# SCOTTISH ROAD WORKS COMMISSIONER

**Business Plan 2024-25** 

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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 2024-25.

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

#### Legal Framework

The Commissioner 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 Commissioner has powers to appoint staff and has an established team to assist in the execution of his duties.

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 targets are not achieved within the required timescale.

As of 1 April 2024, the Commissioner will have powers to issue Compliance Notices where specific duties under NRSWA and the Roads (Scotland) Act 1984 have been breached. Failure to comply with the Notice is an offence that, upon conviction, may result in an unlimited fine.

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 Commissioner'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 Commissioner's overall vision aligns with the <u>National Performance Framework</u> (NPF). The Commissioner'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 in relation to roadworks. Most of these have now been

implemented and we are moving towards the final stages of this process, with most of the remaining provisions being progressed in 2023-24.

These are: powers to appoint authorised officers, issue compliance notices and making submission of underground asset data to the SRWR mandatory. These came into force on 1 April 2024.

#### **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 2023-24 Objectives

A full breakdown of progress against the objectives set in the 2023-24 Business Plan is included in Appendix A. Unfortunately, three objectives were not fully met, these being:

- Objectives for Scottish Road Works Register to be re-tendered have not been achieved. This is as a consequence of having to complete Scottish Government Digital Procurement Gateway Reviews.
- The objective to ensure that 95% of payments to suppliers are made within ten
  days was not achieved. This was as a consequence of a process issue being
  identified mid-year. This has been rectified and performance has subsequently
  improved.
- Two undertakers expected to have submitted RQPs (and had these approved by the Commissioner) have still to do this.

Recruitment of two new Compliance Officers was completed in March 2024.

#### 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 Commissioner.

Activities undertaken by the Commissioner 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 Commissioner, 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 the Objective description and the use of **BOLD** text in 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)
Area RAUC
Area RAUC
Local RAUC
Area Roads Authorities and Utilities Committee
Local Roads Authorities and Utilities Committee

SCOTS Society of Chief Officers of Transportation in Scotland

# **Business Area 1 – Technical/Quality Monitoring**

ID	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	SRWC	1,2,3	Economy
		100% Attendance at Area RAUC meetings by the SRWC or a representative	ALL		
1.2	Contribute to National (UK) working groups	Attend at least 75% of quarterly TAG meetings.	TSM	2,3	Economy, Environment
		Attend at least 75% of Safety at Street Works Code working group meetings	TSM		
		Attend at least 75% of HAUC(UK) Infrastructure working group	PQM		
1.3	Provide support to RAUC(S) working groups	Support the Co-ordination CoP working group with attendance at 100% of meetings.	SRWRM	3	Economy, Environment
		Support the Inspection CoP working group with attendance at 100% of meetings.	SRWRM		

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome
		Support the Gazetteer working group with attendance at 100% of meetings.	SRWRM		
		Support the Coring working group with attendance at 100% of meetings.	TSM		
		Support the SROR working group with attendance at 100% of meetings.	TSM		
1.4	Monitoring of live road works sites	Undertake site visits in 75% of local authority areas.	СО	1, 2	Economy, Environment
		Capture information on 500 live road works site	СО		
1.5	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 • Scottish Pavement Forum	SRWC/ TSM	3	Economy, Environment

# **Business Area 2 – Policy and Quality**

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome
2.1	Ensure that all of the Commissioner's policies are regularly reviewed and upto-date with current legislation	Review 100% of policies in line with policy review framework	PQM	2,4	Economy, Environment
2.2	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
2.3	(KPI) Quarterly community SRWC/SRWR newsletter	Produce and disseminate 3 newsletters in line with RAUC(S) meeting cycle.	PQM	3	Economy, Environment
2.4	Ensure Compliance Officer resource appropriately directed/utilised	Arrange/chair 80% of fortnightly Compliance Officer Commissioning Group meetings	PQM	1,2,4	Economy, Environment

# **Business Area 3 – SRWR Operation and Management**

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome
3.1	Prescribed Fees and Amounts	Estimates issued by 1 March 2025.	SRWRM	1,2,3,4	Economy, Environment
		Invoices issued by 1 April 2025.	SRWRM		
	Collect all fees due in accordance with SPFM segregated duties	Collection of all Statutory Fees for use of the Register by end June 2024.	BGM		
3.2	Ensure that the SRWR operates in line with the contractual requirements and continues to develop, to	Hold 100% of monthly performance and progress reviews of Symology (Incumbent SRWR Provider)	SRWRM	1,2,4	Economy, Environment
	provide added benefits to the Commissioner and the road works community	100% attendance at quarterly contract meeting with SRWR Provider	SRWC/ SRWRM		
		100% attendance at quarterly meetings with SRWR Steering Group	SRWRM		
3.3	SRWR Customer Survey	Complete analysis of 2023/24 survey and report to Steering group by May 2024.	SRWRM	2,3,4	Economy, Environment

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome
		Undertake 2024/25 Customer survey by end March 2025.			
3.4	SRWR Contract Re-tender	Award by end of June 2024.	SRWRM	1,2,3,4	Economy, Environment
		Mobilisation between July 2024 and implementation date of 1 April 2025.			

# **Business Area 4 – Performance Monitoring**

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome
4.1	(KPI) Annual Road Works Performance Reviews	Issue a full performance review for each road works authority and statutory undertaker by end of June 2024.	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	100% of quarterly dashboards issued to all organisations.	PrM/ SRWRM	1,2	Economy, Environment
4.4	Increased scrutiny of roads authority inspection processes	Quarterly monitoring of inspection indicators	PrM	1,2	Economy, Environment

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome
4.5	Document performance management processes	Production of a process document for performance reviews (by October 2024)	PrM	4	Economy, Environment
		Production of a process document for annual monitoring report (by October 2024)			

### **Business Area 5 – Business and Office Governance**

ID	Objectives	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcomes
5.1	Statutory Returns	<ul> <li>All returns made on time:</li> <li>Quarterly Public Bodies</li></ul>	BGM	4	Economy, Environment
5.2	Publish Annual Report and Accounts 2023- 2024	Accounts prepared and submitted to Auditors by end June 2024 with appropriate working papers and report text.  Accounts agreed and signed off by end October 2024.	BGM/SRWC	4	Economy, Environment, Fair Work, Human Rights
5.3	(KPI) 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 2024	SRWC	4	Fair Work

ID	Objectives	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcomes
		Mid-year reviews undertaken by end November 2024	SRWC		
5.6	Compliance with SRWC and Scottish Public Finance Manual Procedures, policies and controls, including the	At least 10 monthly budgeting meetings held  95% of payment made to suppliers	BGM	4	Economy, Environment
	FReM	within 10 days	BGM		
5.7	Sickness absence	Number of days per person lost to sickness absence. Target <5 days per person.	BGM	4	Fair Work

### **Monitoring and Reporting**

The SRWC will monitor and review the progress against the plan on a monthly 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 2024-25 is £535,000. This business plan identifies activities to be completed and spending expected within the 2024-2025 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 The Road Works (Scottish Road Works Register Fees and Miscellaneous Amendment) Regulations 2024. The total amount to be collected in 2024-25 is £901,314.

#### 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 2023/24 Objective Monitoring**

### **Business Area 1 – Technical/Quality Monitoring**

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome	Current Status	Complete Y/P/N
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	1,2,3	Economy	RAUC(S) – Jun 23, Oct 23, Feb 24 Area RAUC – May 23, Sep 23, Feb 24	Y
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.	TSM	2,3	Economy, Environment	TAG reviewing question banks. Safety at Streetworks Review commenced. Group G2 and G3 ongoing. Steering group meeting 6 Dec.	Y

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome	Current Status	Complete Y/P/N
		Attend at least 75% of Safety at Street Works Code working group meetings  Attend at least 75% of HAUC(UK) Infrastructure working group	TSM			HAUC(UK) Infrastructure Group. April 23, Jul 23, Oct 23.	
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.	TSM	3	Economy, Environment	Coring report published 30 Oct 2023.  Co-ordination CoP working group meeting monthly.	Y
		Support the Inspection CoP working group with attendance at 100% of meetings.	SRWRM			Inspections CoP working group meeting monthly.	

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome	Current Status	Complete Y/P/N
		Support the co-ordination Gazetteer working group with attendance at 100% of meetings.	SRWRM			RAUC(S) Gazetteer Group met in May 2023, Aug 23, Oct 23, Feb 24	
1.4	SROR Review	Publication of agreed SROR by end June 2023.	SRWC / TSM	2,3	Economy, Environment	Approved by Ministers and published in May 2023.	Y
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	TSM and PQM completed trial.	Y
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	SRWC represented at 75% of meetings as follows:  • Scottish Road Research Board • SCOTS Liaison Committee	SRWC/ TSM	3	Economy, Environment	SRRB – Jun 23, Nov 23, Feb 24 SCOTS meeting Nov-23, Jan 24, Feb 24	Y

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome	Current Status	Complete Y/P/N
		Transport Scotland     Pavement Forum				TSPF – Jun 23, Aug 23, Nov 23, Feb 24.	

# **Business Area 2 - Policy and Quality**

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome	Current Status	Complete Y/P/N
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	Code of conduct complete.  Job outlines complete.  Recruitment complete.	Y
2.2	RQP	Aim to have remaining organisations with approved RQPs by end August 2023.	PQM	2	Environment	2 of expected undertakers still to have RQP approved.	Р
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		Timetable and framework produced Jun 23.	Y
2.4	Continue to provide technical advice to the Scottish	Provide input to proposed secondary legislation	SRWC/ PQM	1,2,3	Economy, Environment	No engagement	Y

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome	Current Status	Complete Y/P/N
	Government through implementation of Transport (Scotland) Act 2019	Dedicate staff time to sponsor body as required to assist with the implementation of the Act	SRWC/ PQM			yet in 2023/24.	
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	PDG 30 May 18 Jan 24	Y
2.6	(KPI) Regular community SRWC/SRWR newsletter	Produce and disseminate 3 newsletters in line with RAUC(S) meeting cycle.	PQM	3	Economy, Environment	Issued 28 Jun 23, 8 Nov 23, Feb 24	Y

# **Business Area 3 – SRWR Operation and Management**

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome	Current Status	Complete Y/P/N
3.1	Prescribed Fees and Amounts  Collect all fees due in accordance with SPFM segregated duties	Levels of fee determined. Estimates issued by 1 March 2024, invoices issued by 1 April 2024.  Collection of all Statutory Fees for use of the Register by end June 2023.	SRWRM	1,2,3,4	Economy, Environment	Invoices issued on 3 April 2023.  All collected by 30 June 23	Y
3.2	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)  100% attendance at quarterly contract meeting with SRWR Provider  100% attendance at quarterly meetings with SRWR Steering Group	SRWRM  SRWC/ SRWRM	1,2,4	Economy, Environment	Monthly reports of Symology performance have been received and reviewed.  SRWR Contract Meeting - 16 May 23, 8 Aug 23, 14	Y

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome	Current Status	Complete Y/P/N
						Nov 23, Feb 24	
3.3	SRWR Customer Survey	Complete analysis of 2022/23 survey and report to Steering group by May 2023.  Undertake 2023/24 Customer survey by end March 2024.	SRWRM	2,3,4	Economy, Environment	2024 survey issued Feb 24.	Y
3.4	SRWR Contract Retender	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.  Assuming Open Procurement process is preferred the tendering process is expected to take place between May 2023 and October 2023.	SRWRM	1,2,3,4	Economy, Environment	PIN issued, Bidder engagement Oct 23, TAF Gateways Nov 23. Peer reviews planned Dec 23. Peer reviews nearing completion. New ITT target date	P

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome	Current Status	Complete Y/P/N
		Evaluation planned for October 2023.  Award by end of January 2024.				early March 24	
		Mobilisation between February 2024 and implementation date of 1 April 2025.					

# **Business Area 4 – Performance Monitoring**

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome	Current Status	Complete Y/P/N
4.1	(KPI) 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	Complete. Issued 26 May 2023.	Y
4.2	(KPI) 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	Figure for 2022/23 was 67%. This was affected by number of utilities downgraded for not having approved RQPs in time.	Y
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/	1,2	Economy, Environment,	Dashboard issued in April, July, Oct, Jan 24	Υ

ID	Objective	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcome	Current Status	Complete Y/P/N
			SRWRM				
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,	R32 now included. R33 and R34 now included.	Y
4.5	Operational objectives monitoring	Report on operational objectives performance monthly to team meetings	SRWC	3,4	Economy, Environment, Fair Work	Review 16 May 2023, 13 July 2023, 4 Aug 23, 6 October, 3 Nov 23, 8 Dec 23, 11 Jan 24, Feb 24, Mar 24	Y

#### **Business Area 5 - Business and Office Governance**

ID	Objectives	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcomes	Current Status	Complete Y/P/N
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	Returns made April 23 5 July 23, 2 Oct 23, 8 Jan 24	Y
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	Audit report received July 23. Accounts and annual report signed off August 23 and passed to TS.	Y
5.3	(KPI) Customer Enquiries	Respond to 95% of general enquiries within 5 working days.	TSM	4	Human Rights, Fair Work	98% of 252 enquiries were dealt with within 5	Y

ID	Objectives	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcomes	Current Status	Complete Y/P/N
						working days.  100% of the 1 complaint was responded within 20 working days.	
5.4	Adhere to Service Standards	95% FOI(S)A/EIRs request timescales met	BGM	4	Human Rights, Fair Work	100% of 28 FOI(S)A/EIRS responded within timescales.	Y
5.5	Undertake staff development and review process	Reviews undertaken by end May 2023  Mid-year reviews undertaken by end November 2023	SRWC	4	Fair Work	Reviews have been undertaken.  Mid year reviews Dec 23	Y
5.6	Compliance with SRWC and Scottish Public	At least 10 monthly budgeting meetings held	BGM	4	Economy, Environment	10 budget meetings held.	Р

ID	Objectives	Key Milestones/Performance Measures	Owner	Corporate Outcome	NPF Outcomes	Current Status	Complete Y/P/N
	Finance Manual Procedures, policies and controls, including the FReM	95% of payment made to suppliers within 10 days	BGM			85% payment within 10 days	
5.7	(KPI) Sickness absence	Number of days per person lost to sickness absence. Target <5 days per person.	BGM	4	Fair Work	2.0 absence days per person.	Y