

— THE OFFICE OF THE —
SCOTTISH ROAD WORKS COMMISSIONER

BUSINESS PLAN 2023-24

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Introduction

The Scottish Road Works Commissioner (SRWC) is an independent public official, appointed by and accountable to the Scottish Ministers. The SRWC acts as a regulator for the Roads Authorities and Utility Companies undertaking works in Scotland's roads.

As well as the Commissioner's duties as an independent regulator, the post oversees improvements to the planning, co-ordination and quality of road works in Scotland. He is responsible for promoting good practice across the sector and can impose financial penalties to drive compliance when necessary.

This Business Plan sets out the Commissioner's objectives for the year 2023-24.

Kevin Hamilton was appointed as Scottish Road Works Commissioner in November 2020 for a period of five years. This is his third formal Business Plan as SRWC.

The ongoing COVID-19 pandemic continues to impact on the road works community and the work of the SRWC. It is expected that the effects will reduce through the period of this plan although contingency measures will remain in place should impacts continue.

Legal Framework

The SRWC is an independent public official established under Section 16 of the Transport (Scotland) Act 2005 and is accountable to the Scottish Ministers and ultimately the Scottish Parliament. The SRWC has powers to appoint staff and has an established team to assist in the execution of his duties, who operate as the office of the Scottish Road Works Commissioner (oSRWC).

The Commissioner currently has powers to impose financial penalties on roads authorities who systematically fail in their duty to co-ordinate and on utility companies who systematically fail to co-operate when undertaking road works.

The power to issue penalties is normally only used as a last resort following opportunity for improvement having been given, or where previously established reasonable compliance targets are not achieved within the required timescale.

The functions of the Commissioner are laid out by the Transport (Scotland) Act 2005 and are as follows:

- Monitoring the carrying out of road works in Scotland;
- Promoting compliance with the New Roads and Street Works Act 1991 (the Act); and
- Promoting the pursuit of good practice by those persons who have functions conferred on or permissions granted to them by the Act.

The Commissioner is also the “Keeper” of the Scottish Road Works Register (SRWR). The SRWR is a single, centralised national public register which is used for the co-ordination of road works in Scotland. The functionality of this register underpins most of the work carried out by the Commissioner.

The Scottish Road Works Commissioner is appointed by the Scottish Ministers. The post is sponsored by Transport Scotland, an agency of the Scottish Government.

Vision

The SRWC’s vision was reviewed as part of the review of the Corporate Plan undertaken in 2022-23 and now reflects the need to transition towards a net zero economy. The corporate vision is:

“To minimise the impacts of road works and support the transition towards Net Zero through improved standards and working practices”

As an independent public official the SRWC’s overall vision aligns with the [National Performance Framework](#) (NPF). The SRWC’s vision aims to contribute to the Scottish National Outcomes in the NPF.

Further information on the vision of the SRWC and how this supports the Scottish National Outcomes is provided in the SRWC 2023-26 Corporate Plan.

Transport (Scotland) Act 2019 Implementation

The Transport (Scotland) Act 2019, which received Royal Assent in November 2019 contained several provisions relation to roadworks. Whilst the commencement of these provisions was delayed significantly by the COVID-19 pandemic a number of significant provisions were progressed in 2023-23 and come into force in April 2023.

It is likely that the final provisions of the Act will be progressed during this plan period which will require some input from the SRWC and changes to the SRWR. These final provisions are : powers to appoint authorised officers, issue compliance notices and making submission of underground asset data to the SRWR mandatory.

Scottish Road Works Commissioner’s Corporate Outcomes

The Scottish Road Works Commissioner has four overarching corporate outcomes, set out in the Corporate Plan 2023-2026, to achieve the overarching vision for his office, and to maintain the standards set from previous years.

They are as follows:

1. Monitor the carrying out of road works in Scotland;
2. Compliance with road works legislation;
3. Promotion of good practice;
4. Effective operation of the Commissioner’s office.

Review of 2022-23 Objectives

A full breakdown of progress against the objectives set in the 2022-23 Business Plan is included in Appendix A. I am pleased to report that all objectives were met, albeit the achievement of Cyber Essentials re-accreditation was delayed and not achieved until just after the end of the reporting year.

Recruitment of the new Policy and Quality Manger was completed in June 2023 and the review of the Corporate Plan carried over from 2021-22 was completed. The revised Corporate Plan includes a commitment on climate action.

The COVID-19 pandemic radically altered the way we do business in that staff no longer have to attend the office on a daily basis or attend business meetings in person. There has also been a reduction in the demand for in-person training support although the Technical Services Manager did provide three session to utility companies in the latter part of 2022.

Structure of this Business Plan

This business plan is a working document which acts as a guide for the Commissioner though the financial year. This document details a programme of objectives and activities designed to achieve the strategic aims of the SRWC.

Activities undertaken by the SRWC are broadly split into 5 distinct business areas in the following tables. The business areas identify how each activity is important in meeting the corporate aims of the SRWC, detailed above.

In line with the revised Corporate Plan, Key Performance Indicators (KPIs) are now included in this Business Plan and these are highlighted in **BOLD** the table.

The following abbreviations are used in the activities tables:

SRWC	Scottish Road Works Commissioner
PQM	Policy and Quality Manager
TSM	Technical Standards Manager
SRWRM	Scottish Road Works Register Manager
BGM	Business and Governance Manager
PrM	Performance Manager
RAUC(S)	Roads Authorities and Utilities Committee (Scotland)
Area RAUC	Area Roads Authorities and Utilities Committee
Local RAUC	Local Roads Authorities and Utilities Committee
SCOTS	Society of Chief Officers of Transportation in Scotland

BUSINESS AREA 1 : TECHNICAL/QUALITY MONITORING

	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome
1.1	Work with road works community at all levels to improve communication	100% Attendance at National RAUC(S) by the SRWC or a representative 100% Attendance at Area RAUC meetings by the SRWC or a representative	SRWC ALL	1,2,3	Economy
1.2	Contribute to National (UK) working groups	Ensure that the training and accreditation group (TAG) and safety at street works review has appropriate devolved nations input and that discrepancies are kept to an absolute minimum where possible. Attend at least 75% of quarterly TAG meetings. Attend at least 75% of Safety at Street Works Code working group meetings Attend at least 75% of HAUC(UK) Infrastructure working group	TSM TSM TSM PQM	2,3	Economy, Environment
1.3	Provide support to RAUC(S) working groups	Assist in the preparation of the coring programme report by the coring working group. Report due to be presented to RAUC(S) by June 2023. Support the co-ordination CoP working group with attendance at 100% of meetings. Support the co-ordination Inspection CoP working	TSM SRWRM SRWRM	3	Economy, Environment

		<p>group with attendance at 100% of meetings.</p> <p>Support the co-ordination Gazetteer working group with attendance at 100% of meetings.</p>	SRWRM		
1.4	SROR Review	Publication of agreed SROR by end June 2023.	SRWC / TSM	2,3	Economy, Environment
1.5	Analysis of live road works sites	Develop and trial a methodology for recording of live site situations utilising dashcams to analyse compliance with legislation.	TSM / PQM	1, 2	Economy, Environment
1.6	Continue to work with the wider Scottish road works community to seek strategies for an overall improvement in the standard of road works	<p>SRWC represented at 75% of meetings as follows:</p> <ul style="list-style-type: none"> • Scottish Road Research Board • SCOTS Liaison Committee • Scottish Pavement Forum 	SRWC/ TSM	3	Economy, Environment

BUSINESS AREA 2 : POLICY AND QUALITY

	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome
2.1	Establishment of Compliance Officers and Compliance Notice powers	Development of Code of Conduct by end August 2023 Preparation of Job outlines by end August 2023 Amendment of Penalties CoP by end April 2024 Recruitment of Compliance Officers by end April 2024	PQM / SRWC	2	Economy, Environment
2.2	RQP	Aim to have remaining organisations with approved RQPs by end August 2023.	PQM	2	Environment
2.3	Policy review framework	Create a policy review framework setting out timetable for reviewing all corporate and operational policies by end June 2023	PQM	4	
2.4	Continue to provide technical advice to the Scottish Government through implementation of Transport (Scotland) Act 2019	Provide input to proposed secondary legislation Dedicate staff time to sponsor body as required to assist with the implementation of the Act	SRWC/ PQM SRWC/ PQM	1,2,3	Economy, Environment
2.5	Continue to input to the development of policy through participation in the Scottish Government's Policy Development Group (PDG)	SRWC is represented at 100% of meetings of PDG	SRWC / PQM	1,2,3	Economy, Environment
2.6	Quarterly community SRWC/SRWR newsletter	Produce and disseminate 3 newsletters in line with RAUCS meeting cycle.	PQM	3	Economy, Environment

BUSINESS AREA 3: SRWR OPERATION AND MANAGEMENT

	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome
3.1	<p>Prescribed Fees and Amounts</p> <p>Collect all fees due in accordance with SPFM segregated duties</p>	<p>Levels of fee determined. Estimates issued by 1 March 2024, invoices issued by 1 April 2024.</p> <p>Collection of all Statutory Fees for use of the Register by end June 2023.</p>	<p>SRWRM</p> <p>BGM</p>	1,2,3,4	Economy, Environment
3.2	<p>Ensure that the SRWR operates in line with the contractual requirements and continues to develop, to provide added benefits to the Commissioner and the road works community</p>	<p>Monthly performance and progress review of Symology (Incumbent SRWR Provider)</p> <p>100% attendance at quarterly contract meeting with SRWR Provider</p> <p>100% attendance at quarterly meetings with SRWR Steering Group</p>	<p>SRWRM</p> <p>SRWC/ SRWRM</p> <p>SRWRM</p>	1,2,4	Economy, Environment
3.3	<p>SRWR Customer Survey</p>	<p>Complete analysis of 2022/23 survey and report to Steering group by May 2023 .</p> <p>Undertake 2023/24 Customer survey by end March 2024.</p>	SRWRM	2,3,4	Economy, Environment
3.4	<p>SRWR Contract Re-tender</p>	<p>Now in planning phase. Contact made with SG Procurement Services to ask for quotation. Awaiting their recommendation on procurement type (open etc.) and how this will affect timeline. Expected completion by May 2023.</p>	SRWRM	1,2,3,4	Economy, Environment

		<p>Assuming Open Procurement process is preferred the tendering process is expected to take place between May 2023 and October 2023.</p> <p>Evaluation planned for October 2023.</p> <p>Award by end of January 2024.</p> <p>Mobilisation between February 2024 and implementation date of 1 April 2025.</p>			
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BUSINESS AREA 4 : PERFORMANCE MONITORING

	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome
4.1	Annual Road Works Performance Reviews	Issue a full performance review for each road works authority and statutory undertaker by end of June 2023.	PrM/ SRWRM	1, 2	Economy, Environment
4.2	Measuring overall road works compliance	Organisations rated as either well managed or satisfactory in Annual Road Works Performance Review (Target 70%).	PrM	2	Economy, Environment
4.3	Refine quarterly Performance Reviews in order that performance is tracked though the year	Produce and refine quarterly dashboard. Ensure dashboard issued to organisations quarterly.	PrM/ SRWRM PrM/ SRWRM	1,2	Economy, Environment,
4.4	Increased scrutiny of roads authority inspection processes	Inclusion of new inspection reports into quarterly performance dashboard. Quarterly monitoring of inspection indicators	PrM PrM	1,2	Economy, Environment,
4.5	Operational objectives monitoring	Report on operational objectives performance monthly to team meetings	SRWC	3,4	Economy, Environment, Fair Work

BUSINESS AREA 5 : BUSINESS AND OFFICE GOVERNANCE

	Objectives	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcomes
5.1	Statutory Returns	All returns made on time: Quarterly Public Bodies Employment Collection Quarterly FOI and EIR Statistics Annual Business Register and Employment Survey – Office of National Statistics	BGM	4	Economy, Environment
5.2	Publish Annual Report and Accounts 2022-2023	Accounts prepared and submitted to Auditors by end June 2023 with appropriate working papers and report text. Accounts agreed and signed off by end October 2023.	BGM/SRWC BGM/SRWC	4	Economy, Environment, Fair Work, Human Rights
5.3	Customer Enquiries	Respond to 95% of general enquiries within 5 working days.	TSM	4	Human Rights, Fair Work
5.4	Adhere to Service Standards	95% FOI(S)/A/EIRs request timescales met	BGM	4	Human Rights, Fair Work
5.5	Undertake staff development and review process	Reviews undertaken by end May 2023 Mid-year reviews undertaken by end November 2023	SRWC SRWC	4	Fair Work
5.6	Compliance with SRWC and Scottish Public Finance Manual Procedures, policies and controls, including the FReM	At least 10 monthly budgeting meetings held 95% of payment made to suppliers within 10 days	BGM BGM	4	Economy, Environment

5.7	Sickness absence	Number of days per person lost to sickness absence. Target <5 days per person.	BGM	4	Fair Work
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MONITORING AND REPORTING

The SRWC will monitor and review the progress against the plan on a quarterly basis. This will allow any requisite action to be taken should this be required. Progress is also discussed with the SRWC Sponsor Team within Transport Scotland.

Progress against the objectives set in this plan will be published in next year's business plan.

RESOURCES

The Grant in Aid allocated by the Scottish Government for the SRWC 2023-24 is £535,000. This business plan identifies activities to be completed and spending expected within the 2023-2024 financial year in pursuance of the Commissioner's purpose, reflecting best value, whilst also being open honest and accountable.

The Commissioner is the legislative Keeper of the SRWR. This is funded through the fees levied by Scottish Road Works Register (Prescribed Fees) Regulations 2022. The total amount to be collected in 2023-24 is £950,387.

FEEDBACK / CONTACT US

The Scottish Road Works Commissioner is committed to providing a quality service for the road works community and the people of Scotland. To assist and improve this process, the Commissioner would be pleased to receive feedback and your views on the planning of the service. Alternatively, if you have any comments or complaints about our service please let us know.

All feedback received will be used to inform future plans



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ACCESSIBILITY AND INCLUSION

This document may be available in other formats, please contact us if you wish to discuss this matter.

APPENDIX A – BUSINESS PLAN 2022/23 OBJECTIVE MONITORING

BUSINESS AREA 1 : TECHNICAL/QUALITY CONTROL						
Objective	Key - Milestones/Performance Measures	Responsible	Corporate Aim	NPF Outcome	Current Status	Complete Y/P/N
Work with road works community at all levels to improve communication	100% Attendance at National RAUC(S) by the SRWC or a representative 100% Attendance at Area RAUC meetings by the SRWC or a representative	SRWC All	1,2 & 3	Economy	Represented at all Area and national meetings	Y
Contribute to National (UK) working groups	Represent Scotland at Training and Accreditation Group (TAG) UK (quarterly attendance) Represent Scotland on Safety at Street Works Code of Practice working group	TSM TSM	2 & 3	Economy, Environment	Attended TAG - 3 May 22 - 5 Jul 22 First meeting of Safety group March 23	Y
Provide support to RAUC(S) working groups	75% attendance at SROR working Group 75% attendance at Coring Working Group	TSM TSM	3	Economy, Environment	SROR - meetings every fortnight Coring group - attended all meetings	Y
Undertake Review of SROR.	First draft for RAUC(S) by October 2022 Final draft for SG by end December 2022	TSM	3	Economy, Environment	Report prepared for RAUCS 26 October, first draft circulated to community in advance of RAUCS meeting. Final draft approved by RAUCS on 22 February 2023.	Y
Continue to work with the wider Scottish road works community to seek strategies for an overall improvement in the standard of road works	SRWC represented at 75% of meetings as follows: • Scottish Road Research Board; • SCOTS Liaison Committee; • Transport Scotland Pavement Forum	SRWC/TSM	1,2 & 3	Economy, Environment	Attended SRRB - May 22, Aug 22, Nov 22, Feb 22 SCOTS - May 22, Aug 22, Nov 22, Jan 22 TSPF - Jun 22, Aug 22, Nov 22	Y

BUSINESS AREA 2 : POLICY AND QUALITY						
Objective	Key - Milestones/Performance Measures	Responsible	Corporate Aim	NPF Outcome	Current Status	Complete Y/P/N
Corporate Plan review	Review the Corporate plan, incorporating climate change plan and publish by April 2023	SRWC/PQM	3 & 4	Economy, Environment	Draft issued to Sponsor for comment, draft plan reviewed against sponsorship guidelines, revised KPIs to be incorporated into business plan process. Plan published March 23.	Y
Equality and Diversity Plan	Review Equality and Diversity plan by April 2023	SRWC/PQM	3 & 4	Human Rights, Fair Work	Complete and published on website August 22.	Y
Reinstatement Quality Plan framework development	Produce internal RQP assessment framework Produce and maintain RQP tracker Achieve approval of RQP for 100% of major utilities by April 2023	SRWC/PQM	3 & 4	Economy, Environment	Tracker now being utilised. Assessment matrix drafted and being used to assess submissions. Approval of 100% of major utilities achieved.	Y
Continue to provide technical advice to the Scottish Government through implementation of Transport (Scotland) Act 2019	Provide input to proposed secondary legislation Dedicate staff time to sponsor body as required to assist with the implementation of the Act	SRWC/PM SRWC/PM	1, 2 & 3	Economy, Environment	Regular meetings with TS.	Y
Continue to input to the development of policy through participation in the Scottish Government's Policy Development Group (PDG)	SRWC is represented at 100% of meetings of PDG	SRWC	1, 2 & 3	Economy, Environment	Attended PDG Jun 22, Sep 22, Feb 23	Y
Regular community SRWC/SRWR newsletter	Produce and disseminate 3 newsletters (in line with RAUC(S) meeting cycle)	SRWC/ PM/ SRWRM	3	Economy, Environment	Newsletter issued Jun 22, Oct 22, Mar 23	Y

BUSINESS AREA 3 : SRWR OPERATIONS AND MANAGEMENT						
Objective	Key - Milestones/Performance Measures	Responsible	Corporate Aim	NPF Outcome	Current Status	Complete Y/P/N
Produce annual matrix for the collection of prescribed fees and amounts Issue prescribed fees and amounts invoices in accordance with SPFM segregated duties Collect all fees due in accordance with SPFM segregated duties	Levels of fee determined Invoices prepared Collection of all Statutory Fees for use of the Register by end June 2022.	SRWRM SRWRM BM	1, 2, 3 & 4	Economy, Environment	Complete. All fees collected.	Y
Ensure that the SRWR operates in line with the contractual requirements and continues to develop, to provide added benefits to the Commissioner and the road works community	Monthly performance and progress review of Symology (Incumbent SRWR Provider) Quarterly contract meeting with Symology (Incumbent SRWR Provider) Quarterly meetings with SRWR Steering Group	SRWRM SRWC/SRWRM SRWRM	1, 2 & 4	Economy, Environment	Monthly reports being produced by Symology. Contract meeting held May 22, Aug 22, Nov 22, Feb 23. SRWR Steering Group meeting May 22, Aug 22, Nov 22, Feb 23	Y

SRWR Customer Survey	Complete analysis of 2021/22 survey and report to Steering group. Undertake 2022/23 Customer survey.	SRWRM			21/22 Results reported to Steering group 22/23 Survey issued 9 Jan 23 and closed Feb 23. Discussed with Symology and summary to be produced for SRWR Steering group.	Y
SRWR Re-tender	Commence Re-tender process. Produce milestone plan and engage with SG procurement and digital colleagues.	SRWRM	1, 2 & 4	Economy, Environment	Draft milestone plan produced and engagement with procurement and digital undertaken.	Y

BUSINESS AREA 4 : PERFORMANCE MONITORING						
Objective	Key - Milestones/Performance Measures	Responsible	Corporate Aim	NPF Outcome	Current Status	Complete Y/P/N
Operational objectives monitoring	Report on operational objectives performance quarterly to team meetings	PrM	3 & 4	Economy, Environment, Fair Work	Reviewed Jun 22, Sep 22, Oct 22, Jan 23, Feb 23, Mar 23	Y
Increased scrutiny of roads authorities and their use of the register	Continue to examine inconsistencies in the placing of notices on the SRWR between roads authorities in each of the five SCOTS peer groups	PrM	1 & 2	Economy, Environment	Identified target authorities through performance review process and initial contact made. Raised at SCOTS Exec level.	Y
Review of Roads Authority Inspection practices	Examine all roads authority inspection statistics, identify patterns and report with recommendations.	PrM	1 & 2	Economy, Environment	Initial work done. Commissioner raised with SCOTS Exec level and agreed to discuss with new SCOTS Roads Chair. Data on late inspections analysed, wrote to affected authorities and results have improved.	Y
Refine quarterly Performance Reviews in order that performance is tracked through the year	Produce and refine quarterly dashboard Issue dashboard quarterly to organisations	PrM/SRWORM	1 & 2	Economy, Environment	Dashboard issued Jul 22, Oct 22, Jan 23 Inspection info augmented.	Y
Produce SRWC Annual Performance Review of organisations	Full performance review issued for all of SRWR users by end of August 2022	PrM/SRWORM	1 & 2	Economy, Environment	Issued 26 May	Y
Annual Sector Performance Report	Compile and publish annual performance report by end October 2022	PM/PrM	1, 2 & 3	Economy, Environment	Report Published in October 2022.	Y

BUSINESS AREA 4 : BUSINESS AND OFFICE GOVERNANCE						
Objective	Key - Milestones/Performance Measures	Responsible	Corporate Aim	NPF Outcome	Current Status	Complete Y/P/N
Statutory Returns	All returns made on time	BM	4	Economy, Environment	All statutory returns made within timescales.	Y
Adhere to Service Standards	95% FOI(S)/A/EI(S)/R request timescales met	BM	4	Human Rights, Fair Work	100% responded within timescales	Y
Undertake staff development and review process	Reviews undertaken by May 2022	SRWC	1, 2 & 3	Fair Work	Reviews undertaken end Mar 22. Mid year reviews completed Nov 22.	Y
	Mid-year reviews undertaken by November 2022	SRWC				
Compliance with SRWC and Scottish Public Finance Manual Procedures, policies and controls, including the FReM	Monthly budgeting meetings held	BM	4	Economy, Environment	12 Budget meetings held Invoices 100% paid within 10 days.	Y
	95% of payment made to suppliers within 10 days	BM				
Publish Annual Report and Accounts 2021-22	Accounts prepared and submitted to Auditors by end June 2022 with appropriate working papers and report text	SRWC	4	Economy, Environment, Fair Work, Human Rights	Report signed off by SRWC and Auditor, Sep 2022. Submitted to TS on 4 Oct 22, Published Dec 22	Y
	Accounts agreed and published by end October 2022	SRWC				
Update the Commissioner's website. Review and revamp ensuring that it is up to date	Review website content twice a year	BM/PrM	3 & 4	Economy, Environment, Fair Work, Human Rights	Website reviewed Apr-22, Oct 22	Y
	Ensure that documents uploaded are accessible	BM/PrM				

Oversee all financial transactions and ensure they are recorded correctly	100% of invoices recorded correctly	BM	4	Economy, Environment, Fair Work, Human Rights	100% recorded correctly	Y
Risk Management Review	Review Risk Management Processes including risk appetite statement and transition of risk register to new format by August 2022 Ensure all staff complete Risk Management training by end July 2022	SRWC / PQM			Risk management review completed and transferred to new format with risk appetite statements Aug 22. Risk training completed Jun 22.	Y
Cyber Resilience	Renew Cyber Essentials Accreditation by January 2023 Undertake two Cyber Resilience training sessions with staff	SRWC			Cyber Essentials accreditation lapsed. Application delayed due to lack of available resources. Application in progress March 2023 and completed on 5 April 2023 Cyber resilience training held 29 March, 27 July.	Y
Records Management review	Implement recommendations of Keeper of Records in relation to Records Management Plan.	BM/PrM	4	Economy, Environment, Fair Work, Human Rights	Keeper has approved plan and now published on website, Service Level Agreement now signed Dec 22	Y