

Scottish Biometrics Commissioner – Advisory Audit Board Minutes

11 March 2025 on MS Teams

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

Item	Subject	Discussion	Actions	Lead
1	Welcome & apologies	The Chair welcomed everyone. Apologies were received from Martin Ritchie, TIAA.		
2	Declarations of Interest	All declarations of interest are up to date and published on our website.		
3	Minutes of previous meeting	<ul style="list-style-type: none"> ▪ Minutes from the previous meeting on 11 September 2024 were approved. ▪ All actions closed. ▪ Agenda Item 7 from previous minutes - Medium Term Financial Strategy has now been published on our website. 	Previous minutes to be published on our website	BSO
4	Commissioner's update	<p>Assurance Reviews</p> <ul style="list-style-type: none"> ▪ The Commissioner confirmed we have laid two assurance reviews since the last meeting and a third will be laid by the end of March 2025. 	Complaints contact form to be amended to include a section on how the	OM and Director

		<ul style="list-style-type: none"> ➤ The first review on the Laws of Retention was laid 31 October 2024. This assurance review was completed in partnership with the Scottish Government. Six recommendations were included, four of these are directed at Police Scotland. ➤ The second review on DNA was laid 26 February 2025 and was produced in partnership with the SPA and the Leverhulme Research Centre for Forensic Science at the University of Dundee. This review highlights how DNA helps police investigate serious crime(s). Seven recommendations for improvement were directed at Police Scotland. ➤ The third review is due to be published later in March 2025 and focuses on Retrospective Facial Search. This review has been produced in partnership with HM Inspectorate of Constabulary in Scotland (HMICS). Four recommendations directed at Police Scotland for improvement will be included. <ul style="list-style-type: none"> ▪ The theme running through the DNA and RFS reviews is that technology is being used in a lawful and ethical manner but its use is not as effective as it could. ▪ The systems used by Police Scotland to store data were built and designed before consideration for Management Information had been realised. Updates to systems have not occurred due to lack of investment. <p>Compliance Assessments</p> <ul style="list-style-type: none"> ▪ One year after the Code of Practice was produced, the Commissioner issued the first Compliance Assessments to Police Scotland, the SPA and the PIRC. The first assessment comprised of sixty four questions. This year's assessments were completed by exception reporting only. ▪ The Commissioner confirmed all three bodies are compliant, notwithstanding the recommendations in the Assurance Reviews. ▪ The recommendations mentioned in our reviews led Police Scotland to providing leaflets explaining why biometrics are taken. The leaflet is issued when people come into custody. This approach has potentially driven the number of complaints we have received, although at the moment we have not requested this information so cannot confirm. <ul style="list-style-type: none"> ➤ Agreed that the SBC will consider how to receive feedback from complaints. <p>Staff Engagement Survey</p> <p>The SBC is currently repeating the staff engagement survey for the third year running.</p> <p>Strategic Plan</p> <ul style="list-style-type: none"> ▪ The Plan is misaligned to the financial year and therefore runs from 1 December to 30 November. The Commissioner confirmed we have completed everything in our current Strategic Plan and more (the RFS review was added). 	complainer heard about the SBC	
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5	Governance	<p>Policies Paper</p> <ul style="list-style-type: none"> ▪ The CSM provided a paper outlining all the policies which have been updated and a summary of updates. ▪ The AAB highlighted they would like to see the tenure of the Internal Auditors added to the Scheme of Delegation. <p>AAB Terms of Reference</p> <ul style="list-style-type: none"> ▪ The Terms of Reference were circulated with the papers and no changes were identified. 	<p>Internal Audit tenure to be added to the Scheme of Delegation</p> <p>Review date to be changed on the Terms of Reference and uploaded to the website</p>	<p>CSM</p> <p>BSO</p>
6	Financial Update	<ul style="list-style-type: none"> ▪ Summary paper of budget position was provided showing the current position up to end of January 2025. 	<p>A forecasting column to be added to the</p>	<p>CSM</p>

		<ul style="list-style-type: none"> ▪ The Commissioner confirmed we will be underspent this year due to collaborating closely with our partners. However the figures provided do not include any costs which will be accrued in February or March. <ul style="list-style-type: none"> ➤ The Laws of Retention report was produced in partnership with the Scottish Government who agreed to meet the costs of the publication of the report. ➤ The DNA review was produced in partnership with The Leverhulme Research Centre for Forensic Science and the SPA. ➤ The RFS review was produced and published in partnership with HMICS. ➤ The SPA agreed to add biometrics questions to their Policing in Scotland survey. ▪ The change in ICT services and support and associated costs will be met by this year's budget. Due to the process the Commissioner cannot spend more than £3,000 without prior consent so a determination was sent to the SPCB to allow monies to be used for the onboarding to a new provider and new hardware refresh. ▪ Since the last meeting in September the 2025/26 budget bid was reduced and this budget has now been confirmed. 	financial update to show known costs	
7	External Audit	<p>Annual Audit Plan 2024/25</p> <ul style="list-style-type: none"> ▪ Audit Scotland's draft Annual Audit Plan was circulated and discussed. ▪ The AAB confirmed they have no knowledge of any known frauds. 		
8	Internal Audit	<p>Core Financial Controls</p> <ul style="list-style-type: none"> ▪ The audit confirmed appropriate controls are in place. Resilience controls were reviewed and despite the small number of staff, risks are accepted. ▪ Absence and leave have not created any issues so far but unplanned absence could be a risk for the SBC given its small size. ▪ The AAB takes assurance from the audit, the shared services is a positive approach, recognition of the effort provided to conduct this review was highlighted and the AAB are reassured the SBC are doing the basics well. <p>Recommendations tracker</p> <ul style="list-style-type: none"> ▪ A recommendations tracker has now been produced and shows assurance levels. <p>Draft Audit Strategy and Annual Plan 2025/26</p> <ul style="list-style-type: none"> ▪ The Audit Strategy and Annual Plan for 2025/26 has yet to be finalised. It was previously agreed stakeholder engagement and cyber security would be audited but due to the SBC changing ICT provider and with the Director returning to Police Scotland it was agreed to reassess which audit areas to examine. It was also agreed that we may revisit areas already audited. 	Revised new audit plan to be circulated once the agreed	CSM

		<ul style="list-style-type: none"> ➤ The AAB questioned whether three days was enough time for an audit into stakeholder engagement and stated that cyber security should still be considered during 2025/26. ▪ It was confirmed that the new Global Internal Audit Standards as of April 2025 are already included in TIAA's approach so no impact re service delivery will be felt. ▪ Once the Audit Strategy and Annual Plan has been agreed it will be circulated amongst the AAB. 		
9	AOB	<ul style="list-style-type: none"> ▪ The next AAB meeting will be arranged for either 9 or 16 September 2025. ▪ The ARA will be issued early August for review of the accounts. ▪ This is the last year for the current accountant and the process of recruiting a replacement is underway by the SPSO. 	Date of next meeting to be confirmed	CSM