Midlothian IJB
Publication Scheme
April 2024

Conclusion
Reasonable Assurance

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1 Executive Summary:

Conclusion: Reasonable Assurance

The Midlothian IJB has formally adopted the Model Publication Scheme (MPS) without amendments and made a significant amount of information available to view online and through the MPS. Information has in the main been appropriately classified in the MPS and the associated Guide to Information also adheres to the six MPS Principles. Some improvement opportunities have been identified relating to accessibility of the information available, alongside a self-assessment exercise.

Background

In July 2015 Midlothian IJB (MIJB) took on duties in the Midlothian Council area for development of integrated planning and delivery of health and social The Freedom of Information (Scotland) Act 2002 (FOISA) places a duty on Scottish public authorities to publish information proactively. Authorities must have regard to the public interest in the information they hold and make information available so it can be accessed without having to make a request for it under section 1 of FOISA. The duty to publish is in addition to the obligation to respond to requests for information.

In addition, the Environmental Information (Scotland) Regulations (2004) (the EIRs) require authorities to publish environmental information proactively, particularly information they hold in electronic formats.

The Scottish Information Commissioner has developed a Model Publication Scheme (MPS) to support Scottish public authorities to meet their publication scheme duties under both FOISA and the EIRs.

By adopting the MPS, authorities commit to publishing, as a minimum, specified types of information, through their own Guide to Information.

Summary of findings & recommendations

The following key findings and recommendations are highlighted, which have all been **agreed by the Integration Manager, Midlothian Health and Social Care Partnership:**

*   While the Board has made a significant amount of information available online, work is required to insert additional links in the documented MPS and upload information to the web pages. Management have agreed to review the MPS and include additional links where they can be directly tracked to electronic documents, alongside the review of the minimum service requirement for provision of information on the Midlothian Health and Social Care website **by 31 May 2024 (MPS review) and 30 December 2024 (review of minimum service requirement).**
*   There is no guidance or instruction include within the documented MPS or online advising the public on how to submit freedom of information requests. Management have agreed to ensure that the Midlothian Health and Social Care website clearly outlines how members of the public should submit Freedom of Information requests by **31 May 2024.**
*   Current activity and practice has not been assessed using the Scottish Information Commissioners self-assessment checklist. Management have agreed to assess current publication activity and practice using the Scottish Information Commissioners self-assessment checklist **by 30 November 2024.**

While the Integration Manager has been identified as the responsible officer in this report. Future accountability for the actions arising from the key findings and recommendations is dependent on a decision as to whether business support continues to sit with the Integration Manager. This portfolio is one that traditionally should sit with the Executive Business Manager however is temporarily being supported by the Integration Manager.

Recommendations Grade	High	Medium	Low	Total
Current Report	-	1	2	3
Prior report	N/A	N/A	N/A	N/A

Materiality

There are no reported resource implications from the Model Publication Scheme, although it should be noted that uncertainty around the future management of the portfolio may impact on the IJB's ability to progress the report recommendations.

2 Headlines

Objectives	Conclusion	Comment
1. The IJB has made a corporate decision to adopt the MPS without amendment, with the Scottish Information Commissioner notified of this	Substantial Assurance	At its meeting on 7 December 2023, the MIJB Audit and Risk Committee was presented with a reviewed and updated MIJB, which was accepted without amendment. Committee papers were shared with the Board on 21 December where it was agreed to formally adopt the MPS. Thereafter the Scottish Information Commissioner was notified.
2. The IJB has Identified its information that is covered by the MPS and any additional information in which there is a public interest in publication.	Reasonable Assurance	While the MPS has included, where necessary, the nine classes of information, further work is required to include additional links in the documented MPS and make available additional information under some classes. Such as the Register of Interests of the Board and Public Engagement Statement.
3. The IJB has produced and published a Guide to Information, ensuring that the arrangements for publication meet the six MPS Principles.	Reasonable Assurance	The MIJB's Guide to Information has been incorporated into its MPS. While review of the MPS against the six Principals has noted that there is guidance to ensure that requests for information in alternative formats are managed, there is no inclusion of information relating specifically to Freedom of Information Requests.
5. The IJB has completed the Scottish Information Commissioners Self-assessment Toolkit to capture its publication activity and assess performance against publication standards.	Reasonable Assurance	No self-assessment exercise has been carried out. This has been assigned to the Midlothian HSCP Business Support Manager to undertake on behalf of Midlothian IJB.
6. Training is provided to relevant staff to ensure that the IJB publishes only information that is relevant and appropriate	Reasonable Assurance	Training requirements are in the process of being agreed between the Integration Manager, Chair, Vice Chair and Chief Officer. A 'Writing for Publication Style Guide' is being produced by the Planning, Performance and Programme service and this will form part of the induction and/or training for all relevant staff as required.

3 Areas where expected controls are met/good practice.

No.	Areas of Positive Assurance
1.	The Board has prepared and approved for publication the IJB's Model Publication Scheme without amendment, with the Scottish Information Commissioner notified of this. The documented MPS has been made available to view on the IJB website.
2.	The MPS has clearly stated the classes of information that is available to view, the Board has also through its MPS imposed the six principles which govern the way it makes its information available through the Guide to Information.
3.	Routine review of the documented MPS and accompanying electronic information is in place and aligned with the completion of the Boards annual governance review.
4.	The website for the IJB is straightforward to navigate and includes a number of documents relevant to the performance and operation of the HSCP.

4 Detailed Recommendations

Availability of Information

Objective 2	The IJB has Identified its information that is covered by the MPS and any additional information in which there is a public interest in publication	Grade	Recommendation

	Grade	Recommendation
The MPS and Guide to Information is effectively an "index" of the information an organisations publish and a "how to" guide to access it. The IJB has identified within its documented MPS the classes of information that is to be held and made available for the public to view. Testing was carried out to review the MPS and compare this against the minimum advised by the Commissioner, alongside confirming that the information is readily available for the public to view. Some observations requiring attention are listed below: • While the Board members' register of Interests has been reviewed by the IJB Standards Officer no prepared document has been uploaded to the IJB website. • The Public Engagement Statement available through the IJB website is dated from 2021 and requires updating. A review of the document is underway, scheduled to be completed by September 2024. • The documented MPS has included a link to the MIJB 2021/22 Annual Accounts. However, the more recent accounts for financial year 2022/23 are available through the What We Do link links on the IJB website. • The IJB's Financial Plans are not available through its documented MPS or website. • While the Board has included under the What We Do tab on its website, the 2022/25 Workforce Plan and Records Management Plan, neither are accessible under class 5 of the documented MPS. • While the Board has included under the What We Do tab on its website, the Equalities Outcomes & Mainstreaming Report 2021-25 and the Equalities Outcomes & Mainstreaming Update & Future Plans 2023, neither are accessible under class 7 of the documented MPS. There is a risk that reduced accessibility to information will result in the IJB not making as much information available as possible, including access to specific advice and guidance.	Medium	**2.1 The Register of Interests for Board members should be uploaded to the IJB website and linked through the documented MPS.** **Management should conclude the review of the Public Engagement Statement and make this available through the IJB website, linked also through the documented MPS** **Management should ensure that financial information is appropriate and accessible both online and through the documented MPS.** **Management should ensure that the information available online is linked to the relevant class within the documented MPS.**

Management response	Responsible officer & target date
1. Management will review the MPS and include additional links where they can be directly tracked to electronic documents, including the Register of Interests for Board members. 2. Management will also review the minimum service requirement for provision of information on the Midlothian Health and Social Care website, coordinate the provision of information and ensure this is uploaded.	1. Integration Manager, Midlothian Health and Social Care Partnership – 31 May 2024 2. Integration Manager, Midlothian Health and Social Care Partnership – 30 December 2024

4 Detailed Recommendations

Accessibility and Contact

Objective 3	The IJB has produced and published a Guide to Information, ensuring that the arrangements for publication meet the six MPS Principles	Grade	Recommendation
Under Class 5 of the MPS (how an organisation manages its human, physical and information resources). The Scottish information Commissioner expects authorities to publish Freedom of information policies and procedures information. While the Notification Form previously submitted to the Commissioner records contact details of the individual responsible within the Board for Freedom of Information requests. There is no guidance or instruction include within the documented MPS or online advising the public on how to submit them There is a risk that members of the pubic may be unable to access certain information that is not readily available through the IJB website and Guide to Information.		**Low**	**3.3 Management should ensure that there is information included within the documented MPS and online to advise members of the public on how to submit freedom of information requests.**

Management response	Responsible officer & target date
Management will ensure that the Midlothian Health and Social Care website clearly outlines how members of the public should submit Freedom of Information requests	Integration Manager, Midlothian Health and Social Care Partnership – 31 May 2024

4 Detailed Recommendations

Self-assessment and Training

Objective 5	The IJB has completed the Scottish Information Commissioners Self-Assessment Toolkit to capture its publication activity and assess performance against publication standards	Grade	Recommendation
The Scottish Information Commissioners Self-Assessment Toolkit has been developed to help authorities to: • Capture current activity and practice. • Assess how well they are performing against a set of standards. • Improve their FOI practices, procedures and administrative arrangements. To date, no self-assessment exercise has been carried out. However, a piece of work has been assigned to the Midlothian HSCP Business Support Manager (with other staff to support as necessary) to consider modules 2, 4 and 6 of the self-assessment. Training requirements are in the process of being agreed between the Integration Manager, Chair, Vice Chair and Chief Officer. A 'Writing for Publication Style Guide' is being produced by the Planning, Performance and Programme service and this will form part of the induction and/or training for all relevant staff as required. There is a risk that without proper assessment of the Board's publishing requirements and activities information is either not routinely available that should be, or that staff are unaware of their duties and responsibilities in publishing data.	**Low**	**5.1 Management should consider the Scottish Information Commissioners self-assessment modules and determine the most appropriate to complete, thereafter a schedule for the completion should be agreed.** **Where necessary, an action plan should be developed to address any gaps identified by the assessment.**

Management response	Responsible officer & target date
Management will assess current publication activity and practice using the Scottish Information Commissioners self-assessment checklist. Thereafter, any improvement opportunities will be identified and a plan for their implementation agreed.	Integration Manager, Midlothian Health and Social Care Partnership – 30 November 2024

A Recommendation Grading/Overall opinion definitions

Recommendation	Definition
High	Recommendations relating to factors fundamental to the success of the control objectives of the system. The weaknesses may give rise to significant financial loss/misstatement or failure of business processes.
Medium	Recommendations which will improve the efficiency and effectiveness of the existing controls.
Low	Recommendations concerning minor issues that are not critical, but which may prevent attainment of best practice and/or operational efficiency.

Levels of Assurance	Definition
Substantial Assurance	A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.
Reasonable Assurance	There is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited.
Limited Assurance	Significant gaps, weaknesses or non-compliance were identified. Improvement is required to the system of governance, risk management and control to effectively manage risks to the achievement of objectives in the area audited
No Assurance	Immediate action is required to address fundamental gaps, weaknesses or non-compliance identified. The system of governance, risk management and control is inadequate to effectively manage risks to the achievement of objectives in the area audited.

B Resource, acknowledgements & distribution list

Internal audit	
Service Manager, Internal Audit: Duncan Stainbank	Principal Auditor: Russell Richmond-McIntosh

Review Dates	Completed By /Date
Internal Audit Draft Report Submission	23 February 2024
Management Review Completion	26 February 2024
Final Report Issue	25 April 2024

Report distribution	
Audit & Risk Committee	Integration Manager – Midlothian HSCP
Chief Officer – Midlothian IJB	
Audit Scotland	

Acknowledgements.
The weaknesses identified during the course of our audit have been brought to the attention of Management. The weaknesses outlined are those, which have come to our attention during the course of our normal audit work and are not necessarily all of the weaknesses, which may exist.

Although we include a number of specific recommendations, it is the responsibility of Management to determine the extent of the internal control systems appropriate to the IJB Publication Scheme.

The content of this report has been discussed with the Integration Manager - HSCP to confirm factual accuracy. The assistance and cooperation received during the course of our audit is gratefully acknowledged.