

SCOTTISH FREEDOM OF INFORMATION IMPLEMENTATION GROUP

NINETEENTH MEETING

THURSDAY, 2 MARCH 2006, GLASGOW CALEDONIAN UNIVERSITY

Present:

Murray Sinclair (Chair)
Tim Ellis, Scottish Executive
Kenny Meechan, SOLAR
Sarah O'Neill, Scottish Consumer Council
Claire Turnbull, Scottish Parliament
Averil MacLachlan, Scottish Enterprise
Carole Ewart, Campaign for FOI in Scotland
Derek Manson-Smith, Campaign for FOI in Scotland
Laura Mitchell, NAS
Alison Mackinnon, SEPA
Alastair Graham, Grampian Police
Cathy Adamson, NHS Fife (in place of George Brechin)
Margaret Macleod, Universities Scotland

In attendance:

Kevin Dunion, Scottish Information Commissioner
Sarah Hutchison, Office of the Scottish Information Commissioner

Invited guest:

Ken Macdonald, Assistant UK Information Commissioner (Scotland)

Secretariat:

Jane Mackenzie, Scottish Executive
Liza McLean, Scottish Executive

The meeting was held in public.

1. Welcome and Apologies for absence

Murray Sinclair welcomed group members to the meeting.

Apologies had been received from Diane McGiffen (Audit Scotland), Paul Holleran (National Union of Journalists), Karen Williams (Grampian Police), Denise Mattison (Historic Scotland), Melfort Campbell (CBI – representation being reconsidered).

2. Minutes of previous meeting and matters arising

The group was advised that the agreed minutes of the last meeting had been published on the Executive's website. There had been no action points to be undertaken. In response to a question raised by the Campaign for Freedom of Information in Scotland with regard to the resignation of COSLA from the group (noted in the minutes of the last meeting), SOLAR advised that they are now the representative for local authorities on SFOIIG in place of COSLA.

3. OSIC Annual Report

Kevin Dunion provided an overview of the OSIC Annual Report which was published in February 2006. The main points were as follows:

- The volume of applications for a decision of the Scottish Information Commissioner during 2005 had been far greater than anticipated.
- A high number of applications were regarding mute or deemed refusals from Scottish public authorities.
- Advertising, website, publications and information materials had been well-received.
- Enquiries service was well utilised by members of the public and public authorities.
- Third public awareness survey showed increased awareness of the role of the Scottish Information Commissioner and of the rights afforded by the Act.

4. UK Information Commissioner's Office in Scotland

The Chair introduced Ken Macdonald and invited him to outline the role of the Assistant UK Information Commissioner for Scotland.

Ken explained the work of the Information Commissioner's Office and spoke about the differences in the roles of the ICO in Scotland and the SIC. The official launch of the new office in Scotland was due to take place on 29 March.

Ken advised that his role would be primarily to promote the Data Protection Act in Scotland and provide advice, input and assistance to policy-makers; all case-handling would be undertaken by the UK Commissioners Office in Wimslow.

Ken and Kevin Dunion spoke of instances where the two offices liaise on Data Protection and Freedom of Information issues.

5. Freedom of Information – one year on – consultation

Jane Mackenzie provided some background to the consultation, and invited discussion from members. Jane advised that the consultation period officially closed on 31 March, however responses would be accepted up to a point after this deadline. The main points were as follows:

- A summary sheet detailing the key points of the consultation was circulated to members; this has been issued to all Community Councils and will be issued to Citizens Advice Bureaus.
- The pack for respondents should be made available as a word document on the website (**Action point** for Scottish Executive).
- Consultation responses would be made available to members for discussion at the next meeting of SFOIIG in advance.

6. 2005 FOI in Scotland activity data

Jane Mackenzie circulated copies of research into FOI activity conducted by organisations in England. Members discussed the possibility of carrying out similar research with public authorities in Scotland and agreed that this would be useful.

7. Any other business

- The group discussed the sector updates which had been provided by members during 2005. It was agreed that the updates had been useful and that a framework for reporting during 2006 should be developed.
- The Campaign for FOI in Scotland advised that they will be providing a half-day training course in Glasgow on Wednesday 31 May 2006. The training will be led by Maurice Frankel, Director of the Campaign. The course will cover the key Decisions to date by Commissioners and the Information Tribunal under both the Scottish and UK legislation.
- Questions were taken from the members of the public.

8. Date of next meeting and notify agenda items

The next meeting will be held in May with the purpose of discussing the responses to the consultation. The date and venue would be communicated to members and advertised on the Scottish Executive website. Members were advised that they would receive copies of the consultation responses in advance of the meeting.