

**Registers of Scotland****RoS Board****9 and 10 March 2026****Transparency Review: Board Paper Publication****Purpose**

1. To report on the review of RoS Board paper publication, covering papers submitted to meetings held December 2024 to September 2025 (inclusive).

**Recommendation**

2. RoS Board to note the findings of the review.

**Background**

3. In support of the RoS commitment to openness and transparency, papers submitted to meetings of the RoS Board have been published since June 2020. Where a paper contains sensitive information, an exception is available whereby the paper is noted as 'taken in private' and withheld from publication. This requires an appropriate Freedom of Information (Scotland) Act exemption to be cited.

4. A review is carried out annually to assess whether exemptions used to take papers in private are being applied appropriately.

**Board Paper Publication Review**

5. Each paper taken in private, or published with annexes removed, was reviewed to see whether the content of the paper could be considered sensitive enough to create risk if it was published, and whether the appropriate exemption was cited.

6. Most papers (65%) were published in full or with annexes removed. Further statistics are provided as an annex.

7. The review found that all decisions to take items in private or to withhold annexes from publication were supported.

8. Minor areas for improvement were identified:

- Several references were made to future publication – for s.27(1) Information intended for future publication to apply in the context of a request the information must be published within 12 weeks so caution should be used if this is the sole reason being cited (additional applicable reasons were provided in each case)
- There were instances where papers were described as 'sensitive' without any further detail e.g. financial, operational etc. (the decisions were still supported)
- Commercial sensitivity was cited in relation to a cyber assurance paper where substantial prejudice is a more appropriate exemption

## Impact on Risks, Benefits or Cost

9. The review contributes to risk reduction across the areas below.

<b>Category</b>	<b>Implicit Risk</b>
Compliance	Misapplication of FOISA exemptions and risk of non-compliance
Reputation	Perceived lack of transparency and damaged public trust
Governance Quality	Inconsistent governance processes or judgement in publication decisions

## Conclusion

10. The high proportion of Board papers published demonstrates commitment to openness and transparency, and compliance with the Freedom of Information (Scotland) Act.

11. The review found that authors appropriately chose when to take items in private based on the sensitivity of the information within the papers.

**Head of Information Governance**  
**Policy & Corporate Services Directorate**  
**13 February 2026**

## Annex: Board paper publication statistics

### Number of papers published by meeting:

Meeting	Papers submitted	Published in full	Published in part	Taken in private (TIP)
Dec-2024	20	10	2	8
Mar-2025	21	10	5	6
Jun-2025	18	9	2	7
Sep-2025	23	9	6	8
<b>Totals</b>	<b>82</b>	<b>38</b>	<b>15</b>	<b>29</b>

### Reasons cited for non-publication:

Reason	Applicable FOISA Exemption	Times cited
Free and frank provision of advice or exchange of views, development of policy/strategy	<b>s.30(b)(i)</b> and/or <b>s.30(b)(ii)</b> ; <b>s.30(c)</b> may also apply Prejudice to free and frank provision of advice / exchange of views; or formulation of policy	9
Sensitive financial and/or operational data, processes or assumptions	s.30(c) Substantial prejudice to effective conduct of public affairs	11
Commercially sensitive	s.33(1)(b) Commercial interests and the economy	10
Information intended for future publication	s.27(1) Information intended for future publication	5
Security and/or risk related information	s.30(c) substantial prejudice to effective conduct of public affairs	6
Audit and Risk Committee (ARC) papers	s.30(c) substantial prejudice to effective conduct of public affairs	4

*\*Multiple reasons were applied in some instances*

### Comparison of publication from equivalently timed Board meetings

Meeting	Year	Papers submitted	Published (full or part)	% Published
Feb/March	2020	13	11	85
	2021	18	14	78
	2022	16	10	63
	2023	18	12	67
	2024	15	9	60
	2025	21	15	71
May/June	2020	17	14	82
	2021	17	11	65
	2022	12	10	83
	2023	19	11	58
	2024	23	16	70
	2025	18	11	61
Aug/Sept	2020	17	9	53
	2021	16	9	56
	2022	16	10	63
	2023	20	11	55
	2024	20	11	55
	2025	23	15	65
Nov/Dec	2020	12	9	75
	2021	19	11	58
	2022	15	11	73
	2023	14	8	57
	2024	20	12	60