

Assessment report



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Scottish public authority:	Highland Council
Dates of on-site assessment:	28 and 29 June 2011
Assessors from OSIC:	Alistair Rennie and Claire Stephen
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Executive summary and recommendations

This report sets out the findings of an assessment of Highland Council (the Council), carried out by representatives of the Scottish Information Commissioner (the Commissioner).

The assessment considered all aspects of the Council's handling of information requests, in relation to compliance with the Freedom of Information (Scotland) Act 2002 (FOISA), the Environmental Information (Scotland) Regulations (the EIRs) and the associated Codes of Practice.

In selecting the Council for assessment, the Commissioner recognised that a significant proportion of his appeals relate to the local government. The Commissioner selected Highland Council for assessment in part due to the volume of requests it receives, but also in consideration of the significant geographical area it covers and the challenges this presents. The Commissioner also recognised that he has in the past issued a number of decisions relating to the Council's handling of requests, but noted a reduction in the volume of applications being made to him in relation to the Council. He was keen to explore the reasons behind this, with a view to identifying any changes in practice implemented by the Council which might have had a positive impact on the way it handles request for information.

In conducting this assessment, the assessors noted a positive attitude towards Freedom of Information (FOI). This was demonstrated in discussions with the Council's Chief Executive and staff throughout the Council. The assessors identified areas of good practice in the way the Council deals with requests for information, and given the Council's organisational structure and geographical spread acknowledged the suitability of a "devolved" structure for handling requests for information. The assessors were also impressed with the focus and systems the Council has in place to monitor FOI performance and see this as an essential element in allowing the Council to take forward action points on the back of the recommendations detailed in this report. The assessors also welcomed the Council's plans for utilising its recently re-approved publication scheme in making information both available and accessible to the general public. The existence of a disclosure log relating to the requests for information it handles was also considered to be an area of good practice.

The assessors identified some areas for development during the course of the assessment. These areas are discussed in detail within the body of this report, but key areas for consideration relate to adherence to statutory timeframes for responding to requests for information and requests for review; reviewing current procedures and practices to ensure that each service area is utilising the same approach to handling requests for information, to ensure consistency; training, which should primarily focus on developing those responsible for administering and responding to requests for information (covering both FOISA and the EIRs); and a complete review of the arrangements the Council currently has in place in relation to dealing with and responding to requests for review. This report details the recommendations proposed to allow the Council to address these issues.

The recommendations following the assessment of the Council are summarised in tabular form in the "Conclusions and summary of recommendations" section at the end of this report.



Scope and objectives of assessment

1. This report sets out the findings of an assessment of Highland Council (the Council) by representatives of the Scottish Information Commissioner (the Commissioner). The purpose of the assessment was to establish whether the Council was complying with good practice in dealing with requests for information in terms of the **Freedom of Information (Scotland) Act 2002 (FOISA)**, the **Environmental Information (Scotland) Regulations 2004 (the EIRs)** and the associated Codes of Practice¹, and to identify and make recommendations in relation to areas where procedure and practice were not in line with expected good practice.
2. The assessment considered all aspects of the way in which the Council handled information requests. The following areas were identified for particular consideration and discussion following a review of information held by the Commissioner relating to the Council's practice:
 - Compliance with timescales laid down in the legislation
 - The systems used by the Council for handling, managing and tracking information requests
 - The processes used by the Council in handling requests where input is required from more than one service within the Council i.e. "cross service requests"
 - The responses the Council provides to requestors when responding to their information requests, in particular whether any refusal notices issued comply with the requirements of FOISA and the EIRs, including whether requestors are advised of their right to apply to the Commissioner within six months
 - The notices issued by the Council in relation to information not held
 - The notices issued by the Council in relation to excessive cost of compliance
 - Adequacy of searches undertaken prior to responding to information requests
 - Definition of requests dealt with as "business as usual"
 - Training provided to staff involved in receiving and responding to information requests
 - The process of communication between the central FOI function and individual services within the Council
 - The Council's review procedures and practice.

Assessment process

3. The Council was notified of the Commissioner's intention to conduct an assessment of its practice on 15 March 2011, setting out the assessment objectives detailed above. Alistair Rennie and Claire Stephen (the assessors) conducted the on-site assessment on behalf of the Commissioner on 28 and 29 June 2011. During the course of the on-site assessment, the assessors examined the systems used to deal with requests for information. During these two days, they met and interviewed the following members of staff:
 - Alistair Dodds, Chief Executive

¹ The relevant Codes of Practice are the Scottish Ministers' Code of Practice on the Discharge of Functions by Public Authorities Under the Freedom of Information (Scotland) Act 2002 (referred to in this report as "the section 60 Code of Practice") and the Code of Practice on the Environmental Information (Scotland) Regulations 2004 for Scottish Public Authorities (referred to in this report as the "section 62 Code of Practice"). It should be noted that the assessment did not assess compliance with the Freedom of Information (Scotland) Act Code of Practice on Records Management (commonly referred to as "the section 61 code").



- Public Relations Manager
 - Freedom of Information Officer
 - Development Plan Manager, Planning and Development Service
 - Policy Officer, Education, Culture and Sport Services
 - Business Support Officer, Transport, Environmental and Community Services
 - Principal Food Safety Officer, Transport, Environmental and Community Services
 - Service Point Assistant, Contact Centre
4. The Council cooperated fully and openly with the assessment process, providing full access to its systems for handling requests and providing the assessors with the opportunity to meet relevant members of staff.
5. No comment is made in this report on areas where there was no evidence of practice. From the information reviewed by the assessors, the Council has for example never:
- Considered extending the timescale for complying with a request for environmental information under regulation 7 of the EIRs
 - Issued a notice under section 14 of FOISA (vexatious or repeated requests)
 - Issued a fees notice under regulation 8 of the EIRs
 - Transferred a request under the EIRs
6. From the evidence reviewed by the assessors, they were also satisfied that the Council complies fully with FOISA, the EIRs and the associated Code of Practice in relation to the following matters, and as a consequence these are not covered further in the report:
- The transfer of requests for environmental information between authorities
 - Complying with advice and assistance requirements
 - In line with the Code of Practice, the Council's ability to address equalities issues when responding to requests for information
 - The appropriate handling of certain requests under the definition of "business as usual"
 - Consultation with third parties
 - The content of contracts used by the authority.
7. In conducting the assessment, the assessors worked through a list of interview questions which had been prepared in advance of the on-site assessment, based on the responses received to the pre-assessment self evaluation form and the policies and procedures the Council had provided in advance of the assessment.
8. The assessors also made reference to the assessment checklist published within the Commissioner's Investigations and Enforcement Procedures² to ensure that each relevant area of practice had been considered and appropriate evidence gathered.
9. The assessors did not review in detail the Council's publication scheme, which was recently approved and is not due to be re-approved until May 2013. The assessors noted, however, that the scheme includes a schedule of charges in relation to environmental information.

² Available online at http://www.itspublicknowledge.info/web/FILES/publication_scheme/Investigations_Enforcement_Proc_v8.pdf



10. At the end of the assessment, a concluding meeting was held. This meeting provided an opportunity to feed back the key findings of the on-site assessment. The feedback provided in that meeting is reflected and expanded upon in the points addressed below.

Overview

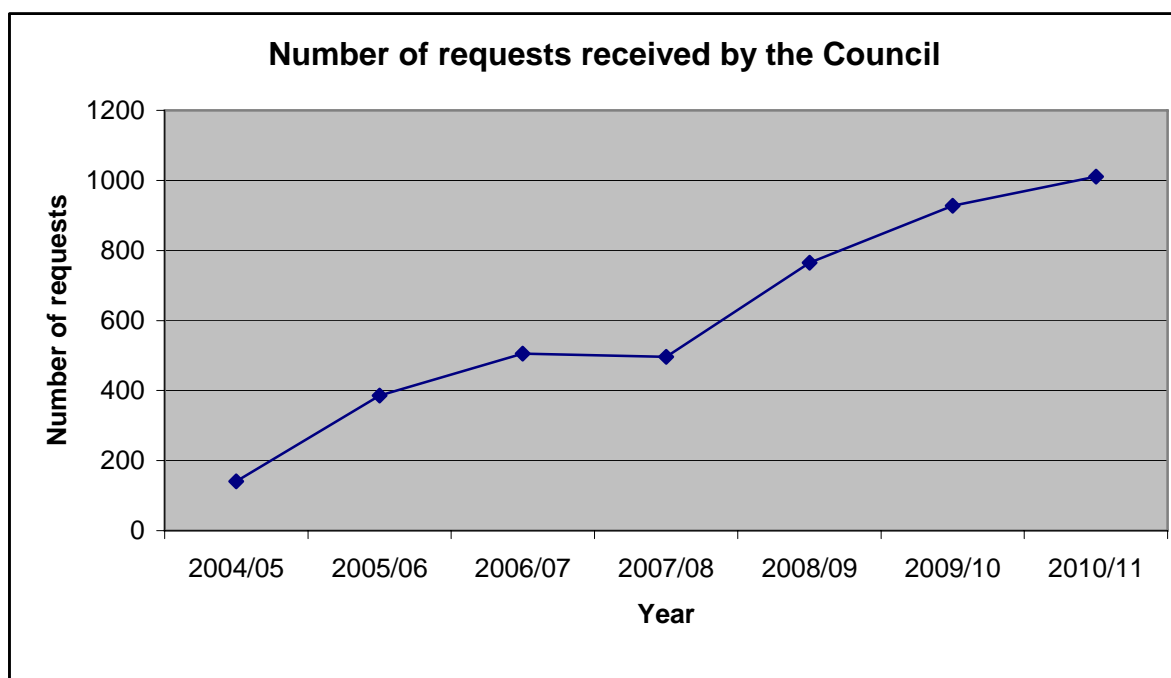
11. The Council delivers a wide range of public services to the residents within its large geographical area. Each year the Council deploys a gross revenue budget of up to £850m, a capital budget of around £87m and its 12,800 staff develop and service Highlands communities, with 80 elected members representing the needs of communities and the Highlands as a whole.
12. The Council is divided into seven separate services: Chief Executive's, Education, Culture and Sport (ECS), Finance, Housing and Property (HPS), Planning and Development, Social Work, and Transport, Environmental and Community (TEC). Each Service is lead by a Director, who reports into the Chief Executive along with a Corporate Manager and a Business Manager. The Director of Finance is also the Deputy Chief Executive and the Council's Public Relations Manager also reports directly to the Chief Executive.

The Council's request profile

13. The Council provided statistics showing the number of requests it had received since the introduction of FOISA in January 2005, on a financial year basis. The Council has not kept separate statistics on the EIRs, so the graph below represents the total number of requests dealt with by the Council including requests which have been responded to in terms of the EIRs. The graph illustrates the significant year-on-year increase the Council has experienced in relation to the number of requests it has received. In the first full year of FOISA coming into effect (2005/06) the Council received 386 requests. By 2010/11 the number had increased to 1011, representing a 162% increase in the total number of requests received from 2005/06 and an increase of 9% between 2009/10 and 2010/11.



Figure 1

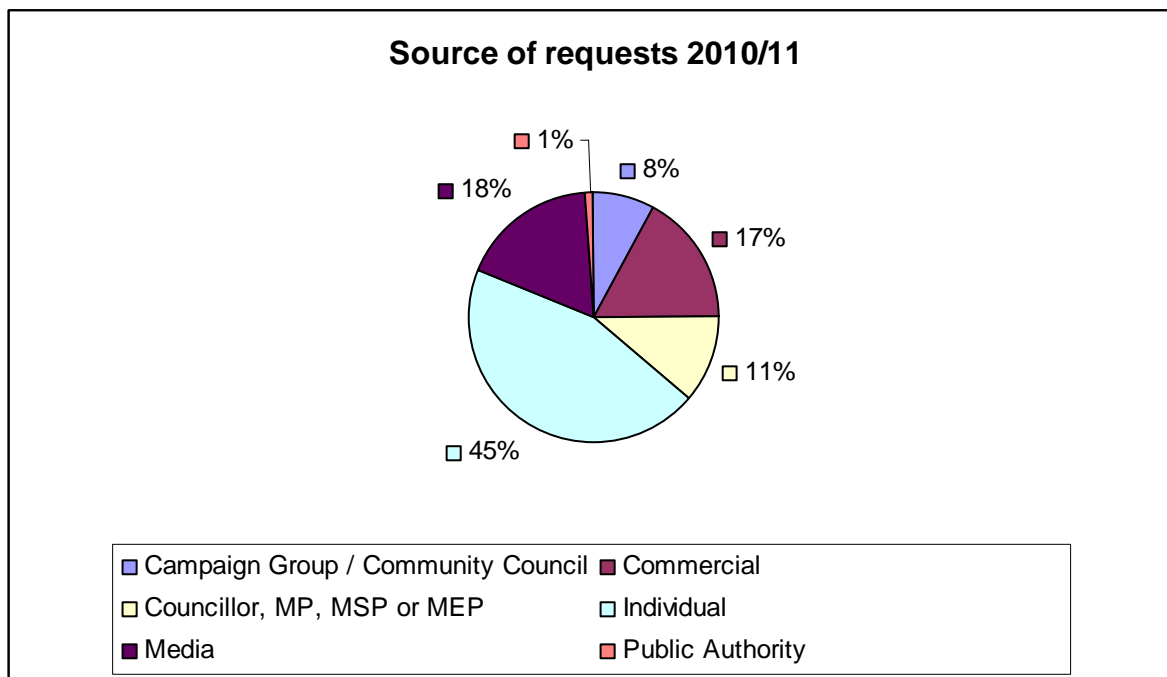
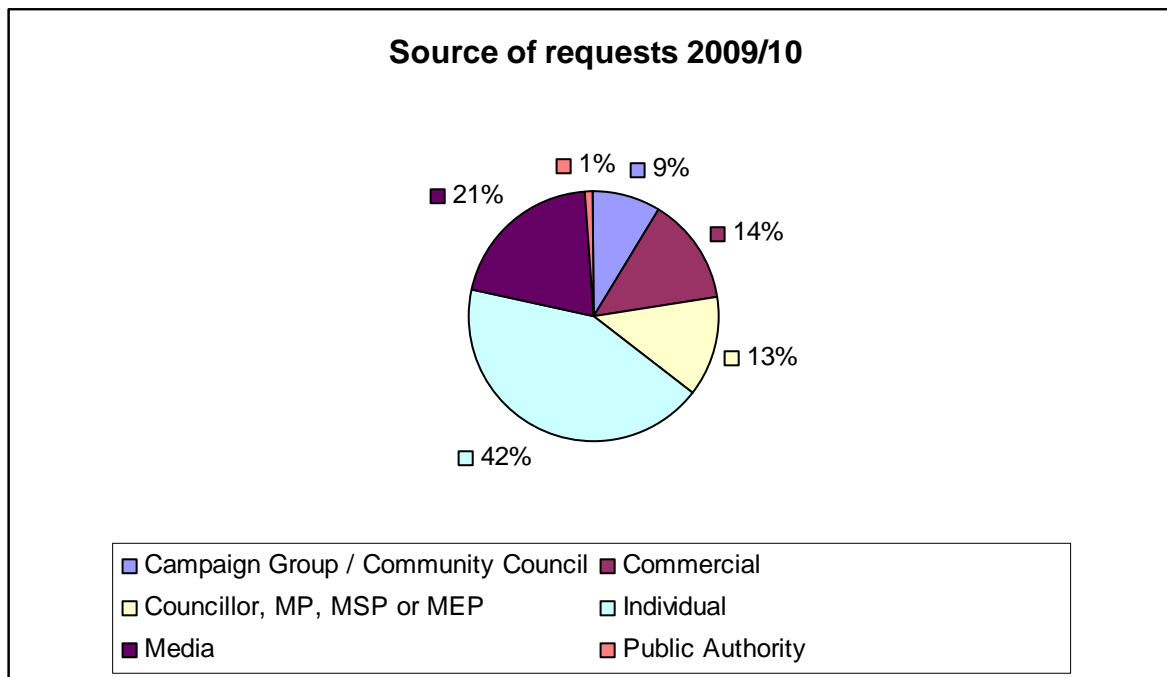


14. In 2009/10 the Council recorded 928 FOI requests for information. The Council released all the information in 755 requests (81%), partially released information in 29 requests (3%) and issued full refusal notices to 82 requests (9%). It was noted by the assessors that according to the Council's statistics it failed to respond to 10 requests in 2009/10 (1%), although there is in fact a shortfall of 62 between (on the above figures) the total number of requests responded to and the total received (7%). It was pointed out by the Council however that from this figure, in 31 cases the applicable outcome did not fall into one of the above three categories e.g. the where the Council did not receive clarification from a requestor where it had been sought or where for example the requestor had withdrawn their request. The Council also confirmed that with respect to the remaining 31 cases the logging system had not been updated properly and so the outcomes were not clear. However the Council did carry out a spot check exercise, identifying a small sample of these requests which revealed that in each case although the logging system had not been updated properly the cases had been completed and responses had been issued.
15. In 2010/11 the Council recorded 1011 FOI requests for information. The Council released all information in 862 requests (85%), partially released information in 15 requests (1%) and issued full refusal notices to 70 requests (7%). It was noted by the assessors that according to the Council's statistics it failed to respond to 9 requests in 2010/11 (0.9%) – again, however, the shortfall between the total number of requests responded to and those received is somewhat higher, at 64 (but represents a smaller percentage at 6%). In-line with the comments noted above, the Council confirmed that from this figure 38 cases had not been updated properly on the logging system and so the outcomes were not clear.
16. The graphs below illustrate the sources of the Council's requests for information for the financial years 2009/10 and 2010/11. In line with other local authorities, the highest proportion



of requests is received from individual members of the public, with the second highest proportion coming from journalists/media.

Figure 2





Detailed outcomes, findings and recommendations

17. The following sections provide details of the main areas of practice assessed and addressed in the assessors' findings and any associated recommendations.

Receipt of requests, recording systems, allocation of requests and performance monitoring

18. The vast majority of requests come into the Council's dedicated FOI mailbox. The Council's FOI Officer is currently responsible for managing this mailbox. Upon receipt of a request the FOI Officer (or a member of staff providing administrative support to the FOI Officer) will initially log the request onto the Council's SharePoint system. Should a member of staff receive a request directly they will forward the request to their Service Information Coordinator (SIC) who will in turn forward the request to the FOI Officer for logging and allocation. On occasion, the member of staff may forward the request directly to the FOI Officer. SICs are responsible for administering the FOI process within their particular service and work closely with the Council's FOI Officer.
19. Each service has various mailboxes and the SICs monitor these, passing requests to the FOI Officer for logging and allocation as and when necessary. There are currently seven SICs, representing each service within the Council. The current process of passing all requests to the FOI Officer for logging and allocation has been designed to try and ensure a consistent approach throughout the organisation, as all FOI performance reporting is done via SharePoint.
20. Once a request has been logged, the FOI Officer then allocates the request to the appropriate service(s) via the SICs. The SIC then allocates the request to the appropriate officer to deal with. Where it is possible to supply the information the allocated officer will carry out the necessary searches and draft a response. This will then be passed back to the SIC to package into a response which will either be signed off by the SIC themselves, the officer responsible for dealing with the request or a senior member of staff up to Director level. A copy of the response is provided to the FOI Officer, who will in turn update SharePoint.
21. It was noted by the assessors that there is a degree of inconsistency in relation to how the basic process is carried out in practice across each of the services. Who is responsible for signing off responses, and at what level of seniority, appears to vary, as does the involvement and responsibilities of the SICs. It was also evident from discussions with SICs and those responsible for responding to requests that each Service operates its own tracking and monitoring systems in relation to the requests it deals with. It was confirmed by the FOI Officer that although the SICs have access to SharePoint, responsibility for logging requests onto the system lies with the FOI Officer.
22. Where there are issues or concerns regarding the disclosure of information pertaining to a request, although advice is primarily sought from the FOI Officer, staff can also seek advice from Legal Services. When necessary, meetings are held to discuss responses and use of exemptions. The FOI Officer approves refusal notices and these are always signed off by an appropriate Director. The FOI Officer explained that one of his key roles is to challenge staff



seeking to withhold information and should it be necessary he can refer to Legal Services and/or the Chief Executive for advice.

23. Responses to media requests are approved by the Council's Public Relations Manager prior to issue.
24. All "cross service requests", i.e. requests that require input from more than one service, are dealt with centrally by the FOI Officer.
25. The SharePoint system utilised by the Council has largely been developed in-house by the FOI Officer. The system allows the FOI Officer to capture all the essential information necessary to effectively track and monitor the progress of a request from receipt to issue of the response to the requestor. Each request is allocated a unique reference number and this reference number is carried forward to any requests for review received in relation to the request. SharePoint allows the FOI Officer to attach a copy of the actual request to the system and the request is then allocated to a specific service, so each SIC can view his or her own list of live requests. The SICs use this as the basis of their own monitoring and tracking systems. The system also allows for notes/comments to be added to the record so that key information/correspondence relating to the request can be easily viewed. Staff can access SharePoint currently via the Council's intranet site.
26. With respect to retaining information/correspondence relevant to the processing of FOI requests received by the Council, the FOI Officer and the SICs use varying electronic folder systems. The assessors also saw evidence of paper-based systems being used to back up these electronic processes in one service. Although each service appeared to the assessors to employ different methods of monitoring, tracking and retaining information in relation to the requests, the processes in general appeared to be effective. However, performance in relation to dealing with requests varies among services. Examination of performance statistics provided by the Council highlighted variations in adherence to statutory timescales, and through discussions with staff from both higher and lower performing service areas it was clear to the assessors that while there are areas of good practice, consistency has been difficult to achieve. It was also noted by the assessors that those services with more robust localised processes in place, such as ECS, regularly out-perform those with less robust processes, such as those found in Planning and Development Services.
27. Currently, the Council's FOI procedure does not make specific reference to what information relating to the handling of a request should be maintained on file. It became evident through discussions with staff, including the FOI Officer, that the approach taken is inconsistent. The assessors noted, for example, that one particular service retains all information /correspondence pertaining to a request on file, whilst the FOI Officer makes a decision, based on the circumstances of each request, as to what information is considered key to the process of handling the request (and maintains the file accordingly). Although the assessors did not see any evidence to suggest that the Council did not maintain an audit trail of the key documents and associated correspondence, it was highlighted that unless the Council makes a decision to maintain all information/correspondence on file there will always be a risk that important information could be lost, the current process relying on individuals making case-specific decisions on what and what not to maintain on file. Having access to a complete audit trail of information/correspondence is important when dealing with a request for review and any subsequent appeals to the Commissioner.



28. It was noted by the assessors that the Council does not currently use SharePoint to administer requests for review, although it was pointed out that the system could be adapted for this purpose.
29. During discussions with the FOI Officer, it was explained that the Council is currently investigating the viability of replacing SharePoint with a new Contact Relationship Management (CRM) system. The CRM system is currently being utilised by other areas within the Council, such as the Contact Centre, and although the FOI Officer provided an overview of the potential benefits the system could bring to the administration of the Council's FOI requests, the FOI Officer also acknowledged that a key area to be developed is the system's ability to provide a sufficiently robust reporting mechanism to allow the Council to continue monitoring its FOI performance effectively. This is one of the key advantages of the current SharePoint system.
30. With respect to FOI performance monitoring, the Council has a number of mechanisms in place to monitor compliance with its statutory requirements. The Council reports on outstanding requests to the Chief Executive, Directors and other senior managers on a weekly basis at the Weekly Business Meeting. The focus of this report is to identify requests that are late and requests which are due in the current week. Directors are tasked with the responsibility of ensuring that these requests are progressed.
31. Service and Corporate performance is reported at the Chief Executive's Service's Quarterly Performance Meetings, as well as other Service Quarterly Performance Meetings. The focus of these meetings in relation to FOI is to enable each service's performance against statutory timescales to be assessed, as well as providing information in relation to the number of refusals, requests for review and appeals to the Commissioner.
32. Compliance with FOISA is also reported to Councillors through the Annual Corporate Performance Report, which is made available on the Council's website.
33. Conclusions/recommendations: The Council in dealing with FOI requests has a central FOI function, which is run on a day-by-day basis by the FOI Officer. Responsibility for dealing with requests is devolved via a network of SICs who are primarily responsible for allocating requests to the appropriate officer for action, along with carrying out other administrative duties in relation to FOI. In general, this system works effectively and it was acknowledged by the assessors that the "devolved" approach was the most suitable considering the size and geographical spread of the Council. However, although the Council's procedures outline a "devolved" structure, actual practice is much more centralised, with many requests being dealt with by the FOI Officer directly or with the FOI Officer being approached for advice on a significant number of requests. Indeed, according to the Council's FOI procedures, where a refusal notice is being issued the response is always passed via the FOI Officer before issue.
34. It was noted by the assessors and acknowledged by the Council that since the introduction of FOISA processes have not been fully reviewed, although the FOI Officer did provide the assessors with a copy of the Council's recently modified FOI Process Flowchart. The Council has seen a year-on-year increase in the volume of requests it has received and where the original procedures and practices were able to accommodate the volume of requests being received, the current volumes are putting a significant strain on the central FOI function.



35. The assessors therefore recommend that the Council reviews, develops and formalises its “devolved” structure with a view to enhancing the skills of the SICs and those members of staff who regularly handle FOI requests, with a view to being able to deal with more requests without having to refer to the FOI Officer and thus allowing the FOI Officer more time to carry out the full remit of his role (for example, in-house training and providing advice in more complex situations). The assessors would also recommend that the Council produces written procedures to supplement the guidance provided in the updated FOI Process Flowchart. These procedures should be used to enhance the basic guidance detailed in the flowchart, so that staff dealing with information requests have access to more comprehensive guidance on how to deal with those requests.
36. The assessors recommend that in reviewing its processes, the Council takes into consideration the various localised processes adopted by services with a view to extracting the areas of best practice from each area and, having identified the best approach, formalising these practices into the updated procedures guide so that all services are following the same process.
37. As has been noted above, the Council has a number of processes to track and monitor FOI performance and the assessors commend the focus the Council places on doing this. In order to tackle the inconsistencies surrounding adherence to statutory timescales, however, the assessors recommend that the Council adopts a formal escalation process which can be engaged when staff responsible for the administration of requests are having difficulties getting timely responses from staff tasked with responding to requests. The assessors recommend that this process involve senior members of staff, such as Heads of Service and/or Directors. This process should complement the existing Weekly Business Meeting, but engaging an escalation process at an earlier stage should have a positive impact on adherence to timescales.
38. In considering the viability of introducing a new CRM system, or making any other changes to its current basic FOI structure for dealing with FOI requests, the assessors suggest that the recommendations as detailed above are considered to ensure that robust procedures and performance monitoring mechanisms are in place to support the Council’s “devolved” structure.

Adequacy of administrative arrangements

39. Strategic responsibility for FOI has been delegated to the Council’s Public Relations Manager (PRM) who reports directly to the Chief Executive. Day-to-day responsibility for FOI lies with the FOI Officer, who reports to the PRM and is supported as noted above by a network of SICs. The FOI officer deals with a number of requests and has responsibility for administering and responding to “cross service requests”. However, the Council has always maintained the view that responsibility for FOI lies with each individual member of staff and as such any member of staff with the suitable expertise pertinent to the request received could be asked to respond to a request. In practice, however, it was apparent that within each service there are certain individuals who are more likely to be asked to deal with requests, based on the experience they have built up in this area.



40. The over-reliance on the FOI Officer by other services has been noted already and the recommendations in this report focus in part on developing the existing “devolved” structure with a view to spreading the workload more evenly across the Council. Training will be an important tool in allowing the Council to achieve this adjustment to the structure, and this will be looked at in more detail later in this report.
41. During discussions with staff from various services it became evident to the assessors that most areas have in place arrangements to cover periods where key FOI staff such as SICs and those responsible for responding to requests are on annual leave or other unplanned absence. Consequently the assessors were satisfied that the Council has adequate arrangements in place to cover each of the services. However the assessors noted an issue in relation to the arrangements in place to cover the FOI Officer.
42. Currently, if the FOI Officer is on annual leave or other planned absence, he is covered by another member of staff (who incidentally the FOI Officer provides cover for under the same circumstances). That member of staff is recognised by staff within the Council as being the cover for the FOI Officer and consequently discussions with staff from the various services revealed that they are comfortable with approaching this individual for advice. However, the assessors noted that this individual has not received any formal FOI training and/or detailed training with respect to the role of the FOI Officer. The assessors identified a risk to the Council that if the FOI Officer was to be absent from work for a prolonged period of time or, during periods of short term absence where advice is required by staff responding to requests, currently there is a potential knowledge gap. It was noted by the assessors, however, that the Council does have recourse to others within the organisation (for example, in Legal Services) for advice when this is necessary.
43. As detailed above, the assessors recommend that the Council puts in place a formal escalation process, engaging senior management to ensure that the SICs and FOI Officer receive responses within sufficient time to allow them to finalise responses and issue them within statutory timescales. As part of introducing this process the Council should consider the timescale intervals it utilises. The assessors noted from their discussion with a member of staff from ECS that the SIC provides the member of staff tasked with dealing with the request with a 10 working day response time, to allow a response to the requestor well within 20 working days. It was further noted by the assessors that ECS is consistently one of the best performing services in relation to adherence to timescales.
44. Conclusions/recommendations: Although individual Services have sufficiently robust cover in place in times of staff absence, the absence of the FOI Officer over a prolonged period of time could cause significant difficulties, not only in respect of the Council being in a position to meet its basic statutory obligations but also on the provision of advice to the network of SICs and other staff who respond to requests throughout the organisation and rely heavily on the FOI Officer’s knowledge and expertise. Consequently, the assessors recommend that the Council puts in place formal resilience arrangements to cover both short and longer term absence of the FOI Officer, to ensure that the role of the FOI Officer can be maintained at all times.
45. The assessors recommend that the Council in implementing its formal escalation process considers the key reminder/chaser points it wants to put in place to ensure that senior staff are aware of potential late responses at an earlier stage than in the current process, i.e. when the request is considered at the Weekly Business Meeting.



46. The assessors also recommend that the Council puts in place a formal procedure relating to what information/correspondence should be retained on file in relation to the handling of a request. If the decision is taken to not include all information/correspondence then clear guidelines to staff should be provided to ensure important material is not lost as part of the request handling process.

General awareness of the legislative regimes and training

47. In assessing staff's general awareness of the legislative regimes and the level of training they had received in equipping them to be able to deal with requests for information efficiently, the assessors made reference to paragraph 1. 1 of the recently updated section 60 Code of Practice

“Authorities should provide training to ensure that their staff have sufficient knowledge of the regimes and establish responsibility at a senior level for overseeing compliance”

48. It was evident to the assessors that with the introduction of FOISA staff within the Council were made aware of the implications of the legislation in terms of responding to requests for information. To coordinate this new process, an FOI officer was appointed to oversee the day-to-day running of the FOI function.
49. In preparation for the assessment the Council provided details of some of the training arrangements it currently has in place. Key to these arrangements is a course called “Information Governance”, which covers both data protection and FOI and where the interaction between FOI and data protection is considered in detail. The assessors were informed that this course is directed at those staff likely to be involved in handling requests. The Council confirmed that all the SICs had been on this course and that other groups of staff (selected by their services) had received this training. Within the Council a total of 330 staff have undertaken this training. The Council have also recently provided FOI training to Councillors.
50. It was also noted by the assessors that the Council intends (as part of its Corporate Improvement Plan) to develop a suite of training covering the whole information management discipline, including FOISA, to include induction, refresher courses and courses designed for specific areas within the Council. The Council is also considering the introduction of an e-learning package for FOI, which would allow it to ensure that all staff receive refresher training at regular intervals, which could be tracked at Corporate level. The assessors welcomed the focus the Council is placing on training going forward.
51. The FOI Officer has undertaken both formal and informal training in preparation for his role, initially through completing the Scottish Government's FOI Workbook. Along with self taught training, this has been supplemented by attendance at FOI workshops, regular attendance at the annual FOI conference, attendance at an EIR-specific conference and engagement with the FOI Officers Network, which brings together FOI officers from Scotland's local authorities on a bi-monthly basis. During discussions, the assessors noted that the FOI Officer displayed a competent day-to-day working knowledge of FOISA and the EIRs. This knowledge and experience represents the foundation on which the Council has dealt with its FOI



responsibilities over the years and will prove to be of considerable value in taking forward the recommendations contained in this report.

52. While the FOI Officer has built up considerable experience and knowledge in relation to FOI, it was apparent to the assessors during discussions with the SICs and from discussions with some of those responsible for responding to requests that the Council has not taken a consistent approach to training. Certain staff interviewed had received no or very little formal FOI training and it was apparent that many staff with FOI responsibilities are largely self taught, in relation to their knowledge of both the legislative regimes and the relevant local systems / processes.
53. The assessors acknowledged, however, that the level of knowledge demonstrated by the SICs and other staff responsible for responding to requests was good in relation to FOISA. This may be due in part to the central role the FOI Officer plays in providing advice and assistance to staff, which has had the effect of providing informal training on an ad-hoc basis to those dealing with requests.
54. However, the picture in relation to the EIRs is different. Although the FOI Officer had received some training on the regulations and there is evidence to confirm that some other staff have received specific EIRs training, the overall level of awareness among staff interviewed was low. This situation was acknowledged by the Council during discussions.
55. The Council currently does not differentiate for monitoring purposes between requests dealt with under FOISA and the EIRs. From analysis of the sample of requests examined, the assessors noted only one request which had been dealt with under the EIRs. Although the majority of requests were correctly dealt with under FOISA, the assessors noted nine requests which they concluded were requests for environmental information and should have been dealt with under the EIRs. From this total of nine, the assessors noted that four had been dealt with by Planning and Development, two by TEC Services, two by the Chief Executive's Office and one by ECS.
56. It is important that all employees within an organisation are able to identify a request for environmental information should it be received. For staff who do not have specific FOI responsibilities, the next step is for them to be able to pass the request onto an appropriate member of staff. For staff with specific FOI responsibilities the level of knowledge must be extended proportionately to allow them to discharge their responsibilities accordingly. To do this effectively, staff require to be made aware of their individual responsibilities and guidance should be documented and made available to assist staff.
57. It was also noted that a recent Audit Scotland report, which evaluated the Council's information management processes (details of which were provided to the assessors) identified a potential risk in relation to its FOI responsibilities. The report acknowledged that a number of staff had received the "Information Governance" training but that the attendees seemed mostly to be "self-selecting". This finding by Audit Scotland supports the assessors conclusions that the Council's training arrangements are inconsistent and that a more structured approach is required in relation to FOI to ensure that staff receive an appropriate level of training based on their responsibilities within the overall process of dealing with requests.



58. Conclusions/recommendations: At the outset, the Council invested time and resource to ensure that staff were aware of their responsibilities in relation to dealing with requests for information under FOISA. While general awareness of FOISA appears to remain sound amongst staff, awareness of the EIRs is an area of concern and the assessors would recommend that the Council in the first instance provides training/updates all staff on their responsibility to be able to identify a request for environmental information (including an overview of the legislation to cover what staff should do upon receipt of such a request).
59. The assessors further recommend that the SICs and those responsible for responding to requests for information receive more detailed training on the EIRs, including the application of exceptions to withhold information. The assessors would recommend that the Council focuses in the first instance on those services which are more likely to come across requests for environmental information, for example i.e. Planning and Development or TEC Services, broadening the scope of the training to all services on a planned basis thereafter.
60. With a view to allowing the Council to fully utilise the “devolved” structure it has in place to manage FOI requests, the assessors recommend that training on the application of the exemptions under FOISA be provided to all the SICs and those who regularly respond to requests for information within each Service. The focus of this training should be to equip key FOI staff with a sufficiently robust level of knowledge to allow them to deal with more requests directly, without necessarily referring to the FOI Officer. Details of some of the key areas this training should address are detailed in the “Content of refusal notices” section in this report.
61. To support the training recommended (and to assist in addressing some of the other recommendations found in this report), the assessors recommend the introduction of a formal FOI Working Group. This group could consist of the current SICs, but could include other key FOI staff in addition. The assessors would recommend that the group should be managed by the FOI Officer. Formalisation of such a group would provide a space for key FOI staff to exchange best practice and ideas, also allowing for essential training to be provided to the appropriate staff (and cascaded to services in a consistent manner).
62. Finally, the assessors commend the focus the Council is placing on training in relation to its Corporate Improvement Plan and suggest that the recommendations detailed in this report are considered in line with the Corporate Improvement Plan as it is implemented.

Records management and searching

63. It is essential to successful request handling that an authority is able to identify and retrieve the information it holds on receipt of a request. The Council has a variety of systems in place for recording and holding information and each service holds information both electronically and in paper format. The assessors were provided with access to the Council’s Records Management Policy and Strategy, and its Records Retention Policy and Disposal Authority.
64. The Council has in place a Records Management Policy and Strategy for the period 2009 – 2012. The Records Management Policy defines the scope of what constitutes a record; sets out the principles and standards of good record keeping to be adhered to; and defines roles, responsibilities and legal statutory obligations.



65. The Records Retention Policy and Disposal Authority provides a framework to govern management decisions on whether a particular document (or set of documents) should either be retained (and if so for what period) or disposed of, and if so when. The Policy defines staff roles and sets out the process and guidance, in the form of retention schedules and criteria checklist, which should be followed in any decision on whether to retain or dispose of a document or set of documents.
66. The Council's "devolved" structure means that requests are passed to those members of staff from each Service considered best placed to be able to identify and locate information pertinent to a request, based on their knowledge of the subject matter and specific systems used to retain information. This was reflected in the discussions the assessors held with staff during the on-site assessment, where it was evident that in general thorough searches are conducted before a response is issued.
67. The assessors also noted that most information relevant to requests received by the Council is to be found in one of the Council's many operational sites and offices. However, in line with the Council's records management and retention policies, documents are also retained off-site and held in a purpose built building. Should information be required that is held off-site, there is a process in place to retrieve that information.
68. It was also noted by the assessors, after analysis of the sample requests provided by the Council and through discussions with staff dealing with requests, that it is not common practice to keep on file a note of the searches undertaken in dealing with a request. The assessors identified such records as being of particular importance where the conclusion is that the information requested is not held (wholly or in part), given the potential need to justify the adequacy of the searches to a reviewer and potentially to the Commissioner.
69. Conclusions/recommendations: The assessors were satisfied that the Council has a satisfactory records management policy and retention schedule. The assessors were also satisfied that the Council has staff in place with the required expertise to ensure that adequate searches are being carried out to identify information which would fall within the scope of the request, prior to making a response to the requestor.
70. The assessors recommend, however, that the Council updates its procedures to advise staff to retain a record of any searches undertaken in response to a request, particularly where section 17 of FOISA is being relied upon. This will assist the Council in conducting further searches should any subsequent request for review be received or a subsequent appeal be made to the Commissioner to investigate the handling of the request.

Compliance with statutory timescales

71. An authority in receipt of a request for information (including environmental information) must respond promptly and no later (with certain exceptions) than the 20th working day following receipt of the request.³ An authority receiving a requirement for review of its handling of an information request must conduct a review and notify the applicant of its decision promptly and

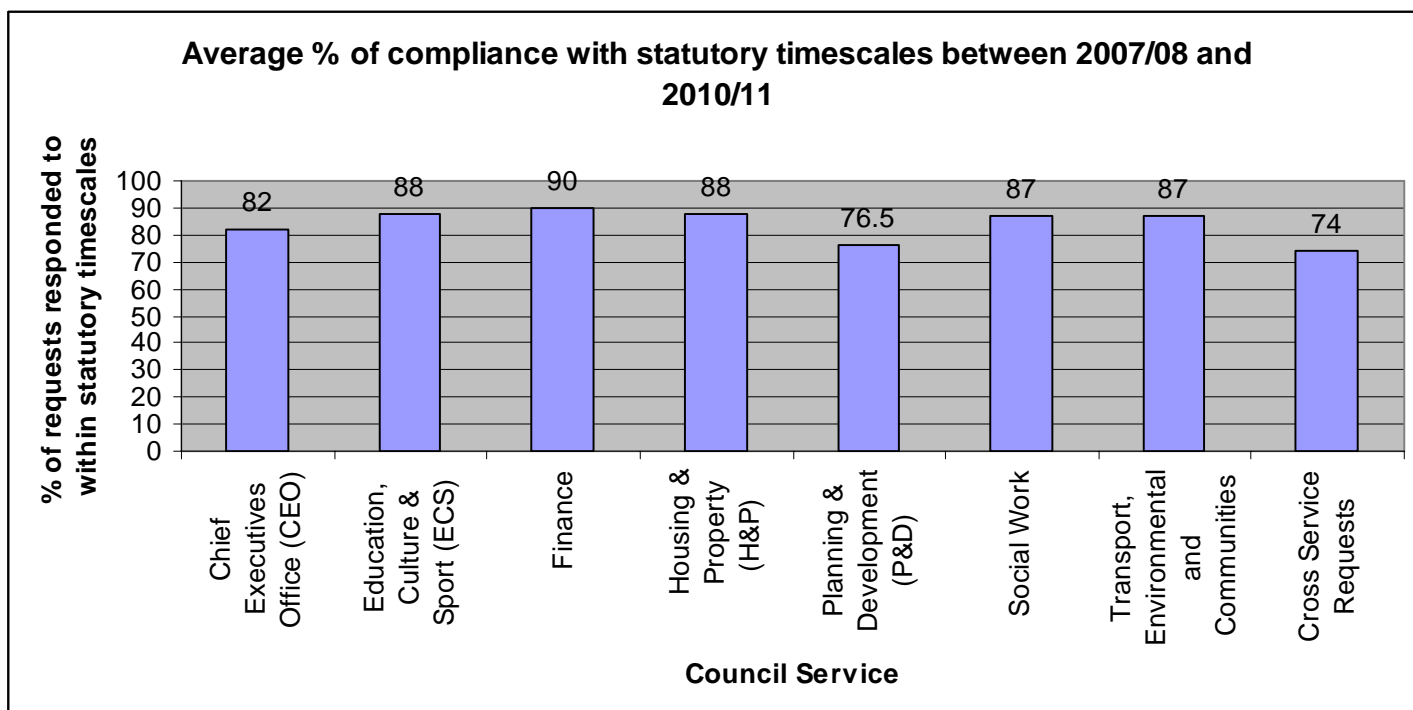
³ Section 10 of FOISA and regulations 5 and 13 of the EIRs



no later (with certain specified exemptions) than the 20th working day following receipt of the requirement.⁴

72. In response to the pre-assessment self evaluation form, the Council provided statistics representing its performance broken down on a quarterly basis from 2007/08 through to 2010/11, for each service within the Council including “cross service requests”. Annual and service-specific performance figures are demonstrated in the graphs below.

Figure 3

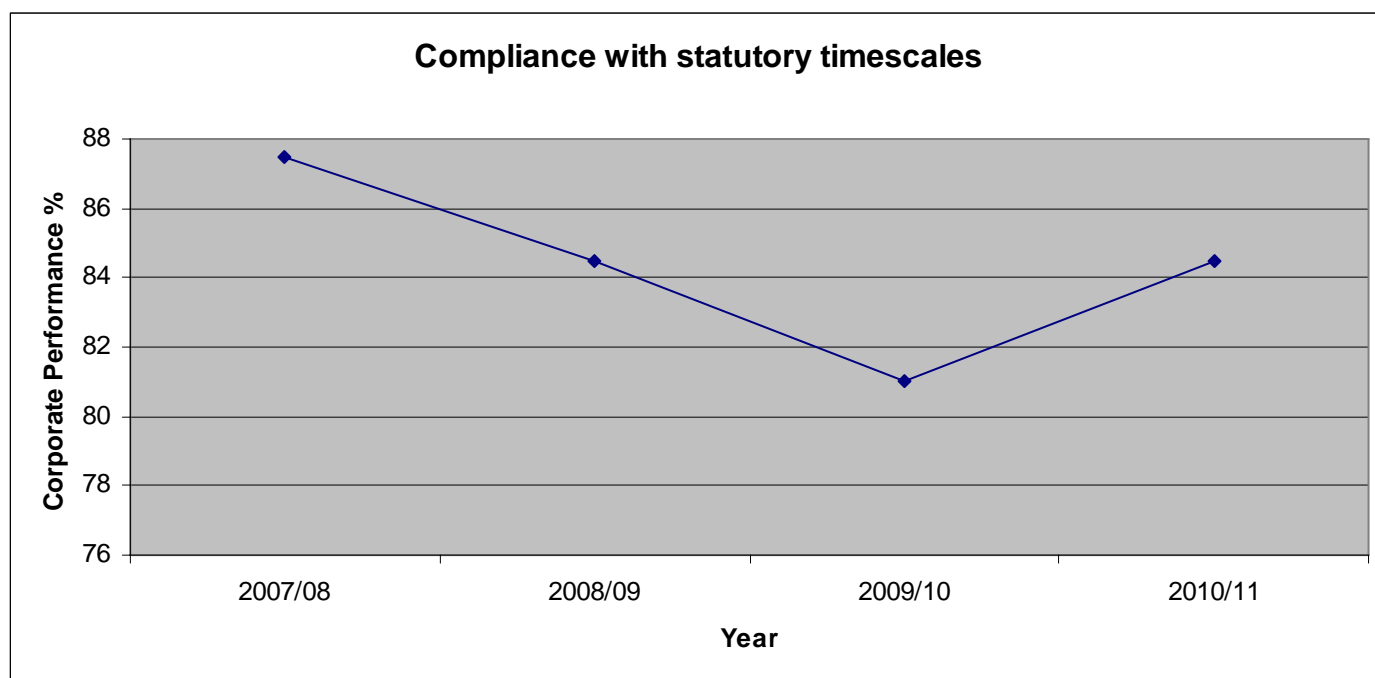


73. Corporate performance over the period 2007/08 to 2010/11 is demonstrated in the graph below:

⁴ Section 21 of FOISA and regulation 16 of the EIRs



Figure 4



74. In summary, these graphs demonstrate variable performance across the Council over a four year period. The best performing services are consistently Finance and ECS, with Housing and Property Services, Social Work, TEC Services and the Chief Executive's Office following closely behind. Areas of concern relate to Planning and Development Services and "cross service requests, where performance in relation to adherence to statutory timescales has on average over the four year period fallen below 80% (at 76.5% and 74% respectively).
75. Having examined a sample of 50 requests from those received in 2009, 2010 and 2011, the assessors noted that in 2009 the Council failed to respond within statutory timescales in two cases from a sample of 10; in 2010 five cases were identified from a sample of 25, while in 2011 five cases were identified from a sample of 15.
76. The assessors also examined 11 requests for review which had been handled by the Council. The Council does not currently collate statistical information relating specifically to its handling of reviews. However, from the sample of reviews examined the assessors noted that in six occasions (55% of cases) the Council failed to respond to the requestor within the requisite statutory timescale. .
77. Conclusions/recommendations: The assessors noted areas of good practice being utilised by staff interviewed from various services. The assessors recommend that in reviewing its procedures and formalising its FOI structure, the Council takes into consideration the recommendations detailed in this report, such as the introduction of a formal escalation process, implementation of a consistent approach to dealing with requests by all services and the introduction of a review procedure with guidance. These should all contribute to addressing the inconsistencies in performance across services.



Content of refusal notices

78. When information is being withheld in response to an information request, the requestor should be given a refusal notice which:
- Discloses that the authority holds the information requested
 - States that the information is exempt information
 - Specifies which exemption has been judged to apply: and
 - States (if not otherwise apparent) why the exemption applies.⁵
79. Where the exemption claimed is subject to the public interest test, the notice must also state why, in all the circumstances of the case, the authority has judged that the public interest in maintaining the exemption outweighs that in disclosure of the information.⁶
80. Any such refusal notice must also provide details of the authority's procedure for dealing with complaints about its handling of requests for information and the applicant's right of review and application to the Commissioner.⁷ Broadly the same requirements are set-out in the EIRs.⁸
81. The Council does not maintain a suite of standard template letters to be used by staff responding to requests for information under FOISA or the EIRs. The FOI Officer has, however, created standard text which should be used by staff in all responses, to ensure that requestors are provided with details of their right to request a review and also their right to make an application to the Scottish Information Commissioner should they be dissatisfied with the response they receive to their request for review.
82. The assessors noted, however, that the standard text does not include reference to the requestor's right to make an appeal to the Commissioner within six months from receipt of the response to the request for review, or where no response to the request for review has been received. It was noted that the standard text was used in the vast majority of responses, although it was noted after examination of the sample of 50 requests provided by the Council that in nine cases (18%) the Council omitted to provide any information on rights to the requestors.
83. From the sample of 11 review cases examined by the assessors, it was noted that in three cases the requestor was not provided with details of their right to apply to the Commissioner or the period within which such an application can be made. It was further noted by the assessors that none of the responses provided requestors with details of their right to apply to the Court of Session on a point of law, should they be dissatisfied with the Commissioner's Decision.⁹
84. From the sample of 50 requests examined by the assessors, it was noted that in 11 cases where exemptions had been applied, the exemption(s) had either been cited inadequately or not at all. It was also noted that in eight examples the arguments provided in support of the application of a particular exemption(s) were either wholly absent or very light and lacking in

⁵ Section 16 of FOISA

⁶ Section 16(2) FOISA

⁷ Section 47(1) of FOISA

⁸ Regulation 13 of the EIRs

⁹ Section 21(10) of FOISA read with Sections 47(1) and 56 of FOISA



case-specific detail. The assessors also noted two examples where the Council had failed to consider the application of the public interest test and one example where the reasons used to support non disclosure (in the public interest) were again very light and lacking in case specific detail.

Issuing a notice under section 17 rather than section 12 of FOISA

85. If an authority does not hold the information to which the request relates then it must within 20 working days from receipt of the request, provide the requestor with notice in writing that it does not hold it.¹⁰
86. An authority is not obliged to respond to a request for information if the cost of doing so would exceed the prescribed limit of £600¹¹ as set out (and calculated in line with) the Fees Regulations.¹² Where this provision is invoked, the applicant must be notified that this is the case. Where it is found to apply, the authority should consider its obligations under section 15 of FOISA to advise and assist the applicant, and it may be appropriate to provide advice on how their request might be refined and brought within the prescribed limit.
87. There is no provision in the EIRs directly equivalent to section 12 of FOISA, but a request can be refused if it is manifestly unreasonable.¹³ Excessive cost is one of the reasons why a request might be judged to be manifestly unreasonable. The applicant should be notified of such a decision in a refusal notice. There is also an equivalent duty to provide advice and assistance within regulation 9 of the EIRs.
88. During discussions with staff, it became evident that section 17 of FOISA had been relied upon in responding to requests for information where the Council concluded that it did not hold the information, on the basis that it did not record the information in the format requested. Firstly in such cases, the authority needs to consider if it holds the information requested. This may be the case even where the information is not held in the format specified by the requestor, where the provision of the requested information would involve the extraction and/or collation of information rather than the creation of new information.
89. In these circumstances, the next step is for the authority to consider whether the cost of complying with the request would exceed the prescribed cost limit. If it would not, then the information should be provided to the requestor. If it would, however, then a notice under section 12 of FOISA (along with appropriate advice and assistance to assist the requestor to access the information under the cost threshold) should be issued, rather than a notice under section 17.
90. The assessors consider that it should be possible to address the majority of the issues identified in relation to the content of refusal notices through the implementation of an appropriate training programme, focused on the staff who are responsible for administering and responding to requests. In carrying out this training, the Council should focus initially on the exemptions it utilises most often.

¹⁰ Section 17 of FOISA

¹¹ Section 12 of FOISA

¹² The Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004

¹³ Regulation 10(4)(b) of the EIRs



91. Conclusions/recommendations: The assessors recommend that the Council takes steps, which should include training, to ensure that whenever it is withholding requested information it cites fully the exemption/exception it wishes to rely on, providing robust, request-specific reasons for doing so, together with (where applicable) consideration and reasons for its conclusions in respect of the public interest test.
92. It is also recommended that the Council provides training to its SICs and others who respond to requests, to ensure that they can identify the difference between information which is not held and information which is held but in a different form or format from that in which it has been requested.
93. The assessors also recommend that the Council reviews the content of its “standard text” which should be included in a response to a request or request for review, to ensure that requestors are always informed of their statutory rights and to take into account the possibility of responding to a request/request for review under the terms of the EIRs. In consideration of this recommendation, the assessors would suggest that the Council considers the benefits of introducing a suite of standard letters, which may also help to ensure that refusal notices are issued in accordance with FOISA/EIRs (as appropriate) as detailed above.

Review process

94. Neither FOISA nor the EIRs are prescriptive about the form of review that should be undertaken following a request for review¹⁴. Under FOISA a review may confirm the original decision, with or without modifications, substitute a different decision for it, or reach a decision where none has previously been taken. For environmental information, the authority must review the matter to decide whether it has complied with the EIRs, and where it finds a breach, immediately take steps to remedy this.
95. The new amalgamated Section 60 and 62 Code of Practice on FOISA and the EIRs, published in December 2010¹⁵, provides guidance on the review process. It provides that:
 - authorities put in place appropriate and accessible procedures for handling reviews, which are fair, impartial and should enable different decisions to be taken if appropriate.
 - the procedures should be straightforward and capable of producing a determination of the review promptly, handled by staff that were not involved in the original decision, if possible, and allow the matter to be considered afresh.
 - the reviewer should record the process undertaken when conducting a review and produce a review report in order that the authority can learn from good/bad practice identified.
96. On conclusion of a review,¹⁶ the authority must inform the applicant of what it has done and state its reasons for doing so. This notice must also explain the right of application to the Commissioner and subsequent right to make an appeal against the Commissioner’s decision to the Court of Session.¹⁷ The EIRs similarly require the authority to notify an applicant of the

¹⁴ Section 12 (Review by Scottish public authority) of FOISA and regulation 16(Review by Scottish public authority) of the EIRs

¹⁵ <http://www.scotland.gov.uk/Resource/Doc/933/0109425.pdf>

¹⁶ Section 21(5) of FOISA

¹⁷ Section 21(10) of FOISA



outcome of the review. Although there is no equivalent statutory provision requiring notification of the rights of appeal, the updated section 60/62 Code of Practice indicates that it is good practice to do so.

97. The Council received 20 requests for review during financial year 2009/10 and 14 during the financial year 2010/11. As a percentage of the total requests received during each of these years i.e. approximately 1%, the number of requests for review received by the Council is proportionately very low.
98. The Council's procedure is that when advised of their right to request a review, requestors are asked to make their request in writing to the Chief Executive's Office. Reviews are predominantly carried out by the FOI Officer and where appropriate are signed off by the Chief Executive. In discussions with the FOI Officer it was confirmed that if he or the Chief Executive had been involved in the initial response, another officer would be tasked with carrying out the review. If another officer within the Council receives a request for review, the request is forwarded to the FOI Officer.
99. From the sample of 11 reviews examined by the assessors between 2009 and 2011, it was noted that the FOI officer had responded to 8 of them.
100. In dealing with the review, the FOI Officer identifies the staff who were involved in the initial response and when necessary the officer who will be tasked with carrying out the review. Where appropriate, the FOI Officer consults with Legal Services in preparing a response. If another officer is conducting the review, the FOI officer and (where necessary) a representative from Legal Services will present evidence to the officer to help them prepare the review response. It is, however, the reviewing officer's responsibility to come to his or her own conclusions based on the support and assistance available to them as part of the process.
101. Although current practice accommodates this situation, it was noted by the assessors that because he plays a key role in providing advice and assistance to staff and deals himself with a large number of "cross service requests", there is the potential for a conflict of interest arising from the FOI Officer having the primary responsibility for carrying out reviews. It was further noted by the assessors that apart from the completion of a box in SharePoint indicating that a request for review has been received, there are no formal procedures relating to the logging, tracking and monitoring of requests for review.
102. Along with the low volume of requests for review the Council receives, it was noted by the assessors that from the sample of 11 requests examined the Council had either overturned or partially overturned its initial decision to withhold information on seven occasions. The assessors consider that this demonstrates the Council's willingness to look at a request for review afresh.
103. Conclusions/recommendations: The assessors consider that the Council demonstrates a sound ethos in relation to how it handles requests for information and noted the keen interest the Chief Executive takes in keeping track of review responses before they are issued. However the Council should formalise its current practice to include the following:



- a formal written review procedure, which should not only detail the process involved in conducting a review but also provide guidance on how to carry out a review
 - a pool of reviewers, taking into consideration the seniority of the members of staff that it wishes to allocate this task to
 - a mechanism for logging, tracking and monitoring reviews in line with the procedures it has in place for dealing with initial requests. Any mechanism put in place should take into consideration the proposed change to the new CRM system.
104. Staff generally should be updated to ensure that they are aware that above changes have been made, with comprehensive training being provided to those who may be tasked to carry out a review.

Polices, procedures and other documentation

105. The assessors were provided with a demonstration of the Council's intranet site. The site has a separate "Access to Information" page and contained within this section are links to relevant legislation, information on records management and information security, data sharing and a guidance note relating to issuing refusal notices. There is also access to a list of the Council's SICs, with their contact details and those of the FOI Officer. There are also links to the publication scheme, Codes of Practice, training material and presentations, and a useful FAQ section. The Council's FOI Policy is also available on the intranet.
106. The Council recently updated its FOI Process Flowchart and the assessors were satisfied that this in general provides an accurate overview of the processes the Council currently follows in dealing with FOI requests. However, it was apparent that the Council does not currently have any supporting guidance to assist staff in dealing with requests. It was also apparent that the updated process is not available via the intranet and that knowledge of the existence of this document is variable. As has been previously noted, it is not universally adhered to.
107. It has also been noted in the "Review process" section of this report that currently the Council does not have a Review procedure or guidelines in place. This issue has been addressed in a separate recommendation.
108. Conclusions/recommendations: While they were satisfied that the updated FOI Process Flowchart provides a true reflection of the basic "devolved" FOI structure the Council has in place, the assessors recommend that specific guidance be produced to support this process flowchart, which will provide more detailed guidance to those responsible for administering and responding to FOI requests.
109. The assessors also recommend that the Council reviews the content of its "Access to Information" pages, taking into consideration the recommendations contained in this report to ensure that they are up-to-date.



Publication scheme and website

110. The Council's publication scheme was approved in March 2011. During discussions with the FOI Officer and Public Relations Manager, the Council's representatives explained how it envisaged the publication scheme fitting into its Information Management Strategy and more generally into its Corporate Improvement Plan. The assessors welcomed the focus the Council is giving to integration of the publication scheme with its website, which itself has been subject to review in terms of the Council's Web Strategy.
111. There is a general ethos of making information available to the public via the publication scheme and website and the assessors further noted the Council's intention to review the publication scheme at Senior Management Team level.
112. The assessors also noted that the Council utilises a disclosure log, which is accessible via the website. Currently the Council places details of requests and responses in relation to requests which do not include reference to personal data. The assessors acknowledged the existence of this log and would encourage the Council to utilise this mechanism as much as possible and to ensure that it is kept up-to-date.
113. Conclusions/recommendations: The assessors welcomed the Council's plans to regularly review its publication scheme and integrate the scheme with the website, and its approach to actively disseminating information into the public domain. The assessors commend the efforts the Council is making here and encourage it to maintain its focus in this respect in taking forward the recommendations contained in this report.

Conclusions and summary of recommendations

114. Having conducted their assessment of the Council's FOI practice, the assessors noted a positive attitude towards openness and transparency, demonstrated by those staff that were interviewed, up to and including the Chief Executive.
115. The assessors identified a number of areas of good practice in the way the Council deals with requests for information. The assessors were also impressed with the focus and systems the Council have in place to monitor FOI performance and see this as an essential element in allowing the Council to take forward action points on the back of the recommendations detailed in this report. The assessors also welcomed the Council's plans for utilising its recently re-approved publication scheme in relation to making information both available and accessible to the general public. The introduction of a disclosure log relating to the requests for information it handles was also considered to be an area of good practice.
116. The assessors identified some areas for development, however, during the course of the assessment. Key areas for consideration relate to adherence with statutory timeframes in relation to responding to requests for information and requests for review; a review of its current procedures and practices to ensure that each service is applying a consistent approach to handling requests for information; training, to focus primarily on developing those responsible for administering and responding to requests for information and covering both



FOISA and the EIRs; and a complete review of the arrangements in place for dealing with and responding to requests for review.

117. Comprehensive details of the areas of good practice identified are to be found in the body of this report. Where recommendations have been made (these are summarised in the table below), it is recommended that the Council develops an action plan to address these areas.

Recommendations

	Immediate action required
Recommendation Number	
1	That the Council reviews, develops and formalises its “devolved” structure with a view to enhancing the skills of the SICs and those members of staff who regularly handle FOI requests
2	That the Council adopts a formal escalation process which can be engaged when staff responsible for the administration of requests are having difficulties getting timely responses from staff tasked with responding to requests. In doing this, the Council should also consider appropriate timescales for the chaser/reminder points it utilises as part of this process.
3	That the Council sets up a formal FOI Working Group, initially to take forward the recommendations in this report and thereafter to be used as a training and awareness forum
4	That the Council take steps to ensure there is adequate resilience in place to cover the role of the FOI Officer, and creates a pool of individuals from which a reviewing officer can be selected
5	That the Council provides training to its SICs and to those who respond to requests, to ensure that they can identify the difference between information which is not held and information which is held but in a different form or format from that in which it has been requested

	Medium term action to be completed within 3 months
Recommendation Number	
6	That the Council take into consideration the various localised processes that have been developed by its services, with a view to extracting the elements of best practice from each area before deciding on the best approach. That the Council, having done this, formalises the best practice identified into an updated procedures guide to supplement the guidance provided in the recently updated FOI Process Flowchart (which may itself require to be updated following this process), so that all services are following consistent processes and procedures
7	That the Council puts in place a formal procedure (which could form part of the revised procedures to be prepared in implementation of recommendation 6 above) relating to what information/correspondence should be retained on file in relation to the handling of a request. This should include guidance on retaining a record of the searches undertaken in response to a request, particularly where section 17 of FOISA is being relied upon



8	That the Council provides training/updates all staff on their responsibility to be able to identify a request for “environmental information”, including an overview of the relevant legislation to include what staff should do upon receipt of such a request
9	That the Council reviews the content of its “standard text” to be included in a response to a request or request for review, to ensure that requestors are always informed of their statutory rights and to take into account the possibility of responding to a request/request for review under the terms of the EIRs. In consideration of this recommendation, the assessors would suggest that the Council considers the benefits of introducing a suite of standard letters, which may also help to ensure that refusal notices are issued in accordance with FOISA/EIRs

Action to be completed within 6 months	
Recommendation Number	
10	That training on the application of exemptions under FOISA and exceptions under the EIRs is provided to all SICs and others who regularly respond to requests for information within each Service. This training should ensure that whenever the Council is withholding information, staff fully cite the exemption/exception it wishes to rely on, providing robust, request-specific reasons to support their application of that particular exemption/exception, together with (where applicable) consideration of and reasons for its conclusions in respect of the public interest test
11	That the Council formalise its current practice in relation to conducting reviews and implements the recommendations as detailed in paragraph 103 of this report. Staff should be updated accordingly, to ensure that they are aware of the revised procedures and guidance, with comprehensive training being provided to those who may be asked to carry out a review
12	That the Council reviews the content of its “Access to Information” pages, taking into consideration the recommendations contained in this report,+ to ensure that they are up-to-date

118. The assessors consider that all steps which require to be taken in relation to these recommendations can reasonably be completed within a period of six months, and they are aware that the Council has already taken steps to address some of the recommendations.
119. A copy of the action plan prepared by the Council, setting out the actions it has taken and intends to take to satisfy the recommendations in this report is attached at Appendix 1.
120. At the end of the 6 month period (from the date of publication of this assessment) the Commissioner will ask the Council to submit a report to him explaining the measures put in place to address the issues identified in the assessment and the outcomes of the action plan. Following receipt of this report, the Commissioner may seek a follow-up meeting with the Council to discuss progress and any outstanding issues.



.....
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Freedom of Information Officer

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Report approved by

.....
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