

Scottish Information Commissioner

Scheme of Delegation

I, Daren Fitzhenry, appointed by Her Majesty on the nomination of the Scottish Parliament, as Scottish Information Commissioner, authorise, under section 42(10) of the Freedom of Information (Scotland) Act 2002 the following persons to exercise the following functions on my behalf, to the extent so authorised:

Finance

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
Requests for goods and services, up to and including £4,999, signed in the first instance by the requester	<p>To be authorised by one of the following budget-holders, as appropriate (see below):</p> <ul style="list-style-type: none"> • Head of Enforcement • Head of Policy and Information • Finance and Administration Manager <p>which failing:</p> <ul style="list-style-type: none"> • Head of Corporate Services
Requests for goods and services for £5,000 and over, signed in the first instance by the budget-holder	<ul style="list-style-type: none"> • Head of Corporate Services <p>See HOCS absence provision</p>
Business Continuity - appropriate emergency expenditure to secure the premises up to a maximum of £1,000	<ul style="list-style-type: none"> • Emergency Keyholders as detailed in VC95043 (Key holder information)
Variation in amount of invoice to requisition (details to be noted on the requisition form)	<ul style="list-style-type: none"> • Invoice agrees with requisition or small variation (the lesser of 10% or £500): <ul style="list-style-type: none"> ○ Requester countersigned by the budget-holder • Invoice amount differs from requisition by £500 or more: <ul style="list-style-type: none"> ○ Budget-holder countersigned by Head of Corporate Services <p>See HOCS absence provision</p>
Invoice payment authorisation signed in first instance by requester to confirm	<p>Any one of:</p> <ul style="list-style-type: none"> • Head of Enforcement

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
receipt of goods / services	<ul style="list-style-type: none"> • Head of Policy and Information • Head of Corporate Services • Finance and Administration Manager, <p>other than who authorised the requisition</p> <p>See requester absence provision</p>
<p>Authorised signatories for payments from bank account, including cheque book, and authorised authenticators for Bankline transactions</p>	<p>Any two of the following:</p> <ul style="list-style-type: none"> • Scottish Information Commissioner • Head of Enforcement • Head of Corporate Services • Head of Policy and Information • Finance and Administration Manager
SIC Credit Cards	<ul style="list-style-type: none"> • Account holder only
Petty cash account	<ul style="list-style-type: none"> • Finance and Administration Manager, or • Administrator
Approval of travel / expenses claims	<ul style="list-style-type: none"> • Scottish Information Commissioner for claims by: <ul style="list-style-type: none"> ○ Head of Corporate Services ○ Head of Enforcement ○ Head of Policy and Information <p>See SIC absence provision (1)</p> • Head of Enforcement/ Head of Corporate Services / Head of Policy and Information for claims by: <ul style="list-style-type: none"> ○ Deputy Heads of Enforcement ○ Freedom of Information Officers (P&I) ○ Administration Officer (P&I) ○ Finance and Administration Manager • Finance and Administration Manager for claims

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
	by: <ul style="list-style-type: none"> ○ Administrators ● Deputy Heads of Enforcement for claims by: <ul style="list-style-type: none"> ○ Freedom of Information Officers (E) ○ Validation Officer (E) ○ Enforcement Team Support Assistant

Staffing

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
Annual leave (including other leave / Flexi leave)	<ul style="list-style-type: none"> ● Scottish Information Commissioner for requests by: <ul style="list-style-type: none"> ○ Head of Enforcement ○ Head of Corporate Services ○ Head of Policy and Information See SIC absence provision (1) ● Head of Enforcement for requests by: <ul style="list-style-type: none"> ○ Deputy Heads of Enforcement ● Head of Corporate Services for requests by: <ul style="list-style-type: none"> ○ Finance and Administration Manager ● Head of Policy and Information for requests by: <ul style="list-style-type: none"> ○ Freedom of Information Officers (P&I) ● Freedom of Information Officer (P&I) for requests by: <ul style="list-style-type: none"> ○ Administration Officer (P&I) ● Deputy Head of Enforcement for requests by:

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
	<ul style="list-style-type: none"> ○ Freedom of Information Officers (E) ○ Validation Officer (E) ○ Enforcement Team Support Assistant ● Finance and Administration Manager for requests by: <ul style="list-style-type: none"> ○ Administrators
Special Leave – requests for up to five days in any 12 month period	<ul style="list-style-type: none"> ● Scottish Information Commissioner for requests by: <ul style="list-style-type: none"> ○ Head of Enforcement ○ Head of Corporate Services ○ Head of Policy and Information <p>See SIC absence provision (1)</p> <ul style="list-style-type: none"> ● Head of Enforcement for requests by: <ul style="list-style-type: none"> ○ Deputy Heads of Enforcement ○ Freedom of Information Officers (E) ○ Validation Officer (E) ○ Enforcement Team Support Assistant ● Head of Corporate Services for requests by: <ul style="list-style-type: none"> ○ Finance and Administration Manager ○ Administrators ● Head of Policy and Information for requests by: <ul style="list-style-type: none"> ○ Freedom of Information Officers (P&I) ○ Administration Officer (P&I)
Requests for References	<ul style="list-style-type: none"> ● Head of Corporate Services <p>See HOCS absence provision</p>
Letters of appointment (to be signed only following the receipt of the Scottish Information Commissioner’s written authority that the appointment is confirmed)	<ul style="list-style-type: none"> ● Head of Corporate Services <p>See HOCS absence provision</p>

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
Letters of regret	One of the following: <ul style="list-style-type: none"> • Finance and Administration Manager • Head of Enforcement • Head of Corporate Services • Head of Policy and Information

General correspondence

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
Non-sensitive	<ul style="list-style-type: none"> • Finance and Administration Manager • Freedom of Information Officers • Administrators
Potentially sensitive	Any of the following: <ul style="list-style-type: none"> • Head of Enforcement • Head of Corporate Services • Head of Policy and Information • Deputy Heads of Enforcement
Letters to MPs, MSPs or MEPs (except where party to investigation or routine P&I contact) ¹	Any of the following: <ul style="list-style-type: none"> • Head of Enforcement • Head of Corporate Services • Head of Policy and Information • Deputy Head Of Enforcement
Letters to the press (except where party to investigation or routine media team work)	<ul style="list-style-type: none"> • Scottish Information Commissioner only <p>See SIC absence provision (2)</p>

¹ SIC to be made aware of correspondence

Official documents and related correspondence

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
Any contract	<ul style="list-style-type: none"> • Head of Corporate Services <p>See HOCS absence provision</p>
Formal deeds and agreements (to be signed only with the Scottish Information Commissioner's authority)	<ul style="list-style-type: none"> • Head of Corporate Services <p>See HOCS absence provision</p>
Validation of adoption of a model publication scheme	<p>Any of the following:</p> <ul style="list-style-type: none"> • Head of Policy and Information • Freedom of Information Officers (P&I) • Administrators • Administration Officer (P&I)
Formal approvals of publication schemes	<p>Any of the following:</p> <ul style="list-style-type: none"> • Head of Policy and Information • Head of Enforcement • Deputy Heads of Enforcement • Freedom of Information Officers (P&I)
Formal refusals of publication schemes	<p>Any of the following:</p> <ul style="list-style-type: none"> • Head of Policy and Information • Head of Enforcement
Open a Level 1 intervention	<ul style="list-style-type: none"> • Any member of SIC staff
Open a Level 2 intervention or move a Level 1 intervention to Level 2	<ul style="list-style-type: none"> • Any of the following: • Scottish Information Commissioner • Head of Enforcement • Deputy Head of Enforcement • Head of Policy and Information
Open a Level 3 intervention or move an existing intervention to Level 3	<ul style="list-style-type: none"> • Scottish Information Commissioner, or • Senior Management Team
Open a Level 4 intervention or move an existing intervention to Level 4	<ul style="list-style-type: none"> • Scottish Information Commissioner <p>See SIC absence provision</p>

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
Information notices	<ul style="list-style-type: none"> • Head of Enforcement • Deputy Heads of Enforcement
Enforcement notices	<ul style="list-style-type: none"> • Scottish Information Commissioner only <p>SIC- See SIC absence provision (3)</p>
Decision notices: non-failure to respond	<ul style="list-style-type: none"> • Head of Enforcement <p>See note below</p>
Decision notices: failure to respond	<ul style="list-style-type: none"> • Deputy Heads of Enforcement
Practice recommendations	<ul style="list-style-type: none"> • Scottish Information Commissioner only <p>See SIC absence provision (4)</p>
Notices under s.49(1) – frivolous or vexatious	<ul style="list-style-type: none"> • Head of Enforcement
Notices under s.49(2) – withdrawn or abandoned	<ul style="list-style-type: none"> • Deputy Heads of Enforcement
Accepting a late application in terms of s.47(6)	<ul style="list-style-type: none"> • Head of Enforcement

Decision Notices (Other than Failures to Respond)

<p>SIC has given the Head of Enforcement delegated authority to approve the following decisions:</p> <ul style="list-style-type: none"> • all decisions weighted 1 • all decisions weighted 2 where the Head of Enforcement is satisfied that decision is in line with clear precedent • all decisions weighted 3 where the SIC has given prior approval to the Head of Enforcement to sign the decision under delegated authority • all other decisions in the case of SIC absence – see SIC absence provision (3) <p>References to weighting are as set out in the Investigations Handbook.</p>
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SIC absence provision

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
Where SIC is un-contactable or unavailable, e.g. on sick or prolonged leave, for a period beyond which a decision cannot be delayed, the authority is delegated as follows:	(1) On the decision by at least two of: <ul style="list-style-type: none"> ○ Head of Enforcement ○ Head of Corporate Services ○ Head of Policy and Information Wherever practicable, there should be a noted discussion among the Heads of Department prior to making such a decision.
	(2) Head of Enforcement or Head of Policy and Information
	(3) Head of Enforcement
	(4) Head of Enforcement for practice recommendations under s60, s61 or S62 codes; Head of Policy and Information for practice recommendations under s61 code.

HOCS absence provision

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
Where HOCS is un-contactable or unavailable, e.g. on sick or prolonged leave, for a period beyond which a decision cannot be delayed, the authority is delegated as follows:	On the joint decision of: <ul style="list-style-type: none"> ● Head of Enforcement ● Head of Policy and Information

HOPI absence provision

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
Where HOPI is un-contactable or unavailable, e.g. on sick or prolonged leave, for a period beyond which a decision cannot be delayed, the authority is delegated as follows:	Head of Enforcement

Requester absence provision

ITEM	AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)
Where requester is unavailable to approve an invoice e.g. on sick or prolonged leave, for a period beyond which it is unacceptable to delay further the payment of an invoice:	<p>A member of the requester's team who can confirm receipts of goods or services</p> <p>Failing which any one of :</p> <ul style="list-style-type: none"> • Head of Corporate Services • Head of Enforcement • Head of Policy and Information

Budget holders

The overall budget is delegated to the Head of Corporate Services.

Further delegation to budget-holders is specified below:

AUTHORISED SIGNATORY (OR ANY MORE SENIOR OFFICER)	ITEM
<ul style="list-style-type: none"> ○ Legal Advisers ○ Legal Fees re Appeals to Courts 	<ul style="list-style-type: none"> ○ Head of Enforcement
<ul style="list-style-type: none"> ○ Printing ○ Publicity and Promotion ○ Research 	<ul style="list-style-type: none"> ○ Head of Policy and Information
<ul style="list-style-type: none"> ○ Library / Subscriptions ○ Rent ○ Rates ○ Utilities ○ Cleaning ○ Recruitment ○ Training ○ Maintenance ○ Administration 	<ul style="list-style-type: none"> ○ Finance and Administration Manager

<ul style="list-style-type: none"> ○ Insurance ○ Telephones ○ Postage ○ IT ○ Auditors 	
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List of abbreviations

SIC	Scottish Information Commissioner
E	Enforcement
HOCS	Head of Corporate Services
HOPI	Head of Policy and Information
P&I	Policy and Information

Note

Any reference to a post in this Scheme of Delegation includes a reference to a higher level post.

Dated.....

Signed.....

Daren Fitzhenry, Scottish Information Commissioner

Authorised signatories

Name / Position	Signature	Initials
Daren Fitzhenry Scottish Information Commissioner		
Margaret Keyse Head of Enforcement		
Sarah Hutchison Head of Policy and Information		
Helen Gardner-Swift Head of Corporate Services		
Euan McCulloch Deputy Head of Enforcement		
Claire Stephen Deputy Head of Enforcement		
Lorraine Currie Freedom of Information Officer		
Julie Frew Freedom of Information Officer		
Eva Groeneveld Freedom of Information Officer		
John Kelly Freedom of Information Officer		
Colin MacFadyen Freedom of Information Officer		
Avril Mills Freedom of Information Officer		
Elaine Moffat Freedom of Information Officer		
Paul Mutch Freedom of Information Officer		

Jennifer Ross Freedom of Information Officer		
Karen Lindsay Freedom of Information Officer		
Wendy Snedden Freedom of Information Officer		
Kim Berry Finance and Administration Manager Administrator		
Liz Brown Finance and Administration Manager Administrator		
Pauline Keith Validation Officer		
Suzanne Jenkins Validation Officer		
Andrea McEwan Enforcement Team Support Assistant		
Lynsey McKenna Administration officer		
Bethan Owen Administrator		

Document Control Sheet

Document Information	
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Date of next planned review	When required
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Corrections / Unplanned or Ad hoc reviews (see Summary of changes below for details)	
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Summary of changes to document				
Date	Action by <i>(initials)</i>	Version updated <i>(e.g. 01.25-36)</i>	New version number <i>(e.g. 01.27, or 02.03)</i>	Brief description <i>(e.g. updated paras 1-8, updated HOPI to HOOM, reviewed whole section on PI test, whole document updated, corrected typos, reformatted to new branding)</i>
03/11/17	LB	01.00	01.02	New document created, DCS updated and document published
11/01/18	LB	01.02	01.03	Changes to reflect FAM leaving and change of vc number
05/06/18	HGS	01.03	01.04	Approved changes to reflect FAM leaving and change of VC number.
06/06/18	LB	01.04	01.05	New staff and leavers updated
07/06/18	KB	01.05	01.06	DCS updated and published on website
14/06/18	SH	01.06	01.07	Insertion of intervention items as draft procedure (VC91778)
14/02/19	KB	01.07	01.08	New staff updated
13/05/19	LB	01.08	01.09	Staff changes
11/06/19	HGS	01.09	01.10	Updated and changes approved by HOCS to reflect change of job title (Administration Officer P&I), changes icw revised investigation procedures and DCS updated.
14/06/19	BOW	01.10	01.11	DCS updated, published on website
14/06/19	BOW	01.11	01.12	Removed tracked changes