

## Scottish Biometrics Commissioner – Strategic Management Team Meeting

**25 July 2024 via Teams**

<b>Attendees</b>	<p>Brian Plastow - Scottish Biometrics Commissioner (Chair)</p> <p>Ross MacDonald - Director</p> <p>Diego Quiroz - Operations Manager</p> <p>Cheryl Glen - Corporate Services Manager</p> <p>Robin Davidson – Head of Information Management and Data Protection Officer for the Scottish Parliament</p> <p>Joanna Milne - Business Support Manager (Minutes)</p>
<b>Apologies</b>	

Item	Subject	Discussion	Actions	Lead
	<b>Welcome</b>	<p>The Chair welcomed attendees to the Strategic Management Team Meeting.</p> <p>The Commissioner welcomed Ross to the team.</p>		
1	<b>Review of Minutes, Actions and Matters Outstanding from Previous meeting</b>	<p>Minutes from the previous Monthly Management Team Meeting were reviewed. A wording change was requested by the Operations Manager to section 12 of the minutes.</p> <p>The wording was changed to:</p> <p><b>OM raised that Big Brother Watch have filled two legal challenges over the use of live facial recognition by the police and private retailers in London, which resulted in misidentifications of members of the public. OM raised</b></p>	<p>Minutes from previous meeting to be published on our website.</p>	BSO

		<p><b>that there may be an opportunity for intervening in the case as a third party if the commissioners wants to and we are allowed by the case judge.</b></p> <p>The Commissioner also wanted the following added to this paragraph:</p> <p><b>The Commissioner confirmed that this was not something he would be considering.</b></p> <p>The minutes were otherwise accepted as accurate and approved for publication.</p> <p>The action log was reviewed and updated.</p> <p>No matters outstanding from previous meeting.</p>		
2	<b>Ratification of governance decisions taken between meetings</b>	None to discuss.		
3	SPCB Data Protection	<p>Robin The Scottish Parliament Head of Information Management and Data Protection Officer attended SMT as a guest speaker. The Parliament DPO is also able to offer advice and guidance on Information Management and Data Protection to independent officeholders.</p> <p>The DPO also requested that he is included in any new projects which involve any significant changes to data processing so that he may offer advice where necessary on the relevant DPIA</p> <p>GDPR is still relevant as the Data Protection and Digital Information Bill has not been progressed given the change in Government.</p>		

		<p>During the King's speech a new Digital Information Bill was introduced which will include a reorganisation of ICO to give it a more regulatory structure. Robin reminded the team that DPIA's should be regularly reviewed and even if no changes are made he should be notified.</p> <p>The Commissioner thanks Robin for all his help over the last few years.</p>		
4	<b>Strategic Plan</b>	<p>The Commissioner confirmed that we are in year 3 of a 4 years Strategic Plan. Between now and the end of the financial year we are planning on laying our Annual Report and Accounts, three compliance reviews and two thematic reviews.</p> <p>The plan is also to produce the Laws of Retention report however it may potentially be delayed due to several stakeholder requesting extensions for providing feedback.</p> <p>The Commissioner reminded the team the current Strategic Plan is due to end next year. In Spring 2025 we will be consulting with stakeholders on the shape and form of the next Strategic Plan.</p>		
5	<b>Strategic Risk Register</b>	<p>The SRR has been recently updated to take into account the new Director starting.</p>		
6	<b>Business Plan</b>	<p>There are currently 15 x KPI's but only seven need to be discussed quarterly.</p> <p><b>KPI 1-</b> The Commissioner and the Operations Manager have been meeting with the SPA, PS, and the PIRC on a regular basis.</p> <p><b>KPI 2 –</b> Our next Advisory Group meeting will be held November.</p> <p><b>KPI 3 –</b> The reviews this year will be on DNA and Retrospective Facial Search.</p> <p><b>KPI 4 –</b> The next newsletter will be issued in December .</p> <p><b>KPI 5 –</b> The website footfall has remained steady.</p> <p><b>KPI 6 –</b> No compliance issues.</p> <p><b>KPI 7 –</b> Section 31 and 32 reports have been produced and sent to our external Auditors.</p>		

7	<b>Stakeholder Engagement</b>	<p>The OM has been invited to speak at two conferences in September. The OM will be speaking at The Scotsman Data Conference 2024 and Data Protection in Scotland Conference.</p> <p>The Commissioner explained that now the new Director is in place we will progress our Comms and Engagement Strategy.</p> <p>The Commissioner also confirmed that on the back of a successful conference we have a chance to work with the SPA who are keen to work with Police Scotland and the SBC on a national conversation to determine the potential future public acceptability of biometric enabled technologies such as Live Facial Recognition.</p> <p>The new Director has set up meetings with Police Scotland to discuss how to encourage closer working</p>		
8	<b>Data Protection incl. Records Management</b>	<p>No Records Management items to discussed.</p> <p>Over the next few months the relevant data protection policies will be reviewed and updated where appropriate.</p>		
9	<b>Budget &amp; Finance</b>	<p>Budget known but the Commissioner and CSM confirmed that although the pay award for this year has been agreed the figures are not known yet.</p>		
10	<b>Audit(s)</b>	<p>Over the next week the Commissioner and CSM will conduct meetings with Audit Scotland to conclude the external Audit. The clearing meeting has been arranged for Friday 2 at which point Audit Scotland should be in a position to share the draft Audit Opinion. .</p> <p>The final ARA is due to be laid before Parliament on 26 September.</p>		
11	<b>Business Continuity</b>	<p>The Business Continuity Policy is to be updated now the new Director has started.</p>	Business Continuity to be updated with new Directors details	CSM

		The CSM confirmed that desktop exercises will be put in diaries for later this year.	BC exercises to be put in diaries later in this year.	CSM
12	<b>Complaints</b> ▪ <b>Code of Practice</b> ▪ <b>Customer Service</b>	No complaints received		
13	<b>FOI and SAR</b>	The quarterly submission to the Scottish Information Commissioner confirming FOI and EIR requests has been submitted.  One FOI has been received and the response is on our website.		
14	<b>ICT / Cyber Resilience</b>	The new Director currently has an SPSO laptop but once the SBC laptop is available it will be issued.  The Commissioner's mobile phone is due to be out of support shortly and the BSO and CSM will be working with SPSO to provide a new mobile phone.  CSM has recently attended the security champions network and an update has been sent to the team.	New mobile phone to be procured for the Commissioner	BSO and CSM
15 and 16	<b>Director: Changes to Scheme of Governance and determination</b>	The amended Scheme of Governance has been circulated to the team – amendments include the role and duties the Director will take on as of 16 August.  The plan going forward is for the Director to chair the Monthly Management Team Meetings and the Commissioner to still chair the quarterly Strategic Management Meeting.  It was agreed that HR-related policies will not be changed but one page will be added to the Scheme of Delegation with the relevant governance changes while the Director is in post. Each member of staff should firstly read the Scheme of Delegation prior to reading the policies as this will over ride the policy while the Director is in post.		

17	<b>Wellbeing, Health &amp; Safety, Employment Matters</b>	<p>Pay award letter should be issued shortly but the Commissioner confirmed if they are not received he will make enquiries with HR.</p> <p>The Commissioner reminded the team we are approaching the end of the holiday year and all leave should be added to the system.</p> <p>The Director has approached Police Scotland asking for access to be granted to SBC to the bitesize training on Self Management, How to Manage Conflict and Diversity and inclusion.</p>	<p>Staff to alert Commissioner if pay award letter not received</p> <p>All annual leave to be added to Moorepay</p>	<p>All staff</p> <p>All staff</p>
18	<b>AOCB</b>	<p>The Business Plan and Medium-Term Financial Strategy are awaiting the final pay award before finalising.</p> <p>The Commissioner suggested we may want to invite guest speakers to the Monthly Management Meeting going forward subject to the number of planned agenda items and the Commissioner's desire for meetings not to exceed 90 minutes.</p>	<p>OM and Director to suggest speakers for future meetings.</p>	<p>OM and Director</p>