



Scottish Commission for Human
Rights

Annual Report and Accounts

Year Ended 31 March 2016

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Performance Report: Overview

Introduction

The accounts for the financial year ended 31 March 2016 are presented in accordance with paragraph 15(1) of Schedule 1 to the Scottish Commission for Human Rights Act 2006 and prepared in accordance with an Accounts Direction given by the Scottish Ministers.

About the Commission

The Commission is an independent body established by the Scottish Parliament to promote and protect the human rights of everyone in Scotland. The functions of the Commission are set out in the Scottish Commission for Human Rights Act 2006 (the Act).

Under the Act the Commission has a general duty to promote awareness, understanding and respect for all human rights - economic, social, cultural, civil and political - to everyone, everywhere in Scotland, and to encourage best practice in relation to human rights. The Commission fulfils this duty through recommending changes to Scottish law, policy and practice as necessary, awareness raising, carrying out research, and providing guidance.

Under its powers the Commission can conduct inquiries into the policies or practices of Scottish public authorities, enter some places of detention, and can intervene in civil court cases where relevant to the promotion of human rights and where the case appears to raise a matter of public interest.

The Commission is under a duty to ensure it is not duplicating work that others already carry out. An inclusive approach has been adopted so that the expertise and interests of all stakeholders are taken into account and utilised wherever possible in delivering strategic priorities. The Commission promotes and protects the human rights guaranteed by the European Convention on Human Rights, which form part of the law of Scotland through the Human Rights Act 1998 and the Scotland Act 1998, as well as other human rights which are guaranteed by international conventions ratified by the UK. The Commission works to a set of Strategic Priorities set out in its Strategic Plan to ensure it meets its mandate and is accountable.

The Commission also has an international role as the National Human Rights Institution (NHRI) for Scotland. NHRIs are independent organisations, established by law, to promote and protect human rights. The Commission is one of over 100 NHRIs around the world. When establishing the Commission, the Scottish Parliament took care to comply with the Principles Relating to the Status of National Institutions, known as the Paris Principles. These are a series of recommendations on the role, status and functions of national human rights institutions adopted by the UN General Assembly in 1993. The Paris Principles enable the Commission to represent Scotland within the UN human rights system and are a key reference for the Commission. From 2011 to March 2016 the Commission was chair of the European Network of 40 NHRIs across the wider European Area.

Our Strategic Priorities

The Commission operates against four year strategic plans which are developed and approved by the Commission. The strategic plan for the period 2012-2016 set out the following five priorities:

1. Empowering people to realise their rights through promoting greater awareness and respect for human rights.
2. Supporting the implementation of human rights in practice.
3. Improving human rights protection in Scotland through influencing law and policy.
4. Progressing the realisation of human rights of people in Scotland and beyond through further developing our international role.
5. Ensuring the Commission is effective, efficient, professional and accountable.

In 2015-16, based on consultation with people and organisations across Scotland, the Commission developed its third Strategic Plan for the period 2016-2020 which is published on the Commission's website at www.scottishhumanrights.com/publications-reports

Funding

The Commission receives funding on a cash basis from the Scottish Parliamentary Corporate Body (SPCB). The SPCB approved a cash budget of £952,000 for financial year 2015-16 (2014-15, £933,000).

Key Issues and Risks

The coming years will present challenges to the existing framework of human rights protections for people in Scotland. The implications for human rights of the UK's exit from the European Union are unclear, and continued threats to the Human Rights Act are of significant concern. Meanwhile, much more work is needed to improve the day-to-day implementation of human rights in practice. In this climate, the Commission will continue its work to defend, advance and strengthen human rights laws, policies and practice, so that human rights become a lived reality for everyone in Scotland.

In Operational Plan 2016-17 the Commission has identified eight organisational development projects that will contribute to the Commission's on-going ability to deliver our objectives. In the context of increasing demand however, the Commission has had to continue to work within its current staffing and financial resource limits. This has required hard choices including to select priority themes and activities for the forthcoming strategic planning. It will be important to ensure that the expectations of the organisation from stakeholders and the general public are realistic going forward and to emphasise that if further funds become available the Commission will be able to respond to the increased demand for its services. The Commission will continue to monitor and seek to mitigate this risk on an on-going basis.

Performance Report: Analysis

Financial Position

Financial Year 2015-16 was the Commission's seventh full year of operation. The Commission's net expenditure on operating activities for the year ended 31 March 2016 totalled £943k (2014-15, £950k). This was on staff costs £682k (2014-15, £697k), other operating costs £252k (2014-15, £243k) and depreciation £9k (2014-15, £10k). Details of operating expenditure are shown in note 5 to the Accounts. There is a downward movement in staff costs, in the prior year there were two temporary staff contracts for maternity cover. In February 2016 the Commission moved office, there was £15k of expenditure, including £10k of capital expenditure, relating to the relocation and set up in the Commission's new office in Governor's House. The relocation was from the private rented sector to the public estate.

	2015-16 £'000	2014-15 £'000
Cash budget approved by the SPCB	952	966
Operational Expenditure (inc. depreciation)	943	950
Depreciation	(9)	(10)
Capital Expenditure	12	0
Other non-cash items	(2)	18
Cash funding from SPCB	944	958
Underspend against cash budget	8	8

Expenditure on the purchase of non-current assets during the financial year is detailed in note 6 and note 7 to the Accounts.

Payment of Creditors

The Commission is committed to the CBI Prompt Payment Code for the payment of bills for goods and services received. Payments are normally made as specified in the agreed contract conditions. Where there is no contractual position or other understanding, the Commission makes payment within 30 days and additionally aims to make payments within 10 days of receipt of the goods or services. Payment performance for invoices against the 10 day target in 2015-16 was 80% (2014-15, 62%) and within 30 days was 98% (2014-15, 94%). The average time to pay suppliers in 2015-16 was 6.9 days (2014-15, 10.7 days).

Accreditation as a National Human Rights Institution

In June 2015, the Commission achieved the top grade of accreditation, for the second time, from Global Alliance of National Human Rights Institutions.

Known as "A Status" accreditation, the decision was made following a systematic review of the Commission's compliance with a set of requirements known as the Paris Principles. The Principles include requirements for effectiveness and functional and financial independence from the Scottish Government and Parliament. The process was overseen by the United Nations (UN) Office of the High Commissioner for Human Rights and, for the first time, also gathered and analysed submissions

from civil society organisations in Scotland. The Commission will next be reviewed in 2020.

“A Status” accreditation enables the Commission to report directly to the UN on Scotland’s implementation of international human rights treaties, make direct contributions to UN bodies such as the Human Rights Council and fully collaborate with other independent commissions from around the world.

Delivering our Strategic Priorities

The delivery of the Commission 2012-2016 Strategic Plan was supported by two, two year, Operational Plans. In 2015/16 the Commission continued to deliver the objectives identified in Operational Plan 2014-16. Highlights of our work against each of our strategic priorities are included below with links provided to our reports containing further information.

Empowering People to realise their rights through promoting greater awareness and respect for human rights.

The Commission developed a series of five case studies illustrating how human rights have worked in practice in real-life settings. Each case study was drawn from the health and social care field and was supported by the Health and Social Care ALLIANCE and NHS Health Scotland. The case studies took the form of short films telling the story of an individual who has used human rights to help improve the services they were receiving, or a project that used human rights to improve services for the people they work with. A companion booklet was also produced. The films have been shared widely online and via social media and have been used as training resources by a variety of health and social care organisations.

The Commission continued to promote human rights and its work on human rights issues through a range of communication channels including media activity, regular social media updates and our website. The Commission’s Twitter profile – @scotthumanrights – provides regular updates to a wide range of audiences. Averaging 33 tweets a month, the account creates around 30,000 monthly impressions to an ever increasing audience. The period 2015-16 saw an increase of more than 1,100 followers, allowing the Commission to directly reach almost 5,000 followers through Twitter alone. The Commission also received regular coverage in traditional media with around 300 mentions of the Commission appearing in both national and local newspapers. Use of the Commission’s website – www.scottishhumanrights.com – remained steady with an average of just over 5,000 users per month.

Supporting the implementation of human rights in practice.

Scotland’s National Action Plan for Human Rights (SNAP) continues to be an important vehicle for the Commission’s efforts to build a stronger human rights culture in Scotland. During 2015-16, the Commission continued to provide strategic leadership, coordinate actions and develop a monitoring and evaluation framework for SNAP.

The Commission has continued to support a range of actions as part of SNAP. This year, the Commission pioneered work in Scotland to use human rights to tackle poor housing conditions, developed and tested a participative method for identifying human rights priorities within local areas and convened a Reference Group of people with lived experience of poverty to identify and guide priorities for action in this area. The SNAP year 2 report was published in December 2015 and is available on our website at www.scottishhumanrights.com/scotlands-national-action-plan

The Commission carried out extensive training, education and capacity building work throughout 2015-16 on how to embed a Human Rights Based Approach in practice. This included providing training for Healthcare Improvement Scotland and taking part in a 'critical friend' pilot that has now been successfully evaluated and is being rolled out more widely across their organisation. Full details of our training, education and capacity building work is contained in our Annual Report www.scottishhumanrights.com/publications-reports

Improving human rights protection in Scotland through influencing law and policy.

In 2015-16 the Commission contributed its expertise to legislative and policy making processes encompassing a wide range of human rights issues affecting people in Scotland. This included providing evidence to consultations on the Abusive Behaviour and Sexual Harm Bill, the Carers Bill and the Fatal Accident Inquiry Bill, the Scottish Parliament's Europe and External Relations Committee inquiry into how Scottish organisations engage internationally, and the Apologies (Scotland) Bill. The outcomes of our broader policy and legal work included a new statutory requirement for a review of how deaths of patients in hospital for mental health care and treatment are investigated.

The Commission carried out extensive work on the issue of non-statutory stop and search. The Commission was pleased to welcome commitments from the Scottish Government and Police Scotland to bring the practice of non-statutory stop and search to an end. Work is continuing to monitor developments in this area.

The Commission continued its defence of the Human Rights Act and also continued to drive forward its long-standing call for further implementation and incorporation of all international human rights. In December 2015, the Commission co-hosted a major conference on the incorporation and implementation of international human rights.

Progressing the realisation of human rights of people in Scotland and beyond through further developing our international role.

The Commission monitors the implementation of international human rights treaties in Scotland and reports to the United Nations Human Rights Committee on issues and challenges.

In 2015-2016 the Commission completed and submitted a report on the implementation of the International Covenant on Civil and Political Rights (ICCPR). We gave oral evidence to the UN Human Rights Committee in June on a range of issues. The Committee's report made recommendations on many of the issues we

highlighted including adopting Scotland's National Action Plan for Human Rights; maintaining the protections provided by the Human Rights Act; strengthening efforts to prevent and eradicate racism and xenophobia, particularly in relation to hate crime; repealing non-statutory stop and search; improving measures to tackle violence against women; improving measures to prevent suicide and self-harm in custodial settings; and taking steps to end corporal punishment in all settings.

We also prepared "List of Issues" reports on the United Nations Convention on the Rights of the Child (CRC) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). We gave oral evidence to the relevant UN Committees in October and will continue to engage with the Committees as they prepare their recommendations.

Ensuring the Commission is effective, efficient, professional and accountable.

Details of the Commission's performance in this area is contained throughout the accounts. The Governance Statement on page 11 provides information about our governance arrangements.

In addition in 2015-16 the Commission developed a Records Management Plan to meet the requirements of the Public Records (Scotland) Act 2011.

A full Annual Report of our work in 2015-16 is available on our website at www.scottishhumanrights.com/publications-reports

Future Development

During 2015-2016, the Commission consulted on and developed its third Strategic Plan for 2016-2020.

Our five strategic priorities during this period will be:

1. Building a human rights culture

The Commission will contribute to building a human rights culture in Scotland where human rights are respected, protected and fulfilled.

2. Promoting respect for dignity and rights in health and social care

The Commission will work with others to embed human rights in practice throughout health and social care services.

3. Promoting a rights based approach to poverty and social justice

The Commission will influence approaches to tackling poverty, social exclusion and social justice to be human rights based at local, national and international levels.

4. Increasing accountability for rights

The Commission will support the increased accountability of those with responsibility for human rights. This can be achieved through the development and implementation of rights based laws, monitoring, regulation and inspection frameworks.

5. Learning, sharing and promoting our work and human rights internationally and nationally

The Commission will learn from international and national good practice in encouraging greater respect, protection and fulfilment of human rights. We will also share our learning with others domestically and internationally to promote the realisation of human rights.

The Commission's Strategic Plan 2016-2020 is available on our website at www.scottishhumanrights.com/publications-reports

Diversity and Equality

The Scottish Human Rights Commission promotes and protects the human rights of everyone in Scotland. We are working to increase awareness, recognition and respect for human rights, and make them more relevant and easier to apply in everyday life.

The Commission takes a human rights based approach in our organisational governance and our work. This includes promotion and demonstration of equality of opportunity and diversity which is central to our work. A core pillar of a human rights based approach is non-discrimination and equality.

Community, Social and Human Rights

The Commission was established to promote and protect all human rights and has been committed to taking a human rights based approach (HRBA) to all of its activities since its inception in 2008. Information about an HRBA, and our work to promote it, is hosted on the Commission's website www.scottishhumanrights.com/in-practice/human-rights-based-approach

Environment and Sustainability

The Commission's Sustainability report was published in November 2016 and is available on the Commission's website www.scottishhumanrights.com/publications-reports



Matt Smith
Commissioner, Scottish Commission for Human Rights

Date: 10 November 2016

Accountability Report

Corporate Governance Report: Director's Report

Chair and Members of the Scottish Commission for Human Rights

The Chair:

Judith Robertson:
Appointed 21 March 2016 for one term of 6 years.

Alan Miller:
Appointed 3 March 2008. Appointment ended 2 March 2016.

Members:

Matt Smith: Appointed September 2010 (for a period of 4 years) and reappointed 1 September 2014 (for a period of 3 years).

Susan Kemp: Appointed 1 May 2015 (for one term of 6 years).

Alan Mitchell: Appointed 1 May 2015 (for one term of 6 years).

Shelagh McCall: Appointed May 2008. Appointment ended 30 April 2015.

Kay Hampton: Appointed May 2008. Appointment ended 30 April 2015.

In 2015-16 Matt Smith and Susan Kemp served as members of the Commission's Finance, Risk and Audit Committee.

Alan Miller was Accountable Officer until 2 March 2016. Effective 3 March 2016, the SPCB designated Matt Smith as the interim Accountable Officer.

Provision of Information to Employees

The Commission has adopted the principles of openness and participation in its organisation and places a high level of importance on both informing and consulting staff. It does so by providing access to all documents, through oral and written briefings, by staff meetings and events. Information is only withheld where this can be shown to be justified or where a duty of confidence is owed to a third party.

Pensions

Details of pension contributions can be found in notes 1.6, 3.2 and 4 of the Accounts.

Register of Interests / Freedom of Information

The Commission maintains a register of company directorships and other significant interests held by the Commission members and the Commission staff. Paragraph 17 to Schedule 1 of the Scottish Commission for Human Rights Act amends the Freedom of Information (Scotland) Act 2002 (FOISA) to include the Commission as a

Scottish public authority. This creates a range of duties on the Commission that include ensuring that staff are trained on FOISA, ensuring that processes are in place to deal with Freedom of Information requests and ensuring that there is a records management system and an approved publications scheme. Details of the number of requests received can be found in our Annual Report www.scottishhumanrights.com/publications-reports

Personal Data

There were no incidents relating to personal data in the period.

Disclosure of Information to Auditors

As Accountable Officer, I am not aware of any relevant information of which our auditors are unaware. I have taken all necessary steps to ensure that I myself am aware of any relevant information and to establish that the auditors are also aware of this information.

Audit

The accounts are audited by auditors appointed by the Auditor General for Scotland in accordance with paragraph 15(1) of Schedule 1 of the Scottish Commission for Human Rights Act 2006. There has been no remuneration paid to the auditors for any non-audit work and no non-audit work has been undertaken by the auditors.

Corporate Governance Report: Statement Of Accountable Officer's Responsibilities

The Scottish Parliamentary Corporate Body (SPCB) designated the Chair as the Accountable Officer for the Scottish Commission for Human Rights to 02 March 2016. In March 2016, the SPCB designated Matt Smith as the Accountable Officer. The relevant responsibilities as Accountable Officer, including responsibility for the propriety and regularity of the public finances and for the keeping of proper records, are set out in the Memorandum to Accountable Officers of Other Public Bodies issued by the Scottish Government and published in the Scottish Public Finance Manual.

Under paragraph 15(1) of Schedule 1 to the Scottish Commission for Human Rights Act 2006, the Commission is required to prepare a statement of accounts for each financial year in the form as directed by the Scottish Ministers. The accounts are prepared on an accruals basis and must give a true and fair view of the Commission's affairs at the year end and of its financial activities during the year.

In preparing the accounts, the Commission is required to:

- (i) Observe the Accounts Direction issued by the Scottish Ministers, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis.
- (ii) Make judgements and estimates on a reasonable basis.
- (iii) State whether applicable accounting standards have been followed and disclose and explain any material departures in the financial statements.
- (iv) Prepare the financial statements on a "going concern" basis, unless it is inappropriate to presume that the Commission will continue in operation.

Corporate Governance Report: Governance Statement

Chair of the Commission

The Chair is responsible for ensuring that appropriate and adequate internal controls are in place to support the office in successfully accomplishing its objectives and to safeguard the public funds under its control.

The Scottish Commission for Human Rights Act 2006 provides that the Commission is an independent office in the exercise of its functions and is not subject to the direction or control of any member of the Scottish Parliament, any member of the Scottish Government or the Scottish Parliamentary Corporate Body (SPCB), unless where otherwise indicated (see paragraph below).

The Scottish Commission for Human Rights Act 2006 provides that the SPCB shall pay the salaries, allowances and any expenses incurred by the Members of the Commission. It also provides that SPCB approval is required as to the number and terms and conditions of staff and the arrangements for pensions, allowances and gratuities.

The office of the Scottish Commission for Human Rights

The Chair of the Commission is appointed by the Scottish Parliament. The appointment of the current Chair of the Commission, Judith Robertson, is for a term of six years. The Chair and Commission Members can only be removed before the end of a term by a vote of two thirds of the Members of the Scottish Parliament. The Commission comprises the Chair of the Commission and three Commissioners appointed by the Scottish Parliament. Following legislative change, new appointments to the Commission will be for a maximum of one term of eight years.

The staff management team comprises the Head of Strategy and Legal, the Business Manager and the Communications and Participation Manager.

The Governance Framework of the Commission

The Commission operates against four year strategic plans which are developed and approved by the Commission. The Strategic Plan 2012-2016 was delivered through implementation of biennial Operational Plans. The Commission's operational plans are linked to our budget and risk management strategy and delivery of plans are supported by project plans and internal operating procedures and policies. Delivery of operational plans is achieved through a project structure which includes project initiation procedures, risk management, budget planning, and on-going project management and monitoring against planned budget, milestones and objectives. In 2016-17 the Commission will review its planning approach and processes for the delivery of its new strategic plan.

Members of the Commission convene throughout the year and are responsible for setting the strategic direction of the Commission, ensuring the delivery of Strategic Plans and have a duty to ensure the effective and efficient running of the Commission. The Commission is supported in its function by a Finance, Risk and

Audit Committee (FRAC). The Commission reviews performance against strategic and operational plans and receives assurances from FRAC on use of resources and financial performance. The members of the Commission operate within the terms of reference contained in the Commissioners' Handbook. FRAC operates within agreed Terms of Reference. The Commission and FRAC meetings are conducted against a pre-agreed agenda. Minutes of Commission meetings are published on the Commission's website.

FRAC comprises of two Commissioners. FRAC meets quarterly and reviews the financial performance of the Commission against planned budget, reviews transactional reports and is engaged in supporting the annual audit process. FRAC activities are conducted against an annual timetable set at the beginning of each financial year. In addition the Commission has access to the independent members of the SPCB's Audit Advisory Board (AAB), the Accountable Officer meets with the AAB annually to consider the audited accounts and audit reports prior to the signing of the accounts. The Commission can seek advice from the AAB throughout the year.

The accounts are audited by auditors appointed by the Auditor General for Scotland. There was no internal audit activity during the year.

Risk and Control Framework

A Risk Management approach has been developed which considers the risks to which the Commission could be exposed and details how the Commission will identify and control any such risks in accordance with best practice. A key strand is identifying and regularly reviewing the risks which may deflect the Scottish Commission for Human Rights from achieving its objectives. In 2015-16, the Commission continued to ensure that actions to control risks were undertaken and that new or changing risks were identified.

Review of effectiveness

As Accountable Officer I have the responsibility for reviewing the effectiveness of the Commission's Corporate Governance. The following arrangements have been established to date and are operating effectively:

- In 2015-16 the Commission met throughout the year to consider the plans and strategic direction of the organisation.
- The principles of the Scottish Public Finance Manual are adhered to.
- In 2015-16 FRAC met four times and reviewed performance against budget, transactional reports, risk register outputs and audit reports. FRAC provides assurance to the Commission on areas delegated to it.
- In 2015-16 the Commission developed a Records Management Plan which was agreed by the Keeper of the Records of Scotland.
- In May 2016 the Chair, FRAC and the Business Manager met to review FRAC Terms of Reference and the governance framework for the coming period.

In the coming year we will:

- Hold a risk workshop to consider risks that could impact the delivery of our strategic and operational plans in the period ahead.
- Review our Risk Management policy with the aim of streamlining processes, ensuring our risk management approach is effective in enabling the Commission to deliver its Strategic and Operational Plans.
- Develop our approach and processes for organisational planning.

More generally, the organisation is committed to a process of continuous development and improvement. The Commission will continue to be guided by the Scottish Public Finance Manual in reviewing its systems.

Remuneration and Staff Report

On 31st March 2016 there were four Members of the Commission, including the Chair.

The officeholders' terms and conditions are set by the Scottish Parliamentary Corporate Body.

- The former Chair's appointment was for two terms, a combined period of 8 years. The current Chair's appointment is for one term of 6 years. The new Members appointed in 2015 were appointed for one term of 6 years.
- The Chair's and Member's salary and Chair's pension entitlement are set out below. The Chair is a full time appointment. The other three Members are paid a daily rate of £260.14 and expenses for up to a maximum of 30 days per year which equates to a maximum pay of £7,804.20 per annum per part-time Member.

The part-time Members' posts are non-pensionable. The Chair was employed on a full-time basis in 2015-16.

	Remuneration 2015-16	Pension 2015-16	Total Remuneration 2015-16	Remuneration 2014-15	Pension 2014-15	Total Remuneration 2014-15
	£'000	£'000	£'000	£'000	£'000	£'000
Chair Salary:						
Alan Miller	70-75	15-20	85-95	75-80	15-20	90-100
Judith Robertson	0-5	-	0-5	-	-	-
Part Time Members' Salary:						
Matt Smith	5-10	-	5-10	5-10	-	5-10
Alan Mitchell	5-10	-	5-10	-	-	-
Susan Kemp	5-10	-	5-10	-	-	-
Kay Hampton	0-5	-	0-5	5-10	-	5-10
Shelagh McCall	0-5	-	0-5	5-10	-	5-10

The pension figure is the employer contribution paid. There are no real increase in pension/ lump sum figure, no pension benefits figure and no Cash Equivalent Transfer Values because the Chair's pension is not a civil service pension. The post of the Chair of the Commission is not eligible for admission to the Civil Service Pension. The former Chair's term of office ended on 2nd March and the current Chair's term of office started 21st March.

Salary includes basic salary and does not include employer National Insurance or pension contributions. The highest paid member of the senior management team was the Chair. The salary of the former Chair was 1.7 times the £42,766 median salary paid to Commission staff in 2015-16 (2014-15, 1.8 times £44,353).

Pension Benefits

Pension contributions of £17,556 (2014-15, £18,962) were made on behalf of the former Chair to a defined contribution scheme and no further liability therefore exists on the Organisation with regard to these contributions. No pension contributions had been made for the new Chair at 31st March 2016.

Employee Information

On 31st March 2016, the Commission had four Members of the Commission, including the Chair and thirteen (9.8 FTE) staff, six full time and seven part time.

Members of the Commission	Male 2	Female 2
Employees	Male 2	Female 11

No members of the Commission's staff left under voluntary or compulsory exit schemes in 2015-16 (2014-15, nil).

The average number of days lost due to sickness in the period was 2.5 days (2014-15, 1.4 days) per person.



Matt Smith
Commissioner, Scottish Commission for Human Rights

Date: 10 November 2016

Independent auditor's report to the members of the Scottish Commission for Human Rights, the Auditor General for Scotland and the Scottish Parliament

I have audited the financial statements of the Scottish Commission for Human Rights for the year ended 31 March 2016 under the Scottish Commission for Human Rights Act 2006. The financial statements comprise the Statement of Comprehensive Net Expenditure, the Statement of Financial Position, the Statement of Cash Flows, the Statement of Changes in Taxpayers' Equity and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and International Financial Reporting Standards (IFRSs) as adopted by the European Union, and as interpreted and adapted by the 2015/16 Government Financial Reporting Manual (the 2015/16 FReM).

This report is made solely to the parties to whom it is addressed in accordance with the Public Finance and Accountability (Scotland) Act 2000 and for no other purpose. In accordance with paragraph 125 of the Code of Audit Practice approved by the Auditor General for Scotland, I do not undertake to have responsibilities to members or officers, in their individual capacities, or to third parties.

Respective responsibilities of Accountable Officer and auditor

As explained more fully in the Statement of the Accountable Officer's Responsibilities, the Accountable Officer is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and is also responsible for ensuring the regularity of expenditure and income. My responsibility is to audit and express an opinion on the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland) as required by the Code of Audit Practice approved by the Auditor General for Scotland. Those standards require me to comply with the Auditing Practices Board's Ethical Standards for Auditors. I am also responsible for giving an opinion on the regularity of expenditure and income in accordance with the Public Finance and Accountability (Scotland) Act 2000.

Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the body's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the Accountable Officer; and the overall presentation of the financial statements. It also involves obtaining evidence about the regularity of expenditure and income. In

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addition, I read all the financial and non-financial information in the Annual Report and Accounts to identify material inconsistencies with the audited financial statements and to identify any information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by me in the course of performing the audit. If I become aware of any apparent material misstatements, irregularities, or inconsistencies I consider the implications for my report.

Opinion on financial statements

In my opinion the financial statements:

- give a true and fair view in accordance with the Scottish Commission for Human Rights Act 2006 and directions made thereunder by the Scottish Ministers of the state of the body's affairs as at 31 March 2016 and of its net expenditure for the year then ended;
- have been properly prepared in accordance with IFRSs as adopted by the European Union, as interpreted and adapted by the 2015/16 FReM; and
- have been prepared in accordance with the requirements of the Scottish Commission for Human Right Act 2006 and directions made thereunder by the Scottish Ministers.

Opinion on regularity

In my opinion in all material respects the expenditure and income in the financial statements were incurred or applied in accordance with any applicable enactments and guidance issued by the Scottish Ministers.

Opinion on other prescribed matters

In my opinion:

- the part of the Remuneration and Staff Report to be audited has been properly prepared in accordance with the Scottish Commission for Human Rights Act 2006 and directions made thereunder by the Scottish Ministers; and
- the information given in the Performance Report for the financial year for which the financial statements are prepared is consistent with the financial statements.

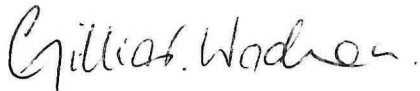
Matters on which I am required to report by exception

I am required to report to you if, in my opinion:

- adequate accounting records have not been kept; or

- the financial statements and the part of the Remuneration and Staff Report to be audited are not in agreement with the accounting records; or
- I have not received all the information and explanations I require for my audit; or
- the Governance Statement does not comply with guidance from the Scottish Ministers.

I have nothing to report in respect of these matters.



Gillian Woolman MA FCA
Assistant Director
Audit Scotland
102 West Port
Edinburgh
EH3 9DH

10 November 2016

Statement of Comprehensive Net Expenditure

Year ended 31 March 2016

Expenditure	<u>Notes</u>	<u>2015-16</u> £'000	<u>2014-15</u> £'000
Staff costs	3	682	697
Depreciation	6/7	9	10
Other Expenditures	5	252	243
Total expenditure for the year		<u>943</u>	<u>950</u>
Income		<u>0</u>	<u>0</u>
Net expenditure		<u>943</u>	<u>950</u>

All amounts relate to continuing activities. There have been no gains or losses other than those recognised in the Statement of Comprehensive Net Expenditure.

The accompanying notes on pages 23 to 29 form an integral part of these Accounts.

Statement of Financial Position as at 31 March 2016

		<u>2015-16</u>	<u>2014-15</u>
	<u>Notes</u>	<u>£'000</u>	<u>£'000</u>
Non-current assets			
Property, plant and equipment	6	17	13
Intangible assets	7	2	3
Total non-current assets		<u>19</u>	<u>16</u>
Current assets			
Trade and other receivables	8	2	2
Cash and cash equivalents	9	88	42
Total current assets		<u>90</u>	<u>44</u>
Total assets		<u>109</u>	<u>60</u>
Current liabilities			
Trade and other current payables	10	(85)	(37)
Total assets less current liabilities		<u>24</u>	<u>23</u>
Net Assets		<u>24</u>	<u>23</u>
Taxpayers' equity			
General Fund		24	23
		<u>24</u>	<u>23</u>

The Accountable Officer authorised these financial statements for issue on ~~07~~ 10 November 2016



Matt Smith, Commissioner
Scottish Commission for Human Rights

Date: 10 November 2016

Cash Flow Statement for Year Ended 31 March 2016

	<u>2015-16</u>	<u>2014-15</u>
	£'000	£'000
<u>Cash flows from operating activities</u>		
Net Operating Cost	(943)	(950)
Adjustment for non cash transactions		
Depreciation	9	10
Movements in Working Capital		
Decrease/(increase) in Trade and other receivables	(0)	1
Increase/(Decrease) in Trade and other payables	48	(10)
Net cash outflow from operating activities	<u>(886)</u>	<u>(949)</u>
<u>Cashflows from investing activities</u>		
Purchase of property, plant and equipment	(11)	0
Purchase of intangible assets	(1)	0
Net cash outflow from investing activities	<u>(12)</u>	<u>0</u>
<u>Cashflows from financing activities</u>		
Financing from the Scottish Parliamentary Corporate Body	944	958
Increase / (decrease) in Cash	<u>46</u>	<u>9</u>

Net Increase in Cash and cash equivalents

	At 1 April 2015 £'000	Cash Flow £'000	At 31 March 2016 £'000
Cash at Bank and in Hand	42	46	88

Statement of Changes in Taxpayers' Equity for year ended 31 March 2016

	General £'000	Total £'000
Balance at 1 April 2015	23	23
Changes in taxpayers equity for 2015-16		
Net expenditure for the year	(943)	(943)
Total recognised income and expense for 2015-16	<u>(920)</u>	<u>(920)</u>
Funding from Scottish Parliamentary Corporate Body	944	944
Balance at 31 March 2016	<u>24</u>	<u>24</u>

Notes to the Accounts

1 Statement of accounting policies

1.1 Basis of Accounting

These financial statements have been prepared in accordance with the 2015-16 Government Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of the Commission for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Commission are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

1.2 Non-current assets

1.2.1 *Capitalisation*

Purchases of assets, or groups of assets, for a value exceeding £300 inclusive of irrecoverable VAT are treated as capital.

1.2.2 *Valuation*

Tangible fixed assets are held at depreciated historic cost as a proxy for fair value.

1.2.3 *Depreciation*

Depreciation is provided on all tangible fixed assets at rates calculated to write off the cost or valuation in equal instalments over the remaining estimated useful life of the asset. These are as follows:

Furniture and equipment 5 years
Fixtures & Fittings 5 years
IT Equipment 3 years

Intangible assets

- 1.3** Software and licences are capitalised as intangible fixed assets and amortised on a straight line basis over the expected life of the asset up to a maximum of 3 years.

1.4 Funding

Funding received from the SPCB is credited directly to the general fund in the period to which it relates.

1.5 Leases

Rentals payable under operating leases are charged on a straight-line basis over the term of the lease. The Scottish Commission for Human Rights was co-located with the Scottish Public Services Ombudsman in Edinburgh until 15th February 2016. On 15th February the Commission relocated to Governor's House. The office is subject of a Memorandum of Terms of Occupancy with the Scottish Government for an initial period of 3 years.

1.6 Pension Costs

The Commission Members

Pension contributions of £17,556 were made on behalf of the former Chair to a defined contribution scheme and no further liability therefore exists on the organisation with regard to these contributions. The part time members posts are not pensionable. No pension contributions were made for the current Chair in 2015/16 due to pension arrangements not yet commencing in the period.

Employees

Employees are members of the Civil Service Pension Scheme. The Scheme is a multi-employer scheme where the share of the assets and liabilities applicable to each employer is not identified. The Commission therefore accounts for pension costs on a defined contribution basis as permitted by IAS19 and no liability is shown in the Statement of Financial Position.

A full actuarial valuation was carried out as at 31 March 2012. The scheme is financed by payments from the employer and from those current employees who are members of the PCSPS, who pay contributions at different rates which depend on their salaries and the section of the pension scheme of which they are a member. The rate of employer contributions is typically set following an actuarial valuation. The 2012 actuarial valuation recommended employer contributions of 21.1%. Government Actuary's Department has been appointed as the PCSPS actuary. Further details can be found in the separate scheme statement if the PCSPS Actuarial valuation:
<http://civilservicepensionscheme.org.uk/media/94676/pcspss-2012-valuation-final-report-final-22072014.pdf>

1.7 Value Added Tax

The Commission is not VAT registered. All VAT, except that on purchases of non-current assets, is charged to the income and expenditure account.

1.8 Financial Instruments

As the cash requirements of the Commission are met by the Scottish Parliamentary Corporate Body through the spending review process, financial instruments play a more limited role in creating and managing risk than would apply to a non-public sector body. The majority of financial instruments relate to contracts to buy non-financial items in line with the Commission's expected purchase and usage requirements and the Commission is therefore exposed to little credit, liquidity or market risk.

2 Performance Against Budget

The Commission is funded through the SPCB. For financial year 2015-16, the Commission was allocated a budget of £952,000.

	2015-16 Budget £'000	2015-16 Expenditure £'000
Net Operating Cost	952	943
Capital Expenditure	0	12
Total Expenditure	<u>952</u>	<u>955</u>
Accruals adjustments:		
Non cash items	0	(9)
Working capital (including cash)	0	(2)
Cash Funding from SPCB	<u>952</u>	<u>944</u>

3 Staff Numbers and Costs

3.1 *Average Staff Employed (Full Time Equivalent)*

	2015-16 FTE	2014-15 FTE
Chair and members	1.3	1.3
Staff	<u>10.1</u>	<u>12.3</u>
	<u>11.4</u>	<u>13.6</u>

3.2 Commission members and staff costs

Staff costs	<u>2015-16</u>	<u>2014-15</u>
	£'000	£'000
Salaries / wages	436	439
Social security costs	32	37
Pension costs	88	91
	<u>556</u>	<u>567</u>
Commission members		
Salaries / wages	99	101
Social security costs	9	10
Pension costs	18	19
	<u>126</u>	<u>130</u>
	<u>682</u>	<u>697</u>

The position of Chair of the Commission is not eligible for admission to the Civil Service Pension Schemes. The arrangement is that equivalent employer's contributions that would have been paid into the Civil Service Pension Schemes are paid into the personal pension for the Chair of the Commission. Employer contributions are not made for other Commission members.

4 Staff pension costs

For 2015-16 the employer's contributions of £88,288 (2014-15, £91,105) were payable to the PCSPS at one of four rates in the range 20.0 to 24.5 per cent of pensionable pay, based on salary bands.

The contribution rates reflect benefits as they are accrued, not when the costs are actually incurred, and reflect past experience of the scheme.

Outstanding scheme contributions at 31 March 2016 amounted to £0k (2015 - £0k).

5 Other expenditures	2015-16	2014-15
	£'000	£'000
Operational costs	52	50
Operational consultancy	26	25
Property costs	60	55
IT costs	11	10
Web-site	20	24
Training, conferences and subscriptions	13	10
Auditor's remuneration	12	12
Printing, stationery & library costs	4	3
General office costs	12	10
Travel, subsistence and hospitality	39	31
Legal and consultancy fees	2	3
Recruitment Costs	0	10
Loss on disposal of fixed assets	1	0
	252	243

The above total includes £12,000 for external auditor's remuneration.

6 Property, plant and equipment

	Office	IT	Total
	£'000	£'000	£'000
<u>Cost</u>			
At 1 April 2014	0	27	27
Additions	0	0	0
Disposals	0	0	0
At 31 March 2015	<u>0</u>	<u>27</u>	<u>27</u>
At 1 April 2015	0	27	27
Additions	9	2	11
Disposals	0	(1)	(1)
At 31 March 2016	<u>9</u>	<u>28</u>	<u>37</u>
<u>Accumulated depreciation</u>			
At 1 April 2014	0	6	6
Charge for Year	0	8	8
Disposals	0	0	0
At 31 March 2015	<u>0</u>	<u>14</u>	<u>14</u>
At 1 April 2015	0	14	14
Charge for Year	0	7	7
Disposals	0	(1)	(1)
At 31 March 2016	<u>0</u>	<u>20</u>	<u>20</u>
<u>Net Book Value at</u>			
At 31 March 2016	<u>9</u>	<u>8</u>	<u>17</u>
At 31 March 2015	<u>0</u>	<u>13</u>	<u>13</u>

7 Intangible assets

	IT Software & Licences £'000	Total £'000
<u>Cost</u>		
At 1 April 2014	5	5
Additions	0	0
Disposals	0	0
At 31 March 2015	<u>5</u>	<u>5</u>
At 1 April 2015	5	5
Additions	1	1
Disposals	0	0
At 31 March 2016	<u>6</u>	<u>6</u>
<u>Accumulated depreciation</u>		
At 1 April 2014	0	0
Charge for Year	2	2
Disposals	0	0
At 31 March 2015	<u>2</u>	<u>2</u>
At 1 April 2015	2	2
Charge for Year	2	2
Disposals	0	0
At 31 March 2016	<u>4</u>	<u>4</u>
<u>Net Book Value at</u>		
At 31 March 2016	<u>2</u>	<u>2</u>
At 31 March 2015	<u>3</u>	<u>3</u>

8 Trade and other Receivables

	<u>2015-16</u> £'000	<u>2014-15</u> £'000
Trade receivables	0	0
Prepayments and accrued income	<u>2</u>	<u>2</u>
	2	2

9 Cash and cash equivalents

	<u>2015-16</u> £'000	<u>2014-15</u> £'000
Balance at 1 April	42	33
Net change in cash and cash equivalents	46	9
Balance at 31 March	<u>88</u>	<u>42</u>
The following balances at 31 March were held at:		
Commercial Banks	<u>88</u>	<u>42</u>

10 Trade payables and other current liabilities

	<u>2015-16</u>	<u>2014-15</u>
	<u>£'000</u>	<u>£'000</u>
Trade payables	42	3
Accruals	43	34
	<u>85</u>	<u>37</u>

11 Capital Commitments

There were no contracted capital commitments as at 31 March 2016 (2015, £nil).

12 Contingent Liabilities

There were no contingent liabilities as at 31 March 2016 (2015, £nil).

13 Related Party Transactions

The Commission was constituted by the Scottish Parliament which provides funding via the Scottish Parliamentary Corporate Body (SPCB). The SPCB is regarded as a related body.

During the year the Commission had transactions with the Scottish Public Service Ombudsman (SPSO) relating to rental of office accommodation totalling £51k (2014-15, £55k) and with the Scottish Government for IT systems totalling £11k (2014-15, £10k) and rental of office accommodation totalling £9k (2014-15, £nil). At the 31st March there were no outstanding balances with SPSO (2014-15, £nil) and there was an outstanding balance of £11,410 with the Scottish Government (2014-15, £nil).

Neither the Chair, Commission members or staff has undertaken material transactions with the Commission during the year.

14 Commitments under Operating Leases

	<u>Buildings & equipment</u>
	<u>£'000</u>
At 31 March the Commission was committed to making the following payments in respect of operating leases expiring:	
within one year	33
between 2 and 5 years	53

15 Post Balance Sheet Events

No event has occurred since the date of the balance sheet which materially affects the financial statements.



Scottish Commission for Human Rights

DIRECTION BY THE SCOTTISH MINISTERS

1. The Scottish Ministers, in pursuance of Schedule 1, paragraph 15 of the Scottish Commission for Human Rights Act 2006, hereby give the following direction.
2. The statement of accounts for the financial year ended 31 March 2009, and subsequent years, shall comply with the accounting principles and disclosure requirements of the edition of the Government Financial Reporting Manual (FRM) which is in force for the year for which the statement of accounts are prepared.
3. The accounts shall be prepared so as to give a true and fair view of the income and expenditure and cash flows for the financial year, and of the state of affairs as at the end of the financial year.
4. This direction shall be reproduced as an appendix to the statement of accounts.

A handwritten signature in black ink, appearing to read 'A. J. Stiff'.

Signed by the authority of the Scottish Ministers

Dated: 18 October 2008