

# **FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

## **NORTHERN JOINT POLICE BOARD PUBLICATION SCHEME**

### **Part 1 - Introduction**

The Freedom of Information (Scotland) Act 2002 (FOI Act) received Royal Assent on 28 May 2002. It gives a general right of access to all types of recorded information held by Scottish public authorities, sets out exemptions from that right and places a number of obligations on public authorities. A 'public authority' is defined in the Act, and includes, but is not restricted to, central and local government, non-departmental public bodies, the police, the health service and schools, colleges and universities. Any person who makes a request to a public authority for information must be informed whether the public authority holds that information and, subject to exemptions, supplied with that information.

### **Your rights and our responsibilities from June 2004**

Under Section 23 of the FOI Act, as a police authority, Northern Joint Police Board (the Board) has a duty to prepare a publication scheme setting out the information we routinely make publicly available. Our scheme has to be approved by the Scottish Information Commissioner and we have to review the scheme from time to time. In adopting (or reviewing) our publication scheme, we are required to have regard to the public interest in:

- allowing public access to information we hold; and
- the publication of reasons for the decisions we make.

In preparing to meet our obligations under the FOI Act, including the drawing up of this publication scheme, we have been mindful of the value of openness and transparency.

Our publication scheme must:

- set out the classes of information which we publish or intend to publish;
- say how we will publish the information in each class; and
- say if we will provide the information free or charge for it.

The purpose of our publication scheme is to let you know what information is readily available from us. By readily available we mean that the information can be obtained on our website at [www.highland.gov.uk](http://www.highland.gov.uk) or from us if you request it by letter, e-mail or telephone call or by personal visit to the office of the Clerk to Northern Joint Police Board, Highland Council Headquarters, Glenurquhart Road, Inverness IV3 5NX.

**Part 2 of our publication scheme sets out the classes or types of information that we publish or intend to publish.**

**Part 3**, our list of publications, supports the publication scheme. It lists specific publications we make available, how they can be obtained and whether they are free or if we will ask you to pay a charge.

### **Your rights and our responsibilities from 1st January 2005**

The FOI Act will give you a right of access to recorded information held by public authorities, in addition to what is included in the publication scheme, subject to certain exemptions.

The FOI Act applies to Scottish public authorities, including the Board. When the FOI Act comes into force fully on 1 January 2005, if you ask us for information we will be required to:

- let you know in writing whether we hold information you have asked for; and
- if we do, provide the information to you within 20 working days, unless it is subject to an exemption.

We also have a duty to provide advice or assistance to you or anyone seeking information (for example in order to explain what is readily available or to clarify what is wanted).

Full access rights under the Freedom of Information Act will come into force on **1 January 2005**.

From 1 January 2005, information previously withheld from the publication scheme under an exemption may be accessible if its disclosure is considered to be in the public interest.

### **Responsibility for the Board's publication scheme**

**Roslyn Pieroni**, Clerk to Northern Joint Police Board has overall responsibility for our Publication Scheme. Her contact details are:

**Roslyn Pieroni**  
**Clerk to Northern Joint Police Board**  
**Highland Council Headquarters**  
**Glenurquhart Road**  
**Inverness**  
**IV3 5NX**  
**Tel: 01463 702012**  
**FAX: 01463 702182**  
**E mail: [roslyn.pieroni@highland.gov.uk](mailto:roslyn.pieroni@highland.gov.uk)**

### **Contacting us**

Our Publication Scheme and any of the publications so identified in Part 3 may be accessed through our website at **[www.highland.gov.uk](http://www.highland.gov.uk)**. If you wish to obtain a hard copy of our Publication Scheme or any of the publications contained in our list of publications in Part 3, you may write to, e-mail or telephone **Rhona Moir** at:

**Northern Joint Police Board  
Highland Council Headquarters  
Glenurquhart Road  
Inverness  
IV3 5NX  
Tel: 01463 702123  
E Mail: rhona.moir@highland.gov.uk**

If writing for information, please include the following details: your name and address and the information on documents you want to see.

If telephoning for information, please provide full contact details including a telephone number, so that we can telephone you to clarify any details, if necessary.

Personal visits: if you would like to obtain the information in person at the above address, please contact Rhona Moir to arrange an appointment. We will be happy to help if you have any difficulty in determining the information you want to see.

Further details concerning the Freedom of Information (Scotland) Act 2002 and the publication schemes made under it can be obtained from the Office of the Scottish Information Commissioner. Contact details for the Commissioner can be found below.

Please note that there is a separate publication scheme for Northern Constabulary which can be obtained from their website on [www.northern.police.uk](http://www.northern.police.uk) alternatively please contact:

**Gordon Elliott, Data Protection Manager  
Northern Constabulary  
Perth Road  
INVERNESS  
IV2 3SY  
Tel: 01463 720232**

### **General Information about Northern Joint Police Board**

Northern Joint Police Board was established by Section 34 of the Local Government etc (Scotland) Act 1994 and the Northern Combined Police Area Amalgamation Scheme Order 1995. This Order provided for Highland Council, Orkney Islands Council, Shetland Islands Council and Comhairle nan Eilean Siar becoming amalgamated for police purposes into the Northern Joint Police Board. The Board consists of 24 Councillors appointed from the membership of the 4 Councils as follows:-

16 members appointed by Highland Council  
2 members appointed by Orkney Islands Council  
2 members appointed by Shetland Islands Council  
4 members appointed by Comhairle nan Eilean Siar

Members of the Board are appointed by each Council following the Local Government elections.

The Board shares responsibility for Northern Constabulary with the Chief Constable who is responsible for police operational matters, and with the Scottish Ministers.

The Board is supported by the Clerk, Monitoring Officer and Treasurer to the Board who give administrative support and professional advice. Currently the Clerk, Monitoring Officer, and Treasurer are the Head of Committee Services, Head of Legal Services and Director of Finance respectively of Highland Council. The Board currently meets 4 times a year with one of those meetings being held in one of the Islands authorities on a rotating basis. In addition, business is conducted through an Audit Working Group and a Finance and Policy Working Group, which also deals with Complaints Issues.

All meetings, unless specified, are open to the public and papers are available in advance of meetings.

The Board has a number of statutory duties and responsibilities. The main ones are to:

- set the budget for Northern Constabulary and provide the Chief Constable with the resources necessary to police the area efficiently and effectively;
- make arrangements to secure best value and participate in community planning;
- keep itself informed as to the manner in which complaints made by members of the public against Constables are dealt with by the Chief Constable;
- appointment of the Chief Constable, Deputy Chief Constable and any Assistant Chief Constables.

### **Charging for publications**

All documents included in this publication scheme are available free of charge. However, requests for multiple copies of a single document will attract a charge of 10 pence per sheet and we will let you know the total cost when we receive your request. This charge, along with any postage charge, will be payable in advance.

### **Feedback and Comments**

Questions, feedback and comments on the publication scheme are welcomed. The aim of the FOI Act is to promote greater openness by public authorities, so it is important that this scheme meets your needs. We welcome suggestions for additional classes of information that could be included. We also welcome suggestions as to how the publications themselves might be improved.

If you have a query or comment about this publication scheme, the information available, or information held by the Board generally, please contact **Rhona Moir** at the address shown above.

## **Complaints**

If you are dissatisfied with the way your request for information under the Publication Scheme has been handled, please contact **Rhona Moir** at the address shown above who will try to resolve your complaint.

Within five days of first hearing from you we will write to you to confirm that we have received your complaint and to explain any action we are taking. While we are dealing with your complaint we will keep in touch with you to let you know what is happening and how soon you can expect an answer from us. We aim to resolve all complaints within 28 working days. You will have the right of appeal to the Clerk to the Board in respect of complaints not resolved to your satisfaction.

If you are still dissatisfied with the way we have handled your request for information that should be available through our Publication Scheme, you may seek an independent review from the Scottish Information Commissioner. Please make your request in writing to:

The Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews  
Fife  
KY16 9DS  
Tel: 01334 464610  
Fax: 01334 464611  
Email: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)

### ***Review of a Decision Not to Disclose Information Under a Section 1 Request***

From 1 January 2005, when the general right of access comes into force, there will be a formal appeal process where you can request a review of any decision to withhold information. This request must be made within 40 days of the original decision. The decision to withhold information will then be reviewed by a senior official within Northern Joint Police Board. Their decision will be sent to you and if you are still dissatisfied, there is a right of appeal to the Scottish Information Commissioner. Further details on this process will be available on the Commissioner's website at [www.itspublicknowledge.info](http://www.itspublicknowledge.info) before this date.

### **Review of the Board's Publication Scheme**

We will review our publication scheme in light of public feedback and any guidance from the Commissioner, on a periodic basis.

### **Availability of this scheme in other languages and formats**

Please contact us if you would like this publication scheme produced in another language or format.

## **Copyright**

Different bodies might own the copyright of material contained in our scheme:

### **Northern Joint Police Board copyright material**

For material where we own the copyright, it can be reproduced free of charge in any format or medium for research, private study or for internal circulation within an organisation. This is subject to the material being reproduced accurately and not being used in a misleading context. Where material is being republished or copied to others, the source of the material must be identified and our copyright acknowledged.

### **Other copyrighted material**

Some material we include in our scheme may be the copyright of a third party. Our rights to hold and use such material do not extend to others. You must obtain authorisation from the copyright holder(s) concerned if you wish to copy or reproduce such material.

## **Part 2 - Classes of Information**

### **Introduction**

Under the Freedom of Information (Scotland) Act 2002, our publication scheme must say what classes, or broad types, of information the Board already publishes or intends to publish. We aim to publish as much information as possible about our work through the scheme. However, information may be withheld from any of the classes of information listed below where we consider that disclosure may seriously prejudice law enforcement, legal proceedings or our regulatory or enforcement activity or where the disclosure is otherwise prohibited by law. We may also withhold information where it is considered that its disclosure would breach the law of confidentiality or seriously prejudice the commercial interests of any person or organisation. We may also withhold information which is personal information under the Data Protection Act 1998. An option may exist to provide some documents with sections containing exempt information edited out.

In these cases, we will withhold the information and indicate why the information is being withheld. If you wish to complain about information which is being withheld from you, please read the "Complaints" section in Part 1 above.

For each class we briefly define the information contained in that class, the format in which it is available and whether the class includes chargeable material.

The Board publishes, or intends to publish, information under the following classes:

- What We Do
- Who We Are

- How We Work
- Our Policies and Procedures
- Our Performance and Reports
- Press & Publicity
- Independent Custody Visiting Scheme

### **Class: What We Do**

<b>Definition</b>	<b>Format</b>	<b>Cost/Charge</b>
Here you will find information published by the Board which explains our role and statutory responsibilities.	Hard copy and website	No charge for single copies

### **Class: Who We Are**

<b>Definition</b>	<b>Format</b>	<b>Cost/Charge</b>
Here you will find details of the Board's current membership and the rules which govern how members carry out their responsibilities;	Hard copy and website	No charge for single copies

### **Class: How we work**

<b>Definition</b>	<b>Format</b>	<b>Cost/Charge</b>
Here you will find information about how we carry out our work and make decisions through meetings of the Board and its sub-committees including:	Hard copy and website	No charge for single copies
<ul style="list-style-type: none"> <li>▪ our structure and the membership and terms of reference of the Board and each sub-committee;</li> </ul>	Hard Copy and website	
<ul style="list-style-type: none"> <li>▪ the Board's current calendar setting out the dates, times and venues of Board and sub-committee meetings held in public and how you can attend;</li> </ul>	Hard Copy and website	
<ul style="list-style-type: none"> <li>▪ for Board and sub-committee meetings - agendas and reports, including a list of background papers, to be considered at those meetings will be published a minimum of 3 clear days in advance of the meeting, except late papers tabled in accordance with our urgency arrangements or information which is exempt under the provisions of the Local Government (Scotland) Act 1973, for</li> </ul>	Hard Copy And website	

example, because it is commercially sensitive, relates to individual staff or legal proceedings; and

- the minutes of Board and sub-committee meetings, except information which is exempt under the provisions of the Local Government (Scotland) Act 1973, for example, because it is commercially sensitive, relates to individual staff or legal proceedings.

Hard Copy  
and  
website

### **Class: Our policies and procedures**

<b>Definition</b>	<b>Format</b>	<b>Cost/Charge</b>
Here you will find	Hard copy and website	No charge for single copies.
<ul style="list-style-type: none"> <li>▪ copies of the Board's formally approved policies, where developed, which set out the broad principles of our approach to making decisions or dealing with particular issues or aspects of our work; and</li> </ul>		
<ul style="list-style-type: none"> <li>▪ our current standing orders and financial regulations.</li> </ul>	Hard Copy and Website	

### **Class: Our performance and annual reports**

<b>Definition</b>	<b>Format</b>	<b>Cost/Charge</b>
Here you will find:	Hard copy	No charge for single copies
<ul style="list-style-type: none"> <li>▪ financial information and accounts published by the Board; and</li> <li>▪ monitoring information</li> </ul>		

We will not publish the contents of reports where this may prejudice law enforcement or contains commercially confidential information. Where this is the case we will explain what information has been withheld and why.

### **Class: Press & publicity**

<b>Definition</b>	<b>Format</b>	<b>Cost/Charge</b>
Here you will find our press releases.	Hard copy	No charge

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And website for single copies

### **Class: Independent Custody Visiting Scheme**

<b>Definition</b>	<b>Format</b>	<b>Cost/Charge</b>
<p>Here you will find information about the Board's Independent Custody Visiting Scheme including:</p> <ul style="list-style-type: none"> <li>▪ the purpose of the scheme, how it operates and the key contact point in the Board;</li> <li>▪ the application form and person specification for becoming an Independent Custody Visitor;</li> <li>▪ how to apply;</li> </ul> <p>We will not publish any personal information which is exempt under the Data Protection Act 1998.</p>	Hard copy <i>and website</i>	No charge for single copies

### **Part 3 - List of publications**

Unless shown otherwise in the right hand column, there is no charge for a single copy of these documents. The charge for multiple copies is explained in Part 1 of this Publication Scheme.

#### **Class: What we do**

<b>Description</b>	<b>How to access</b>
About the Board's role and statutory responsibilities.	Hard copy and website

#### **Class: Who we are**

<b>Description</b>	<b>How to access</b>
Details of the Board's current membership.	Hard copy and website
Members' Code of Conduct	Hard copy and website
Members' Register of Interests	Hard copy and website
Members' Gifts and Hospitality Register	Hard copy and

**Class: How We Work**

<b>Description</b>	<b>How to access</b>
The Board's Scheme of Delegation	Hard copy and website
The Board and sub-committee membership for the current year	Hard copy and website
The calendar of Board and sub-committee meetings	Hard copy and website
Agendas and reports for Board and sub-committee meetings (except for information which is exempt under the provisions of the Local Government (Scotland) Act 1973)	Hard copy and website
The minutes of Board and sub-committee meetings (except for items which are exempt under the provisions of the Local Government (Scotland) Act 1973)	Hard copy and website

**Class: Our Policies and Procedures**

<b>Description</b>	<b>How to access</b>
Race Equality Scheme	Hard copy and website
Standing Orders and Financial Regulations	Hard copy and website

**Class: Our Performance and Annual Reports**

<b>Description</b>	<b>How to access</b>
Annual Statements of Accounts from 1996 onwards	Hard copy
Internal Audit and Annual Assurance Statements 2002/03	Hard copy
External Auditors Annual Report from 1996 onwards	Hard copy

**Class: Press & Publicity**

<b>Description</b>	<b>How to access</b>
Press Releases	Hard copy

**Class: Independent Custody Visiting Scheme**

<b>Description</b>	<b>How to access</b>
Information about the purpose of the scheme, how it operates and key contact point in the Board	Hard copy
Information about the process for becoming an Independent Custody Visitor, application form and person specification	Hard copy
How to apply	Hard copy