

**OFFICEHOLDERS – CONTINGENCY BIDS 2021/22**

1. The SPCB is invited to consider and approve contingency funding for the officeholders in 2021/22. Information about the overall officeholders’ budgets is provided in SPCB Paper No 64.

**Contingency Funding**

2. A central Officeholders’ Contingency Fund is held to fund costs such as defending legal action; temporary staff cover for e.g maternity absences, projects and for any other unforeseen circumstance. Given the one-off nature of these costs, they are not included in the officeholders’ baseline budgets.

3. The Officeholders’ Contingency Fund for 2021-22 remains at 400k.

4. Contingency funding requests can be submitted at any time throughout the financial year but funding should not be drawn down until it is clear that the costs cannot be meet in full or part from savings identified in approved budgets.

5. Contingency funding requests that have been identified as part of the budget process for 2021/22 are as follows–

Previously approved by the SPCB. An additional Social Welfare Fund Reviewer for the SPSO – 2 <sup>nd</sup> and final year	£49,000
Previously approved by the SPCB. Additional staffing for the SHRC – 2 <sup>nd</sup> and final year	£98,351
New and accessible website for the SIC	£70,000
2 large projects for the SHRC. Research on audience insights £20.4k and half the funding for a new accessible website £17,850	£38,250
Additional part-time member of staff for the SCS	£28,217
Extension of the ESC’s remit - SPPA Committee’s Bill	£24k
New payroll service for at least 3 of the officeholders (SIC, CYPES and SCS)	Not quantified at this time
New fee structure for the SPSO’s IT which is provided by the Scottish Government	Not quantified at this time
<b>Total</b>	<b>£307,818</b>

6. Details of the contingency funding requests that require approval are as follows-

**(i) New and accessible website for the SIC.** The SIC’s current website is 17 years old and to ensure it complies with the Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018, the Commissioner is seeking funding of an estimated £70k to procure a new and accessible website. The actual cost will not be known until after the discovery phase is completed

next year. The Commissioner's website is essential as it is the means by which the public and public authorities etc can access information about FOI and the means by which appeals are lodged. The SPCB is invited to approve contingency funding of up to £70k for a new website. **Does the SPCB agree?**

**(ii) Additional part-time member of staff for the SCS.** The Standards Commission is seeking an additional part-time member of staff to ensure it has the resources and capacity to fulfil its statutory duties and successfully meet its strategic and operational objectives. The Commission is seeking to appoint a part-time Grade 4 Caseworker who would be responsible for assisting with the management of cases referred to the Standards Commission for adjudication and its public Hearings. The Caseworker would also provide support to the Executive Director, undertake clerking duties, answer enquiries from a wide range of key stakeholders, organisations and members of the public; and assist with training and other events to support the promotion of the ethical standards framework and the work of the Standards Commission. The cost of a part-time member of staff in 2021/22 would be £27,817.

Given the demand led nature of the work of this office we would recommend that the SPCB provides contingency funding for a temporary part-time member of staff for a period of 2 years in the first instance and invite the Commission to submit a further determination should the post require to be made substantive. **Does the SPCB agree?**

**(iii) Extension of the Ethical Standards Commissioner's remit.** A Committee Bill was introduced on 13 November 2020 which will extend the remit of the Commissioner to be able to investigate complaints from MSPs' own staff about alleged sexual harassment and which also removes the one-year timebar for making any complaint. The Commissioner has estimated that the cost of undertaking this new function will, in 2021, be between £14k and £24k depending on the number of cases she receives. As the Bill and Financial Memorandum have still to be considered, we would invite the SPCB to agree that this is funded from contingency in 2021. **Does the SPCB agree?**

**(iv) SHRC Projects.** The SHRC is seeking funding of £38,250 for 2 projects. The first project is for half the funding for a new accessible website (£17,850). The work to update the website will be undertaken in-house. The SHRC's website provides information and raises awareness about human rights.

The second project is to commission research on audience insights (£20.4k) to update research carried out several years ago.

In 2017 research was carried out to:

- establish a baseline measure of current understanding and awareness of human rights among public, civil society and public authority audiences;

- develop insights into which messages about human rights are most effective in raising awareness and understanding with these audiences; and
- develop insight into which messages about human rights are most effective in empowering others to protect and promote human rights in Scotland.

The results of this research helped inform the SHRC's Communications Strategy and establish priorities.

In line with its Strategic Priorities 2020-24, and in particular Strategic Priority 3: Building wider ownership of Human Rights, the SHRC wants to update the research, to gauge current understanding and awareness of human rights in the context of potential changes to Scotland's human rights laws, Brexit and likely economic context. This would include looking at any changes to understanding or awareness of human rights since it first carried out the research and gauging attitudes to the changes in law that could potentially be introduced as a result of the outcomes from the National Taskforce on Human Rights Leadership. The SPCB is invited to approve contingency funding of up to £38k for these two projects. **Does the SPCB agree?**

7. In addition to the above, the SPCB will wish to be aware that a project group, led by Officeholder Services, has been established to look at options for a new payroll provider for several of the officeholders and two other Scottish public bodies as a result of their current payroll provider giving notice to cease to provide a service with effect from October 2021. The cost of a new contract has not been quantified at this time, but we expect the cost of payroll services to increase. In addition, the SPSO has been informed by her IT provider (the Scottish Government) that it intend to pass on development costs to its customers.

### **Governance issues**

8. The SPCB is required to approve requests for contingency funding.

### **Publication Scheme**

9. This paper may be published.

### **Decision**

10. The SPCB is invited to consider and approve the following contingency funding requests-

- (i) £70k for a new and accessible website for the SIC;
- (ii) £27,817 for a temporary additional member of staff for the SCS;
- (iii) £24k as a result of a Bill which will extend the ESC's remit; and
- (iv) £38k for two SHRC projects.

Officeholder Services