

Schedule 4(b)

Analysis of Officeholders' 2015-16 Budget Submissions

Ombudsman

1. The Ombudsman's bid for 2015-16 is £3,242k. This represents an increase of £1k on his 2014-15 budget. The Ombudsman is a demand led organisation and therefore has limited control over the number of complaints it receives but by supporting the bodies under its jurisdiction to deal with complaints as effectively as possible, this helps to reduce the number of complaints it actually receives. To meet increasing costs as a result of rising adviser costs and cost of living and incremental salary increases, in addition to reducing running costs in areas such as training and outreach, the Ombudsman plans to keep one management post vacant for the majority of the year.
2. An update on the impact of the two additional fixed-term staff which the SPCB gave approval for last year is provided in a separate paper.

Scottish Information Commissioner

3. The Commissioner's bid for 2015-16 is £1,464k. This represents a decrease of £26k on the Commissioner's 2014-15 budget. Again, this Commissioner's office is a demand led organisation and it has been focussing its resources on driving down the number of applications it receives about public authorities which have failed to respond to an information request or a request for review within the required timescales. The SPCB may be aware that the Commissioner laid a Special Report before Parliament about the extent, impact and remedy of this in August 2014.
4. The bid includes a request from the Commissioner to extend the one year fixed term contract of the full-time Grade 1, which the SPCB approved last year, for a further 9 months to enable the Commissioner to fully assess the impact of the role as the employee has only been in post since June 2014 and the new case-handling procedures only came fully into effect on 1 August 2014. The cost of extending the employee's contract for 9 months until 31 March 2016 is £16k. Further information on the impact of the member of staff is provided in a separate paper. **Does the SPCB agree to the extension of the Grade 1's contract for a further 9 months until 31 March 2016?**
5. The SPCB will wish to be aware that the Commissioner has indicated that she anticipates submitting a contingency bid in 2015-16 for the development and implementation of an online form for the benefit of applicants submitting an application via the Commissioner's website and which will be integrated with the case management system to increase the efficiency of the organisation. A detailed business case will be submitted with the bid. We consider it preferable to deal with this as a contingency bid so as not to impact on the budget baseline.

Children's Commissioner

6. The Commissioner's bid for 2015-16 is £1,338k. This represents an increase of £103k on the Commissioner's 2014-15 budget. £83k of this is in relation to new

Schedule 4(b)

functions under the Children and Young People (Scotland) Act 2014 which will, with effect from 1 April 2016, give the Commissioner new powers to deal with individual complaints and undertake individual investigations. The Commissioner has submitted a staffing determination for 3 additional staff which is the subject of a separate paper which will be considered at the same meeting. The Commissioner has used savings in 'other' costs to offset some of the increases in 'staff' costs (please see the table below).

	Additional	FM	Additional	FM	Additional	FM
	costs		costs		costs	
	2015-16		2016-17		2017-18	
	£		£		£	
Salary Costs						
Grade 5 (from Oct 15)	27,080		57,339		61,105	
Existing Grade 4	0		0		0	
Grade 4 (from Dec 15)	13,750		44,452		47,474	
Grade 3 (from Dec 15)	10,564		34,547		36,970	
	51,394	62,190	136,338	113,109	145,549	113,109
Other Costs						
Accommodation	0	16,500	0	33,000	0	33,000
IT upgrade	20,000		0		0	
TRIM Licences	0		0		0	
Capital – IT equip	5,000		0		0	
Training/travel	3,500	4,500	7,000	7,000	7,000	7,000
Expert advice	3,000	0	9,000	9,000	9,000	9,000
Recruitment	0		0		0	
	31,500	21,000	16,000	49,000	16,000	49,000
Total	82,894	83,190	152,338	162,109	161,549	162,109

- The Commissioner has estimated other costs for 2015-16 at £31.5k (£21k in the Financial Memorandum). Included in start-up costs is £20k for an IT upgrade which the Commissioner considers '*absolutely essential for the effective operation of the new function*' and capital costs of £5k for IT equipment although no provision was made for these in the Financial Memorandum.
- The SPCB may recall that in March 2014 it approved the Commissioner's accommodation determination to move to Rosebery House on the basis that there was no room for any additional staff in his office and there was a break-clause in his lease which he could exercise in November 2014 without financial penalty and with the proviso that he had to make available, on a permanent basis, space for a small organisation to co-locate with him. The Commissioner has confirmed that space has been set aside as requested by the SPCB. The SPCB will also wish to note that the Commissioner has indicated that accommodation costs for his three additional staff are nil (£33k in the Financial Memorandum) on the basis that he is moving to larger premises where the rent is cheaper than he is currently paying.

Schedule 4(b)

9. The SPCB will note that the total additional costs provided by the Commissioner are below the total figures in the Financial Memorandum and are within the maximum level the SPCB considered would be appropriate. **Is the SPCB content with the other costs as set out in the table above for the new function?**

Scottish Human Rights Commission

10. The Scottish Human Rights Commission's budget bid is £952k. This represents an increase of £19k on its 2014-15 budget due to increases in staff costs (pay award and progression), staff related costs and running costs (research costs). The Commission continues to explore opportunities for partnership working to jointly fund key human rights projects in Scotland and intends to develop a strategic approach to partnership funding which it anticipates discussing with the SPCB later this year.

Commissioner for Ethical Standards in Public Life in Scotland

11. The Commissioner's initial budget bid was for £848k however the SPCB is invited to consider treating his request for additional staff days amounting to £37k as a contingency bid (see paragraphs 15 to 17 below) thereby reducing the bid to £811k. This would represent an increase of £26k on the Commissioner's 2014-15 budget.
12. Since 2013-14, there would appear to be an upward trend in the number of complaints received (although we consider it is too early to say whether it will be a sustained trend) and depending on the complexity of the case, this requires more input from the Investigating Officers who are employed on an on-call basis to investigate complaints about the conduct of MSPs, local authority councillors and members of public bodies.
13. The Commissioner has estimated that he will require his Investigating Officers to work 501 days in 2015-16, increasing his budget by £37k. The table below provides details of the number of complaints received and the number of days the Investigating Officers worked. Please note that the figures exclude complaints about the conduct of MSPs which remain steady at around 20 per year.

	2014-15 (to 31.08.2014)	2013-14	2012-13
No of complaints received	573*	311	192
No of complaints closed		311	192
No of IO days	396 (estimate)	516	345
IO remuneration costs	£128,561	£164,180	£108,716

*includes 500 complaints about the same issue but being dealt with as 1 case

14. As it is not possible at this time to determine whether the upward trend in the number of complaints will be ongoing, we invite the SPCB to consider treating the Commissioner's request to increase the number of days his Investigating Officers will work (from 396 to 501) as a contingency bid. If the SPCB is minded to do this

Schedule 4(b)

we would write to the Commissioner and advise him that SPCB approval had been given 'in principle' up to a maximum of £37k for the additional days. **Does the SPCB agree that the Commissioner's request for additional Investigating Officer days should be dealt with as a contingency bid?**

Standards Commission for Scotland

15. The Standards Commission's budget bid is £238k. This represents an increase of £12k on its 2014-15 budget. Like a number of the other bodies that the SPCB supports, the Standards Commission is a demand led organisation and it is challenging for it to accurately predict the number and total cost of holding Hearings. Traditionally the Commission has estimated that it will hold 5 Hearings per year but given the increase in the number of cases being referred to it by the Commissioner for Ethical Standards in Public Life, it has estimated that it will hold 8 Hearings in 2015-16. In order to mitigate the increase in Hearing costs, the Commission has revised the methodology it uses for members attendance at Hearings and has reduced the number of days for each hearing from 3 days to 2 days. This reduces the part-time members' salary costs by £4k.
16. Staff costs have increased due to progression and a pay award and the Commission is seeking capital of £6k to enable it to replace its IT server as the warranty expires in April 2015. Savings have been identified in staff related costs and running costs to offset some of the increases.