

Scottish Biometrics Commissioner – Advisory Audit Board Minutes

11 September 2024 @ MS Teams

Board	David Watt, Chair Steve Renwick
Attendees	External Auditor – Audit Scotland, Tommy Yule External Auditor – Audit Scotland, Neil Maclean External Auditor – Audit Scotland, Hector Stalker Internal Auditor – TIAA, Martin Ritchie Commissioner – Brian Plastow Director – Ross Macdonald Corporate Services Manager – Cheryl Glen (note taker) Operations Manager – Diego Quiroz
Apologies	Business Support Officer – Joanna Milne

Item	Subject	Discussion	Actions	Lead
1	Welcome	The Chair welcomed everyone particularly mentioning Steve and Ross who were attending for the first time. Introductions around the virtual room were made		
2	Declarations of Interest	All confirmed there were no declarations of interest; confirmed that Steve's declaration of interests had been added to the website (received by the SBC)		
3	Minutes of previous meeting	Minutes from the previous meeting on 28 March 2024 were discussed and highlighted that an amendment would be made to item 6 re the budget process	Previous minutes to be published on our website following amendments	BSO

		Actions to be discussed throughout the meeting		
4	Commissioner's update	<p>Chair asked that discussion on the Annual Report and Accounts (ARA) would move to item 7</p> <p>The Commissioner highlighted that the SBC are approaching the end of their current Strategic Plan (which is misaligned to the financial year); next year will see a large amount of work being produced particularly around the laying of our next Strategic Plan. The Commissioner reflected that the conference which took place in June co-hosted with the SPA and Police Scotland was successful – it was opened by the Cabinet Secretary and saw 90+ people attending. The SBC will produce 3 x reports (4 including the most recent ARA) including the review of the laws of retention working with the Scottish Government to be published in October 2024; and two reviews, one on DNA (as highlighted within our Strategic Plan) and the other on Retrospective Facial Search technologies looking at PND and CAID databases – this is an extra piece of work made possible through additional capacity with the secondment of a Director from Police Scotland into the SBC. Overall, the SBC are on track to achieve everything within the Strategic Plan</p> <p>AAB member asked about the relationship, if any that existed between mapping of health data across the two databases mentioned (PND and CAID). The Commissioner highlighted that mapping health data does take place across other police databases (e.g. in the multi-agency management of violent and sexual offenders) and in our work we always endeavor to share and map our biometrics-related work across the UK and the EU as much as possible. In addition, partnership working is very important as are data sharing opportunities</p> <p>In response to a question, the Commissioner explained that there is often misinformation portrayed in the media re the use of live facial recognition technology but that our work would be looking at retrospective technologies only</p>		
5	Governance	<p>Recommendations Tracker</p> <p>Tracker showing all recommendations from previous internal audits was discussed, agreed this was a helpful document but one amendment should be made - to highlight the grading of the recommendations.</p>	Recommendations tracker to be updated with 'gradings	Corporate Services Manager

		<p>Policy reviews Corporate Services Manager explained that a number of policies would be reviewed during September and October following their Handbook tracker annual review process.</p> <p>Records Management Plan (RMP) The SBC will be invited to submit a new RMP from October 2024 as part of the NRS Progress Update Review Process. As part of this submission, the SBC will conduct their self-assessment checklist of their RMP</p> <p>It was asked if a paper could be provided to future meetings highlighting which policies and have been amended and what those amendments are – ensuring that all links to the recommendations tracker are also made</p>	Paper highlighting policy changes to be developed and presented	Corporate Services Manager
6	Financial Update	<p>Financial paper Discussed the paper which covered the first four months of the financial year and was a ‘snapshot’ in time. It was explained that the figures do not reflect the recent pay award changes to the budget – these will be incorporated into future papers. It was asked for this paper to include a Forecast column and to provide a notes section with explanations for differences and/or expected expenditure. Reassurance was provided from the auditors and the SBC that the figures reflect our position and that monthly reports are shared to manage the SBC budget. It was also highlighted that as we have a Shared Services Agreement with the SPSO, relevant internal audits across the SPSO and the SBC (involving finances) are shared.</p> <p>Budget Bid 2025/26 The 2025/26 budget bid was submitted early September to the SPCB for £563,000 – this included the pay award of 3.8% (budget of £499,000 for 2024/25). The Commissioner explained the rise in our operating costs was due to the following:</p> <ul style="list-style-type: none"> ▪ Detailed methodology around the new Strategic Plan which is required to be laid before Parliament by December 2025 ▪ First mandatory review of the Code of Practice will be conducted ▪ Update and refresh of the Code of Practice (following the above point) ▪ Assurance review publication 	Financial paper to include Forecast column and notes section	Corporate Services Manager

		<ul style="list-style-type: none"> ARA 2024/25 publication <p>Overall 5 x reports to lay before Parliament during 2025/26 although we are looking at alternative publishing solutions including working with our key stakeholders to share costs. The Commissioner finished by mentioning the Parliament Finance Committee will publish their 'Scotland's Commissioner Landscape: A Strategic Approach' report on 16 September – a forward looking document although it may comment on the current landscape</p> <p>Post Meeting Note – During October, following an email from the SPCB to all office holders, our budget bid for 2025/26 was reduced to take into consideration the pay award being lower than previously budgeted for and any further savings that could be made</p>		
7	External Audit	<p>Annual Report & Accounts 2023/24</p> <p>The Commissioner noted high level points from page 9 and explained that certain spends had not taken place within the financial year including the conference (moved to accommodate the Cabinet Secretary opening the event) and a training course which didn't materialise</p> <p>Suggested that within next year's ARA there could be mention/disclosure of the Director's salary e.g. within the Remuneration section. Action was raised to look into this i.e. the most appropriate way to display accounting and financial transactions re the secondment of the Director</p> <p>Number of amendments within the text were highlighted throughout the meeting which will be included within the next version of the ARA</p> <p>Suggested that the SBC consider how to record the benefit and impact gained from staff attending training courses</p> <p>Draft Annual Audit Report 2023/24</p> <p>Audit Scotland presented their report which includes a summary of key messages. It was stated that the audit opinions are unmodified and it was explained that all MyCSP data had been received and audited and that Audit Scotland were happy</p>	<p>Consider approach to including financial information re the Director within ARA 2024/25</p> <p>Once finalised the MTFS should be uploaded to the SBC website</p> <p>Next Strategic Plan will include outcome based KPIs</p>	<p>Corporate Services Manager</p> <p>Business Support Officer</p> <p>Commissioner</p>

	<p>No formal recommendation re MTFS was presented as there was assurance the right consideration had been given to this work. The Commissioner highlighted the MTFS was almost complete but had been awaiting information from Police Scotland re the secondment and information from SPCB re the pay award. A draft MTFS would go to MMT and then to AAB although it was recommended that once amended this report should be published on the website</p>		
--	--	--	--

		<p>Discussion around the KPIs with recognition these are currently output focused although Audit Scotland and TIAA content that work is planned through the new Strategic Plan to address this and to have KPIs that are outcomes based</p> <p>ISA 580 was presented. Agreed that ARA to be signed on 24 September 2024. The AAB recommended approval of the ARA (based on amendments as discussed)</p>		
8	Internal Audit	<p>TIAA presented the audit reports – it was welcomed by the Chair that these had been shared in full. Recommendations from Business Continuity report had been implemented. Corporate Governance audit was given substantial assurance and only aspect to mention was EDI policy and that although the SBC don't have this as a standalone policy – TIAA are content with how this area is covered by the SBC and are mindful of proportionality re the size of the SBC. Commissioner highlighted that two staff surveys have not 'flagged' any concerns of this nature and that all policies have been developed by the whole team from inception. Minor amendment highlighted within the report which was noted</p>		
9	AOB	N/A		
10	Date of next meeting	To be arranged for March 2025	Meeting to be arranged	Corporate Services Manager