Memorandum of Understanding between the Scottish Fiscal Commission and Audit Scotland

1. This memorandum of understanding is between the Scottish Fiscal Commission and Audit Scotland. It relates to the delivery of the organisations' work in providing commentary on the Scottish Budget and other financial data, and the sharing of data and information which is in the public domain. It does not relate to the appointment of external auditors of the Scottish Fiscal Commission by the Auditor General for Scotland or the work of the external auditors.

2. The main responsibilities of the Scottish Fiscal Commission (SFC) are set out in legislation, namely the Scottish Fiscal Commission Act 2016 and associated regulations. The SFC is a non-Ministerial Office in the Scottish Administration, consisting of Commissioners and staff, who develop and run the forecasting models and produce the forecasts required to fulfil the SFC statutory duties. The SFC is required to assess the reasonableness of Scottish Ministers borrowing projections, to do this they analyse the funding for the Scottish Budget alongside the Scottish Government's spending plans. The SFC can also prepare reports on any fiscal factors it considers appropriate; it publishes regular fiscal updates on the Scottish Government's fiscal position as well as reports on fiscal sustainability.

3. Audit Scotland (AS) is Scotland's national public sector audit body and supports the Auditor General and the Accounts Commission in delivering their programme of financial and performance audits on public bodies. Its main responsibilities are set out in the Public Finance and Accountability (Scotland) Act 2000. Audit Scotland tracks a wide range of Scottish Government budget and spending data as part of direct audit work, audit planning, programme development work (including the identification of emerging and topical issues), and for internal educational and development purposes. The SFC and AS have a productive working relationship with regular co-operation and engagement that supports our respective functions. This includes regularly discussing developments affecting the Scottish Government's funding and spending.

4. This document sets out arrangements for sharing data and models which Audit Scotland and the Scottish Fiscal Commission develop from publicly available information on the Scottish Budget.

5. This Memorandum does not constitute a legally binding agreement. The full responsibilities of the organisations are set out in the relevant primary and secondary legislation.

Purpose of this MoU

6. The arrangements set out in this document will support a better shared understanding of the Scottish Budget and other financial data and facilitate improved analysis, scrutiny and commentary. Both organisations seek to improve transparency of the Scottish Budget.

Principles

7. The MoU for data sharing and analytical collaboration between the organisations is based on the following principles:

- AS recognises that the SFC is an independent, apolitical and impartial analytical organisation and understands its functions.

- The SFC recognises that AS is an independent, apolitical and impartial audit organisation and understands its function.

- AS and the SFC are committed to operating an open and transparent approach to sharing relevant information.

- Any data or information shared between the organisations will only be used to deliver their own functions, and for the intended purpose.

- The organisations will only share data, analysis and model code relating to publicly available information. No sensitive, personal, or restricted information will be shared.

- Any analysis or commentary published by each organisation, including factual accuracy checking, will be wholly the responsibility of the respective organisation and no responsibility to the other organisation will be stated or implied.

Data sharing arrangements and analytical collaboration

8. Both parties agree to undertake data gathering and analysis from Scottish Government's published data. This section sets out the process for sharing data, information and code which the organisations produce from public data. No analysis or modelling based on unpublished data will be shared between the organisations.

9. Data and code must be regularly updated to remain useful. The organisations acknowledge that it is in their best interest to keep these products up-to-date. This way, any analytical publication will build on the latest and best version available of

the models. Having shared oversight of this data and code will also result in synergies, as the organisations collaborate to improve the modelling.

10. Each organisation recognises that some data products and tools may rely on 'best effort' attempts to maintain or update, particularly when they rely on third-party data (for example, Scottish Government budget data) which may vary in its format, completeness, and scope over time, or code libraries which may become unusable or obsolete. The organisations will communicate about updates and maintenance as appropriate.

11. To this end, private code sharing facilities will be created (indicatively, a GitHub 'organisation', or similar). Only designated people from the partner organisations will have permission to view, write and maintain the files in it. Push requests (that is, changes to code) will require suitable review arrangements, as agreed by the organisations.

12. The organisations commit to working on analysis primarily from the data and code in the GitHub repositories. They may clone it locally for development work, but they will always endeavour to return the work to the repository once it is completed. Suitable interim arrangements will be made for the sharing of datasets of interest, in the expectation that setting up more formal code or data sharing tools may involve significant set-up work.

13. Where an organisation intends to publish based on data, information, analysis or models from the other organisation they will inform the other organisation of this intention no less than 4 weeks prior to publication. Draft sections of any publications which include references to the data/models shared or the other organisation will be provided 3 weeks prior to publication with an opportunity to comment on the factual accuracy of the draft text. Any comments on the factual accuracy must be returned 2 weeks prior to publication. Shorter timescales can be agreed between the two organisations if required.

14. The organisations work on a number of areas relating to the Scottish Budget. Analytical engagement can help the work programmes of both organisations. When analysts in either organisation undertake further analysis in an area of that is also of interest to the other, they will communicate this through the regular engagement which takes place between the organisations and/or by email.

Handling of sensitive information and FoI

15. The organisations will only share data, analysis and model code relating to publicly available information. No sensitive, personal, or restricted information will be shared.

16. If a request is made to either organisation for the disclosure of information received from the other organisation, the receiving organisation will inform the data originator before disclosing information in response to the request.

Revisions to the Memorandum of Understanding

17. The document will remain under review to ensure it continues to meet its objective of allowing the sharing of data and models between the organisations. An initial review will take place one calendar year after signature.

18. Signatories to this memorandum may request a review of its contents and implementation at any time. Any revisions will be made by mutual consent and any changes will be reflected in an updated MoU to be published on each organisation's website.

Signed on behalf of their respective organisations

(Redacted)

John Ireland

Chief Executive

Scottish Fiscal Commission (SFC)

(Redacted)

Kenneth Oliver

Executive Director, Innovation & Quality

Audit Scotland (AS)

14 October 2024