

Executive Advisory Board Freedom of Information (Scotland) Act Exemption Form

The author must complete this page before submitting the paper to the Business Support Office.

Publication

To demonstrate openness and transparency, all governance group papers will now be published on the website of Social Security Scotland. All governance group papers should be written in line with the Writing for Publication Guidance.

Papers which contain sensitive information which should not be published must set out the reasons why. The author must identify the relevant exemption which should apply. The exemption should be stated in the section below, with the reasoning for this decision. Please speak to the Data Protection and Information Governance team before submitting your paper if you are unsure which exemption may apply.

1. I am aware that this paper may be published in the public domain and I am content for the information to be published. ☐

2. I believe information in this paper should be withheld from publication and that an exemption applies. ☒

2.1. Please state the exemption and explain your reasoning:

Section 33(1)(b) – commercial interests

An exemption under section 33(1)(b) of FOISA (commercial interests) applies to some of the information requested. This exemption applies because disclosure of this particular information would, or would be likely to, prejudice substantially the commercial interests of the supplier supporting Social Security Scotland in this areas. The information contains information relative to forecasted cost and timeline of technical delivery which have been derived from a detailed scoping phase with a commercial supplier. "Disclosing this information, at this stage, would be likely to give competitors insight into the future tendering exercise associated with technical payments and accounting solutions delivery for social security Scotland. Which would substantially prejudice all/any suppliers ability to submit competitive tenders and so could significantly harm their commercial business.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open and transparent government, and to help account for the expenditure of public money. However, there is a greater public interest in protecting the commercial interests of companies which tender or enter into, Scottish Government contracts, to ensure that we are always able to obtain the best value for public money.

Section 30(b)(ii) – free and frank exchange of views for the purposes of deliberation [in relation to communications/meetings with external stakeholders]

An exemption under section 30(b)(ii) of FOISA (free and frank exchange of views) applies to some of the information requested. This exemption applies because disclosure would, or would be likely to, inhibit substantially the free and frank exchange of views for the purposes of deliberation. This exemption recognises the need for officials to have a private space within which to discuss issues and options with external stakeholders before the Scottish Government reaches a settled public view. Disclosing the content of these discussions with executive advisory board with Social Security Scotland's Officials will on claimant payment matters will substantially inhibit such discussions in the future, because these stakeholders will be reluctant to provide their views fully and frankly if they believe that those views are likely to be made public, particularly while these discussions are still ongoing and decisions have not been taken, and/or these discussions relate to a sensitive or controversial issue such as future payment service function.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, there is a greater public interest in allowing Ministers and officials a private space within which to communicate with appropriate external stakeholders as part of the process of exploring and refining the Government's policy position on future payment services until the Government as a whole can adopt a decision that is sound and likely to be effective. This private space is essential to enable all options to be properly considered, so that good decisions can be taken based on fully informed advice and evidence, such as that provided by Social Security Scotland's executive advisory board. Premature disclosure is likely to undermine the full and frank discussion of issues between the Scottish Government and these stakeholders, which in turn will undermine the quality of the decision making process, which would not be in the public interest. There is also an important public interest in avoiding the loss of stakeholder confidence in cases where they thought they were providing comments in confidence, which would be inevitable if an individual's contribution was released against their wishes.

Paper Summary for Website Publication (max 100 words)

The Paper present options for an integrated payments and accounting solution for Social Security Scotland. It highlights the need to replace the current Central Payments System (CPS) by 2027 due to its decommissioning. The recommended option was communicated to the Executive Advisory Board. The presentation outlines the background, challenges, recent activities and the deployment roadmap for the new system, emphasising the importance of timely implementation to ensure the continuity of benefit payments

Paper authors should write a short paragraph here to summarise the content of the paper.