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## Research and Information Service Briefing Note

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# Scottish Biometrics Commissioner: costs for public purse of the Commissioner and staff

**RaISe**

This Briefing Note seeks to further inform the Committee for Justice's scrutiny of the Justice Bill. At the Committee's request, it outlines costs for the public purse of the office of the Scottish Biometric Commissioner, in terms of the Commissioner and staff (administration and remunerations costs).

This information is provided to Members of the Legislative Assembly (MLAs) in support of their duties, and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as professional legal advice, or as a substitute for it.

## Introduction

This Briefing Note supplements the Research and Information Service (RaISe) Briefing Paper on [Justice Bill Review of Costings \(NIAR 201-24\)](#), dated 21 October 2024. It provides detail on costs for the Commissioner and staff in the office of the Scottish Biometric Commissioner (SBC), in terms of administration and remunerations; responding to questions raised by the Northern Ireland Assembly Committee for Justice (CfJ) during RaISe's [24 October 2024](#) oral presentation of its Briefing Paper on Justice Bill Review of Costings ([NIAR 201-24](#)).

The Note is structured as follows:

- Section 1 - Breakdown of public purse costs for the Commissioner and staff in office of the SBC – administration and remuneration.
- Section 2 - Some key takeaways.

### 1 Breakdown of public purse costs for the Commissioner and staff in office of the SBS – administration and remuneration

The SBC was established by the Scottish Commissioner Act 2020, supported by an office staffed by officials. The Commissioner was appointed on 12 April 2021; followed by relevant official appointments at different times dating from December 2021. This section draws on the SBC's Annual Reports and Accounts for the financial years 2021-22, 2022-23, and 2023-24<sup>1</sup>, to provide a breakdown of the public purse costs of the Commissioner and staff – administration and remuneration. The accounts for the financial year 2021-22 represent the office's first year of activity. They explain that "business activity" in that year "focussed on the entire spectrum of necessary start-up activities". As such, it is important for the CfJ to note that the staffing costs for 2021-22 do not represent a "typical year" of the stated costs. For example, the Operations

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<sup>1</sup> Available at <https://www.biometricscommissioner.scot/information/>

Manager of the office of the SBC was not appointed until 17 January 2022, meeting the organisation's full staffing complement.<sup>2</sup>

## 1.1 Total public purse costs of Commissioner and staff

Tables 1-5, below, provides a comparison of the staff costs incurred by the SBC in the financial years 2021-22, 2022-23 and 2023-24. They state net administrative costs (meaning total annual operating costs and expenditure as adjusted for any gains or losses in a year) and remuneration costs (meaning Commissioner and staff salary/wages and pensions).

### 1.1.1 Net administrative costs

As can be seen from Table 1, each year from 2021-22 to 2023-24 total staff and pensions costs increased (includes the Commissioner). Net administrative costs also increased from 2021-22 to 2022-23, reflecting the move from year-one activity year – that is, “focussed on the entire spectrum of necessary start-up activities” - to “business as usual”. Net administrative costs were £428,000 in both 2022-23 and 2023-24. The proportion of those costs that were attributable to staffing costs had increased annually (includes the Commissioner). Although the scale of that increase was significantly smaller from 2022-23 and 2023-24, when compared to 2021-22 and 2022-23. Again, this reflects the fact that 2021-22 represents year-one type SBC activity.

**Table 1: SBC staff costs relative to net administrative costs, 2021-22 to 2023-24 (includes the Commissioner)**

	2021-22	2022-23	2023-24
Staff and Pensions (£000s)	149	332	349
Net administrative costs (£000s)	230	428	428
% staff and pensions	65%	78%	82%

Source: Compiled by RaISe, based on [SBC Annual Report and Accounts 2021-22 to 2023-25](#) (2024)

<sup>2</sup> Scottish Biometric Commissioner Annual Report and Accounts 2021-22  
<https://www.biometricscommissioner.scot/media/nbobwwrd/sbc-ara-2021-to-2022.pdf>

### 1.1.2 Remuneration costs

At the office of the SBC, there are the Commissioner and three full time support staff: a Corporate Service Manager, an Operations Manager and a Business Support Officer.

In terms of staff, that structure has remained constant across the three noted accounting periods.<sup>3</sup> Moreover, the staff have been employed at different bands, as summarised in Table 2, below. The banding structure was determined by the Scottish Parliament Corporate Body (SPCB).<sup>4</sup> The SPCB pay-scale defined a range of pay grades of which Grade 2 is the most junior and Grade 7 is the most senior of the numbered<sup>5</sup> grades.<sup>6</sup> The “banding” for each post remained constant for the first two years. However, in the latest annual accounts, 2023-24, the banding of two staff moved from band 4 to band 5.<sup>7</sup>

**Table 2: SBC staffing bands, 2021-22 to 2023-24**

	2021-22	2022-23	2023-24
Commissioner	1	1	1
Band 3	1	1	1
Band 4	2	2	-
Band 5	-	-	2

Source: Compiled by RalSe, based on [SBC Annual Report and Accounts 2021-22 to 2023-25](#) (2024)

Tables 3-5, below, summarise the SBC’s remuneration for each of the three noted financial years - 2021-22, 2022-23 and 2023-24.

<sup>3</sup> Scottish Biometric Commissioner Annual Report and Accounts 2023-24 <https://www.biometricscommissioner.scot/media/sz2cs1cn/annual-report-accounts-202324-25-september-2024-web-version.pdf>

<sup>4</sup> As cited immediately above

<sup>5</sup> The grading structure defines three non-numbered grades above grade seven – Director, Deputy Chief Executive and Chief Executive.

<sup>6</sup> Scottish Parliament Payscale 2024 and 2035 <https://www.parliament.scot/-/media/files/people-and-culture/employee-handbook/payscale-2024-and-2025.pdf>

<sup>7</sup> As cited in footnote 3

First, as can be seen from Table 3, the Commissioner's Salary range has increased in each year. The latest annual report notes that the Commissioner's salary increased by 15% in 2022-23 compared to the previous financial year, and by 19% in 2023-24 compared to 2022-23. The Commissioner's salary is determined by the SPCB.<sup>8</sup>

**Table 3: SBC – Commissioner remuneration, 2021-22 to 2023-24**

	2021-22	2022-23	2023-24
Salary (£000s)	65-70	75-80	90-95
Benefits in kind (£000s)	-	-	-
Pension Benefits (£000s)	27	31	35
Total (£000s)	95-100	110-115	125-130

Source: Compiled by RalSe, based on [SBC Annual Report and Accounts 2021-22 to 2023-25](#) (2024)

Table 4, below, provides a breakdown of staff costs within the office of the SBC (excludes the Commissioner) for the financial years 2021-22 to 2023-24. As can be seen, there was a considerable increase in total costs between 2021-22 to 2022-23. As noted at the start of this section, that increase is reflective of the fact the 2021-22 was the first year of operation and the full staffing complement of staff had not been reached until January 2022. In subsequent years, 2022-23 and 2023-24, total staff costs have remained relatively flat – increasing from £218,000 in 2022-23, to £220,000 in 2023-24.

<sup>8</sup> Scottish Biometric Commissioner Annual Report and Accounts 2023-24  
<https://www.biometricscommissioner.scot/media/sz2cs1cn/annual-report-accounts-202324-25-september-2024-web-version.pdf>

**Table 4: SBC - Staff remuneration costs 2021-22 to 2023-24 (excludes the Commissioner)**

	2021-22	2022-23	2023-24
Salary/wages (£000s)	29	159	157
Social security costs (£000s)	12	18	18
Pension Costs (£000s)	12	41	45
Total (£000s)	53	218	220

Source: Compiled by RalSe, based on [SBC Annual Report and Accounts 2021-22 to 2023-25](#) (2024)

Table 5, below, provides the SBC's remuneration range for each year between 2021-22 to 2023-24, for all staff and the Commissioner. As can be seen from the Table, there were year-on-year increases at both the bottom and top of the range. The latest Annual Report and Accounts noted pay ranges had been determined by the SPCB and that salaries had been uprated in line with SPCB staff. The published annual reports noted that average percentage uplift in salary for staff was 12% in both 2022-23 and 2023-24, when compared to the previous financial year.<sup>9</sup>

**Table 5: SBC - Remuneration range for the Commissioner and staff, 2021-22 to 2023-24**

	2021-22	2022-23	2023-24
Remuneration range	£30,000 - £65,000 to £70,000	£35,000–£77,500	£40,000–£92,500

Source: Compiled by RalSe, based on [SBC Annual Report and Accounts 2021-22 to 2023-25](#) (2024)

## 2 Key takeaways

From the information outlined above, sourced from the three Annual Reports and Accounts published by the SBC to date, the observations arise about SBC

<sup>9</sup> Scottish Biometric Commissioner Annual Report and Accounts 2023-24  
<https://www.biometricscommissioner.scot/media/sz2cs1cn/annual-report-accounts-202324-25-september-2024-web-version.pdf>

public purse costs for the Commissioner and staff, in terms of both administration and remuneration:

- Total SBC staff costs (includes the Commissioner) were £349,00 in 2023-24; equivalent to 82% of its net administrative costs. This represented an increase on the previous financial year.
- The Commissioner's salary and the pay bands of SBC staff are determined by the SCPB.
- The office of the SBC comprises the Commissioner and three staff. As of 2023-24, two of those staff were at Band 5 and 1 at Band 3.
- Staff costs (excludes the Commissioner's salary) were £220,000 in 2023-24. This represented a slight increase on the previous year.
- The remuneration range within the SBC, for both the Commissioner and staff salaries, saw year-on-year increases at both the lower and upper ends of the range in 2022-23 and 2023-24.