



FOI and Governance

What you need to know

The right to information



“ A person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority ”

Freedom of Information



“Freedom of information gave a lot of power to our campaign”

C-Diff Justice Group



“FOI helped us to highlight the concerns of Scotland’s most vulnerable people”

**Learning Disability
Alliance Scotland**



“FOI opened up information that we couldn’t have got any other way.”

Inclusion Scotland



Scottish Information
Commissioner



**Inclusion
Scotland**

Disabled People's Organisation

*‘Not enough
housing for
disabled’ claims
charity*

**Homes must
be ‘fit for
disabled’**



Scotland
“must do better”
on housing

Scottish councils
spend £660m on
temporary housing
in 5 years

Shelter's FOI request



2015/16

How many days of temporary accommodation were provided in 2015-16?

What was the average time in temporary accommodation?

% spent more than six months in temporary accommodation?

% spent more than a year in temporary accommodation?

Shelter's FOI request



2015/16

How many days of temporary accommodation were provided in 2015-16? **3.8 million**

What was the average time in temporary accommodation? **24 weeks**

% spent more than six months in temporary accommodation? **32%**

% spent more than a year in temporary accommodation? **12%**

Freedom of Information

The C-Diff Justice Group



Scottish Information
Commissioner

“

”



FOI - the three duties

1

Duty to respond to requests

(s.1)



Requests must be made in writing



Most requests must be responded to in 20-working days



Covers **recorded** information only



Requests can only be refused in certain circumstances



Information not held



It costs too much



An exemption applies

FOI - the three duties



1

Duty to
respond to
requests

(s.1)






2

Duty to
publish
information

(s.23)



Publish information about:

-  Services you provide
-  Facts that inform your decision making
-  Reasons for the decisions you take

The Model Publication Scheme



Model Publication Scheme

Produced and approved by the Scottish
Information Commissioner on 31 May 2017



Scottish Information
Commissioner



Scottish Housing
Regulator

Freedom of Information

Guide to information available
through the Publication Scheme

October 2017

20 September 2011 Last updated at 06:28



Corruption claims against Edinburgh council officials



An investigation has uncovered evidence of possible fraud and serious wrongdoing in building repairs overseen by Edinburgh City Council.

BBC Scotland has uncovered evidence of possible fraud and serious wrongdoing in building works overseen by Edinburgh City Council.

There are calls for a review of recent work carried out under the statutory notice system, which allows the council to order repairs to private homes.

The BBC heard claims of bribes being offered by contractors, overcharging, unnecessary and poor quality work.

The council said it would not comment until a police inquiry had ended.

Related Stories

'I almost collapsed when I got the bill'

'I thought my legs were going to give way'

Five staff suspended from council







FOI - the three duties



1

Duty to
respond to
requests

(s.1)



2

Duty to
publish
information

(s.23)



3

Duty to
advise and
assist

(s.15)





Advice and assistance

Opportunities

- Let them know you're there to help
- Use clear language
- Pick up the phone
- Context / explanation with responses





FOI: what's the impact?



How many requests?



2015 Culture & Leisure Trust Survey:

Have request volumes:

Increased significantly:	0%
Increased slightly:	31%
Stayed the same:	63%

Has the type of information requested:

Changed significantly:	6%
Changed slightly:	31%
Stayed the same:	63%

Leisure trust survey responses



**It's early days,
but so far it's not
as onerous as
anticipated**

**The low number
of requests is
almost disappointing
given our preparation!**

**We are finding it
quite manageable so far
and are able to respond
quickly to requests**

Who'll use FOI?



Who appeals?

	2016/17
Public and other ¹	66%
Media	14%
Prisoner	4%
Solicitor	1%
Elected representative (MP, MEP, MSP, councillor)	1%
Commercial / private enterprise	7%
Voluntary / campaign organisation	4%
Academic / student	3%
Trade union	1%
Solicitor (on behalf of client)	0%

Commercial information





Next steps

- Wording of the order
- Timescales

RSLs should think about:

- Proactive publication
- Duty to advise and assist
- Records management
- Identifying where FOI sits
- Training and networking

Contact Us



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