to track and monitor our spending</p> <p>Our budget bid for 2023/24 includes extra funds to allow additional resources to help with communications and engagement. At this point in time, the SBC is still awaiting confirmation of 2023/24 budget</p>		
7	External Audit	<p>Audit Scotland have made some changes to the team which will provide our external audit. The new members of the team are Neil MacLean and Maria Niaz</p> <p>Due to the changes which have been made at Audit Scotland it has not been possible to provide an Audit Plan for this meeting. It will be provided</p>	<p>Arrange additional AAB meeting to discuss Audit</p>	<p>CSM</p>

		<p>by the end of March. It was agreed that an additional AAB meeting for the last week in April would be arranged to discuss the 2022/23 Audit Plan</p> <p>Similar to this year the intention is to undertake the audit during June / July with the aim of having everything signed off by the Advisory Audit Board during the August or September meeting. This would allow the Section 31 report to be submitted by October 2023</p> <p>It was confirmed there are no conflicts of interest regarding changes to Audit Scotland's wider portfolio of work</p> <p>It was highlighted that this timetable is subject to the accounts being prepared on time for the audit</p>	Plans (both internal and external audits)	
8	Internal Audit	<p>The draft Internal Audit Strategy and Annual Plan had been circulated</p> <p>One audit area proposed for the last quarter of 2022/23 (Year 1) is the Shared Services Agreement and the governance arrangements. The audit will be completed remotely and will take place by the end of March</p> <p>The AAB discussed the review of the Shared Services Agreement, concurring it was a sensible audit to complete at this time. They also raised the question if this audit (and future audits) would be on/offsite and whether the SPSO would be involved. It was highlighted that the SBC's preference for all audits – internal and external, would be to conduct them remotely as much as possible. This approach was supported by both auditors. The involvement of the SPSO in regards to the Shared Services Agreement audit would be limited, for any queries the Commissioner and/or Corporate Services Manager would be unable to answer directly</p> <p>The findings will be shared as part of the Annual Report provided to the SBC</p> <p>Within the draft IA Strategy, all future audits have been prioritised after discussion with the Commissioner and Corporate Services Manager with the Strategy and Annual Plan being linked to the SBC's Strategic Plan and Strategic Risk Register. Client satisfaction surveys will be issued to ensure the audit is value adding</p> <p>The draft 2023/24 Annual Plan will be submitted early next financial year and will be disseminated to the AAB for discussion at the arranged additional meeting in April</p>	Arrange additional AAB meeting to discuss Audit Plans (both internal and external audits)	CSM

		Members of the AAB highlighted there is no review of the Governance Framework scheduled and consideration should be given to including this area of business in Year 2		
9	AOB	No other business was raised		