

Audit and Assurance Committee

Date of Meeting	Tuesday 19 May 2020
Subject	Register of Compliance Obligations Update
Agenda No.	Below the Line
Paper No.	7.8
Prepared By	[REDACTED]
Purpose	Note

1. Background

- 1.1. The Corporate Assurance Team within Social Security Scotland are responsible for ensuring we meet the expectations on us as a public body and monitor the delivery of our statutory functions under the Social Security (Scotland) Act 2018.
- 1.2. This is the bi-annual report on the progress of the Register of Compliance, that forms part of the Compliance Framework.

2. Public Body Duty Updates

- 2.1 Highlighted below are specific pieces of work we wanted to bring to the Committee's attention. We have not this time provided the full Register of Compliance Obligations, but this is available on request.
- 2.2 In light of Covid-19 the Coronavirus (Scotland) Act 2020 has temporarily extended the deadlines within several obligations. These changes have been outlined in this paper. With allowances in legislation, we are confident we will continue to meet the obligations across Social Security Scotland.

Equalities

- 2.3 Social Security Scotland has completed its consultation on Draft Mainstreaming Equality Outcomes, and the consultation report will be published in early June 2020. We have agreed how we will respond to the consultation and have reflected on stakeholder views, to make sure our strategy clearly aligns and transparently demonstrates compliance across all the equality obligations. Our outline approach will be considered by the Executive Advisory Body in May and we plan to publish our strategy later this year.

Freedom of information

- 2.4 We have now recruited a Freedom of Information Manager, and he started with the organisation on 11 November. We have also agreed that Papers from the Executive Advisory Body and Audit and Assurance Committee will now be proactively published on our corporate website.
- 2.5 The Coronavirus (Scotland) Act 2020 temporarily extends the upper time limit for responding from 20 to 60 working days. All public authorities – including Scottish Ministers – continue to have a duty to respond promptly to requests for information. We currently have 2 Freedom of Information requests in progress within Social Security Scotland and intend to meet the original 20 day response target. We do not foresee the need to use the extensions within Social Security Scotland.
- 2.6 No extension has been allowed for the Environmental Information (Scotland) Regulations 2004. However, those Regulations already provide for an extension of up to an additional 20 working days if the volume and complexity of the information requested makes it impracticable to respond within the original 20 working days.

Re-determinations and Appeals

- 2.7 Timescales for responding to re-determination and appeals requests for Social Security Scotland are laid out within the Social Security (Scotland) Act 2018.
- 2.9 The Coronavirus (Scotland) Act 2020 includes changes to the way that Social Security Scotland can manage re-determinations and appeals. These changes are to enable people time to have their decision looked at again should Covid-19 impact on their ability to submit their request within set timescales. These changes have also been made to allow for any increased absences that Social Security Scotland may experience as a result of Covid-19. Social Security Scotland will work towards maintaining normal turn around for re-determinations and appeals for as long as possible.

3. Statutory Functions

- 3.1 In respect of monitoring the delivery of our statutory functions under the Social Security (Scotland) Act 2018, we have mapped this out and similarly to the Register of Compliance Obligations, are seeking evidence from across the organisation on delivery. As the Corporate Assurance Team grows this is an area we will look to have more regular assurance on.

Areas we have been focused on during the last period include

- **Duties in relation to assessments** - The Corporate Assurance Team have continued to take part in show and tell sessions with the Product Owner for assessments to ensure the requirements of the duties are captured within the service design of the health benefits. On 1 April the Cabinet Secretary for Social Security and Older People, Shirley-Anne Somerville updated Parliament on the impact of Covid-19 on future devolved benefits. This included a delay to our disability benefits schedule. Our team will work with the programme to ensure obligations remain to be captured once work recommences in this area.
- **Duties in relation to take up** – the benefits take up strategy ¹was published in October 2019 and recognises the crucial importance of promoting Social Security Scotland benefits to ensure that all those who are eligible for financial support get it. Encouraging individuals to claim the benefits and assistance that they are entitled to is a duty for government – both national and local – and a social responsibility. This take-up strategy is the first to be published under the provision of the Social Security (Scotland) Act, and outlines Scottish Government’s work on take-up to date, as well as setting out next steps. This includes introducing a series of new activities and initiatives aimed at increasing awareness of and access to Scottish benefits and supporting those who are eligible to access them.

Capacity within the Corporate Assurance Team has been affected with the impact of Covid-19 with staff temporarily focussed on other priority areas. However, we are currently undertaking a full update across all obligations and we will be ranking these with priorities. We will then look to schedule virtual health checks to ensure obligations are being met.

4. Conclusions

- 4.1 This is our third progress report on the Register of Compliance Obligations and the team would welcome any comments the Committee has on format and content. The Committee are asked to note the contents of the report.

¹ <https://www.gov.scot/publications/social-security-scotland-act-2019-benefit-take-up-strategy-october-2019/>

GOVERNANCE CHECKLIST

Strategic consideration	Impact
Environment	There are a number of public body obligations that consider the environment and we are using these to inform our wider environmental strategic approach.
Governance	The Compliance Framework is a tool for good governance enabling us to keep track and report effectively on our compliance obligations.
Data	Data will be collated as the Compliance Framework embeds and this will be fed into a number of wider reporting mechanisms.
Finance	There are a number of public obligations that consider Finance, which our Finance Unit are leading on.
Staff	N/A
Equalities	There are a number of public body obligations that consider equality and we are using these to inform our wider environmental strategic approach.
Estates	Environmental obligations should be considered as part of the decisions in this area. See above note on Environment.
Communications and Presentation	N/A

Strategic Objective	Contribution
<p>Dignity, fairness and respect</p> <p>Delivering a service with dignity, fairness and respect at its core.</p>	<p>This paper has an impact to some extent on all the strategic objectives. Our compliance obligations cover a wide range of areas, and specifically target and help us achieve all of them.</p>
<p>Equality and tackling poverty</p> <p>Promoting equality and tackling poverty.</p>	<p>This paper has an impact to some extent on all the strategic objectives. Our compliance obligations cover a wide range of areas and specifically target and help us achieve all of them.</p>
<p>Efficiency and alignment</p>	<p>This paper has an impact to some extent on all the strategic objectives. Our compliance obligations cover a</p>

Strategic Objective	Contribution
Ensuring efficiency and aligning our activities with wider public sector for the benefit of the people we serve.	wide range of areas and specifically target and help us achieve all of them.
Economy, society and environment Contributing to our economy, society and protection of our environment.	This paper has an impact to some extent on all the strategic objectives. Our compliance obligations cover a wide range of areas and specifically target and help us achieve all of them.