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| <b>Report to:</b>                           | MSMTM   |
| <b>Report by:</b>                           | Claire Stephen, Head of Policy and Information (HOPI)   |
| <b>Meeting Date:</b>                        | 21 December 2023  |
| <b>Subject/ Title:</b><br>(and VC no)       | British Sign Language (BSL) Plan 2018-2023 – report and review for 2022-23 and note on next BSL plan (VC199688) |
| <b>Attached Papers</b><br>(title and VC no) | British Sign Language (BSL) Plan 2018-2023 (VC 142122)  |

## Purpose of report

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1. The purpose of this report is to provide the annual report and review of the [Scottish Information Commissioner’s \(Commissioner\) British Sign Language Action Plan 2018-23](#) (BSL Plan) (as per the C1 Governance Reporting Arrangements – VC 110086) and provide a note on next actions with regard to the next BSL plan.

## Recommendation and actions

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2. I recommend that:
  - The Senior Management Team (SMT) note the contents of this report
  - Agree the continuation of the existing plan until April 2024 in light of the recent publication of the National Plan and note that a revised BSL plan 2024 - 2029 to be in place by May 2024.
  - Notes the progress with regard to the existing commitments from 2018 - 2023 BSL plan and note the remaining actions required.
  - The SMT agree that no revisions are made to the BSL Plan at this time, but resources to focus on three outstanding commitments as set out in the report.
  - This Committee Report (CR) is published in full as set out in paragraph 23.

## Executive summary

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### Summary

3. In October 2018, the Commissioner’s BSL Plan 2018-2023 was published, in compliance with sections 2 and 3 of the British Sign Language (Scotland) Act 2015 (the BSL Act), and following consultation with British Sign Language (BSL) users. The Plan sets out the actions which the Commissioner will take over the period 2018-2023 to improve access to information and services for BSL users.
4. The Commissioner is committed to revising this BSL plan at least every five years. However, our BSL plan must “try to achieve consistency” with the most recently published National Plan. The National Plan was just recently published in November 2023 – delayed due to impact of Covid-19 pandemic.

5. As of December 2023, of the total 14 commitments in the Commissioner’s BSL 2018-2023 Plan:
  - delivery of six commitments are complete, but as a living plan we continue to monitor and identify opportunities for improvement/development wherever possible;
  - activity is underway with further action required on five commitments;
  - action is yet to be taken and still required for three commitments.
  
6. The three commitments requiring action in Q4 2023- 2024, are:
  - Ensure our policies of promoting diversity in the workplace are widely disseminated among BSL user communities (HOCS)
  - Make training available to staff who would like to learn BSL (HOPI) (some refresher training to be delivered at ASM)
  - Work with public authorities subject to the Freedom of Information legislation to consider the needs of BSL users in their Freedom of Information processes (HOPI) (further promotion of existing material to take place in Q4 2023-24)

**Commitment progress to date:**

7. The status, progress and actions taken regarding each commitment in the BSL Plan to date are set out in the table below.

| Commitment  | Status   | Action taken to date   |
|---|--|--|
| i. Develop links with BSL user groups and adopt best practice guidelines. This will include advice on how to involve BSL users in the design and delivery of our services | Ongoing  | <ul style="list-style-type: none"> <li>• BSL community /user group landscape in Scotland and appropriate routes for engagement explored.</li> <li>• Action to develop partnership and communication/involvement channels as required</li> </ul>  |
| ii. Make information about our functions, and how to access and use our service, accessible to BSL users, including producing new BSL materials.                          | Action complete – continuingly identify resources for translation. | <ul style="list-style-type: none"> <li>• “Your Right to Know” translation videos developed, published and promoted across website and Twitter in January/February 2020. Promotion of BSL videos to be refreshed in Q4 2023- 2024.</li> <li>• Use website analytics to identify most access resources suitable for translation.</li> <li>•</li> </ul>   |
| iii. Begin a programme of work to increase the accessibility of our website and social media channels.  | Action complete, but continue to monitor and improve.              | <ul style="list-style-type: none"> <li>• Initial accessibility audit of website completed March 2020</li> <li>• New website project delivered a number of accessibility improvements – new website launched on 7 April 2022, BSL translation videos of Your Right to Know much more prominent</li> <li>• Continued programme of general accessibility improvements across website to ensure compliance with Public Sector Accessibility Regulations conducted (non-BSL specific)</li> <li>• Further website accessibility audit taking place in Q4 2023-24.</li> </ul> |
| iv. Promote the use of the Scottish Government’s nationally funded  | Underway – further   | <ul style="list-style-type: none"> <li>• Secured access to Scottish Government contactSCOTLAND-BSL relay service for BSL</li> </ul>  |

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| <p>BSL online interpreting video relay services 'contactSCOTLAND-BSL', which allows BSL users to contact public and third sector services, and for these services to contact them</p> | <p>action required</p> | <p>interpreting and made staff aware that they may receive enquiries through this service, in 2018.</p> <ul style="list-style-type: none"> <li>• HOPI attended refresher seminar early 2023, as a consequence, BSL user groups reminded that SIC adopted and uses contactSCOTLAND.</li> <li>• contactSCOTLAND-BSL logo, links and information added to relevant pages across website.</li> <li>• Reference to contactSCOTLAND-BSL to printed guidance and resources for the public across 2022_23</li> <li>• Action to further promote use of the service required</li> <li>• Staff awareness session to take place at ASM on 16 January 2024.</li> </ul>   |
| <p><b>v.</b> Train our staff to use online interpreting video relay services (such as contactSCOTLAND-BSL), and explore the potential for greater use</p>                             | <p>Ongoing</p>         | <ul style="list-style-type: none"> <li>• Mandatory deaf awareness training held for all staff BSL use, in October 2018.</li> <li>• Action to further train staff, as appropriate, on use of interpreting video relay services required.</li> <li>• Refresher training to be provided in 2024 by an external service provider.</li> <li>• contactScotland awareness to form part of induction template.</li> </ul>   |
| <p><b>vi.</b> Raise awareness amongst all staff of the needs of BSL users through training and induction programmes</p>   | <p>Ongoing</p>         | <ul style="list-style-type: none"> <li>• Mandatory deaf awareness training held for all staff, including awareness of BSL use, in October 2018</li> <li>• Refresher training to be delivered at next ASM.</li> <li>• Action to further embed appropriate training required</li> </ul>   |
| <p><b>vii.</b> Put in place systems for the obtaining of BSL / English interpretation and translation services, including interpretation for deaf-blind BSL users</p>                 | <p>Complete</p>        | <ul style="list-style-type: none"> <li>• Secured access in 2018-19 to Scottish Parliamentary Corporate Body / Officeholder contracts for the provision of BSL / English interpreting and video services, meaning Commissioner can respond to enquiries and appeals from BSL users</li> <li>• Secured access in 2018-19 to the Scottish Government contactSCOTLAND-BSL telephone relay service for BSL interpreting and made staff aware that they may receive enquiries through this service</li> <li>• Translation service identified and used for "Your Right to Know" videos across 2019-20</li> <li>• BSL video production contract secured through SPCB from February 2024 (VC199678)</li> </ul> |
| <p><b>viii.</b> Respond promptly to requests from BSL users to arrange BSL / English interpreting when required for access to our services.</p>                                       | <p>Complete</p>        | <ul style="list-style-type: none"> <li>• No requests to date</li> <li>• Actions for (vii) above will support when required in future</li> </ul>   |
| <p><b>ix.</b> Ensure our policies of promoting diversity in the workplace are widely disseminated among BSL user communities</p>  | <p>Action required</p> | <ul style="list-style-type: none"> <li>• Action to promote effectively required – dependent on commitment (i) above</li> </ul>  |

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| <p><b>x.</b> Make training available to staff who would like to learn BSL</p>  | <p>Action required</p>                    | <ul style="list-style-type: none"> <li>• Introductory BSL training sessions delivered by Deaf Action may be suitable to any staff that are interested: <a href="#">BSL taster course online   Deaf Action</a></li> <li>• Contact SCOTLAND-BSL refresher to be delivered at next ASM.</li> </ul>   |
| <p><b>xi.</b> Develop and make available online BSL versions of key guidance including “Your Right to Know”.</p>   | <p>Complete</p>                           | <ul style="list-style-type: none"> <li>• BSL versions of “Your Right to Know” available and published on website January/February 2020</li> <li>• Further promotion of material to take place in Q4 2023-24</li> <li>• Action to identify needs and develop further information for BSL users required</li> </ul>   |
| <p><b>xii.</b> Increase awareness of and invite applications from BSL users for our External Engagement events.</p>  | <p>Underway – further action required</p> | <ul style="list-style-type: none"> <li>• FOI awareness training session held for Dunfermline Hard of Hearing group 2018/2019</li> <li>• Action to identify further opportunities required</li> </ul>  |
| <p><b>xiii.</b> Consider the needs and requirements of BSL users in our planning for public engagement meetings and outreach events</p>  | <p>Complete</p>                           | <ul style="list-style-type: none"> <li>• Developed and added detail on considering BSL requirements to organisational event planning checklist template in January 2019, ensuring all future events run by Commissioner comply</li> <li>• No large events run directly by Commissioner since implementation of plan – but requested organisers of the two major FOI conferences that the Commissioner participates in each year do consider needs and requirements of BSL users.</li> <li>• Commissioner has funded the provision of inclusive communication at three Scottish Public Information Forums (hosted by the Campaign for Freedom of Information Scotland– one of the Commissioner’s key external events with civil society and general public.</li> </ul> |
| <p><b>xiv.</b> Work with public authorities subject to the Freedom of Information legislation to consider the needs of BSL users in their Freedom of Information processes</p> | <p>Action required</p>                    | <ul style="list-style-type: none"> <li>• Promotion of the BSL materials available on our website to network groups.</li> </ul>  |

**BSL Plan: 2024-2029**

8. The Scottish Government’s National BSL Plan, to which the Commissioner’s BSL must align, was recently published: [British Sign Language National Plan 2023-2029, Making Scotland the best place in the world for BSL signers to live, work, visit and learn.](#)
9. Section 3(2) of the BSL Act requires the Commissioner to publish his next BSL plan within six months of the publication of the most recent National Plan. The Commissioner is therefore required to have the next BSL plan in place by **May 2024**.
10. Section 2 of the BSL Act requires the Commissioner to prepare and publish a BSL plan in accordance with the Act. A BSL plan must, therefore:
  - set out measures taken by the Commissioner in relation to the use of BSL in connection with the exercise of his functions

- set out the timescales by reference to which any such measures are to be taken,
  - state how, when and to what extent measures to be taken by the authority by virtue of the most recent BSL plan were taken and,
  - contain such other information as the Scottish Ministers may by order require
11. In preparing the BSL plan, the Commissioner is:
- to try and achieve consistency between the BSL plan and the most recently published National Plan (published November 2023)
  - to have regard to:
    - (a) the extent to which the Commissioner's functions are exercisable using BSL
    - (b) the potential for developing the use of BSL in connection with the exercise of those functions
    - (c) any representations made to the Commissioner in relation to using BSL in that connection
    - (d) guidance issued by the Scottish Ministers.
12. In preparing a BSL plan, the Commissioner is to consult on a draft plan and take into account any representation received. Consultation is to include users of BSL and persons who represent users of BSL.
13. Work will begin on a new draft BSL plan in Q4 2023-24, but it is anticipated that many of the existing commitments will remain ongoing.

### Risk impact

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14. The risks associated with non-delivery of appropriate communication and equalities activity are recognised within our existing risk management frameworks. The Commissioner's BSL Plan helps to mitigate these risks. There is also a risk that the Commissioner will not have sufficient and appropriate resources available to meet relevant commitments in the BSL Plan. Actions to mitigate these risks will be considered by the SMT when developing the Operational Plan 2023-24 to include appropriate actions and planning scoping to determine the resource required.

### Equalities impact

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15. The British Sign Language (Scotland) Act 2015 is to promote the use and understanding of BSL. In addition, our BSL action will help reduce inequality and barriers experienced by speakers of BSL in relation to public sector functions and services. The focus of the Commissioner's BSL plan is therefore on ensuring equitable access to the Commissioner's functions and services, through the use of BSL.

### Privacy impact

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16. No new direct privacy impacts are identified within this report. However, the SMT will consider whether a Data Protection Impact Assessment is required for any individual implementation activities as planning for them is undertaken.
17. As noted in previous reports on the Commissioner's BSL Plan, there are privacy implications in providing interpreting support to individuals to access the Commissioner's services and functions. These must be taken into account in the confidentiality provisions in the Scottish Parliamentary Corporate Body (SPCB) (169332) and Scottish Government contracts for interpreting services.

### Resources impact

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18. Meeting commitments set out in the Commissioner's BSL Plan may require additional resources, depending on the final actions, as set out in the agreed implementation plan. Where this may be the case, these will be scoped and determined in advance by the SMT so any required projected future costs may be included in future budget submissions to the SPCB as necessary.

### Operational/ strategic plan impact

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19. Delivery of the commitments in the Commissioner's BSL Plan formed part of Operational Plan.

### Records management impact (including any key documents actions)

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20. None identified.

### Consultation and Communication

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21. The BSL Plan was developed with input from the SPCB, other parliamentary Officeholders and from feedback gathered from BSL users. As many commitments in the plan depend on greater engagement with BSL users, we expect that consultation will be a regular feature of delivery of the BSL plan objectives.
22. Joint work across the SMT, as a whole, is required in order to progress the three actions across coming year, specifically via the agreed implementation plan for the remainder of plan timeline.

### Publication

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23. I recommend that this CR is published in full.