

## Audit and Assurance Committee

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| <b>Date of Meeting</b> | Tuesday 9 <sup>th</sup> November 2021     |
| <b>Subject</b>         | Register of Compliance Obligations Update |
| <b>Agenda No.</b>      | 6   |
| <b>Paper No.</b>       | 15.5                                      |
| <b>Prepared By</b>     | Corporate Assurance Team                  |
| <b>Purpose</b>         | Discuss                                   |

### 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 annual report on the progress of the Register of 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 provided the full Register of Compliance Obligations, but this is available on request.

#### **British Sign Language(Scotland) Act 2015**

- 2.2 Social Security Scotland continues to work with key deaf organisations to identify, understand and agree how both British Sign Language and Non British Sign Language users can best be supported by Social Security Scotland. We are committed to ensuring that the process for applying for and receiving benefits in Scotland is as straightforward as possible. This support will be available at every stage of the application process, including how we provide advice, how clients can make applications, provide feedback, including making a complaint and, where needed, make an appeal.

We are embedding inclusive communication principles across our whole organisation to ensure we are inclusive by design making our processes, language and systems as accessible as they can be, whilst recognising that, even with a more accessible system, there will be clients, including those who use British Sign Language, who need specialist support. The need for inclusive communication is part of Social Security Scotland's Corporate Plan, which states that one of the Agency's strategic objectives should be, "We will

communicate inclusively, in ways which meet the needs of the people we serve”.

We are providing people with the information they need in a way that is accessible for each client. For example our leaflets and guidance are being made available in Easy Read format. Accessible formats for people with visual / hearing impairments can also be requested in Large Print, Braille or Audio formats. Digital content follows the Scottish Government’s accessibility design standards.

## **Environmental Information(Scotland) Regulations 2001**

- 2.3 We are following the Scottish Government process for those requesting Freedom of information requests on environmental information. These requests are being managed by the Freedom of Information Team within the Data Protection and Information Governance Branch. All case handlers have attended awareness sessions on the Regulations. Requests to date have been rare in this area.

## **Regulation of Investigatory Powers(Scotland) Act 2000(RIP(S)A)**

- 2.4 Authorising Officers have now completed professionally accredited training [REDACTED]  
Arrangements remain in place with Department of Work and Pensions for the appropriate authorisation of surveillance operations under the agency agreement. The second Investigatory Powers Commissioners Office (IPCO) inspection took place in April 2021 with no further recommendations.  
[REDACTED]  
We are covered by the generic code of practice which covers the activities of all bodies named on the Regulation of Investigatory Powers (Scotland) Act 2000 (RIP(S)A) schedule (including Social Security Scotland).
- 2.5 The Covert Surveillance Policy was signed off in July 21. This links in with the Regulation of Investigatory Powers (Scotland) RIPSAs and the Fraud Code of Practise for Investigations and is subject to scrutiny by Investigatory Powers Commissioners Office (IPCO). The Policy details the legal responsibilities and will be reviewed annually.

### 3. Statutory Functions

3.1 For 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.

Areas we have been focused on during the last period include:

- **Duties in relation to new benefits**

The Corporate Assurance Team has continued to map out obligations and gather required evidence at the introduction of each new benefit to ensure each requirement is met. This includes specific operational guidance and letters which must be in place for each benefit.

- **Multi-Agency Public Protection Arrangements (MAPPA)**

Multi-Agency Public Protection Arrangements (MAPPA) is a set of legal arrangements that let authorities and local organisations work together to help manage certain offenders released from custodial prison sentences.

Social Security Scotland is a Duty to Co-operate organisation. This means we can legally receive information about Multi-Agency Public Protection Arrangements from responsible authorities with the aim of keeping colleagues safe. This means we will assist in the management of notified offenders where appropriate and will try to manage clients that are subject to Multi-Agency Public Protection Arrangements.

Legislation was laid and came into force on 8<sup>th</sup> January 2021, with the process, procedures and guidance made available from that date. Client facing staff across Social Security Scotland have completed basic awareness training on this topic via our in-house learning tool Pathways, guidance is also available on the Information Knowledge Hub. A dedicated team sits within Operations and the Multi-Agency Public Protection Agreements Team have also received specific training around their roles.

The corporate assurance team have assigned leads to each area of the business so that there is a single point of contact for providing support and gathering updates on our statutory functions.

## 4. Conclusions

- 4.1 This is our fifth 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.
- 4.2 A copy of this paper will be shared with the Executive Advisory Body.

## 5. GOVERNANCE CHECKLIST

Please ensure that you detail which Corporate Plan Strategic Objective the paper contributes to. These strategic considerations should be used to assist you with the content of your paper.

| Strategic Objective  | Contribution   |
|--|--|
| <p><b>Dignity, fairness and respect</b></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><b>Equality and tackling poverty</b></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><b>Efficiency and alignment</b></p> <p>Ensuring efficiency and aligning our activities with wider public sector for the benefit of the people we serve.</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><b>Economy, society and environment</b></p> <p>Contributing to our economy, society and protection of our environment.</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>  |

| 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.                   |

| Strategic consideration         | Impact  |
|---------------------------------|---|
| 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                           | Not applicable  |
| 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 | Not Applicable  |

| Impact Assessment |
|-------------------|
| Non applicable    |