



Freedom of Information Policy

South Lanarkshire Council recognises the obligations placed upon it by the introduction of a freedom of information regime in Scotland. It has due regard to the provisions of the legislation and the associated codes of practice. This policy and related procedures for the provision of access to information under the Freedom of Information (Scotland) Act 2002 [the Act], have been drawn up and will be revised in line with these provisions and emerging best practice.

Scope and Purpose

This policy applies across South Lanarkshire Council, to all Council Committees, Resources and Services, and to all information held, regardless of format, by the Council. It is also applicable where we are working in partnership with other public and private organisations.

This policy sets out the principles governing our procedures, actions and decisions relating to freedom of information. It also sets out responsibilities for ensuring compliance with the Act across the organisation.

Principles

The Publication Scheme

In relation to its obligations under Section 23 of the Act to develop and maintain a publication scheme we are committed to:

- The adoption and maintenance of a publication scheme in line with the requirements of the legislation and the guidance issued by the Scottish Information Commissioner;
- The provision of information to the public in accordance with this scheme;
- The review of the scheme in line with the requirement to resubmit the scheme to the Scottish Information Commissioner for approval or more frequently where necessary; and
- The pro-active dissemination of information to the public wherever possible, removing the need for individuals to make a request for access to information.

Requests for Information

All individuals and organisations have the right to request access to information held by South Lanarkshire Council. In processing these requests we are committed to:

- Providing applicants access to information wherever possible and appropriate, applying the exemptions set out in the Act only when there is a clear argument for doing so;
- Levying fees in accordance with the regulations issued by the Scottish Parliament;
- Meeting the expressed needs of applicants, for example through the provision of information in an alternative format such as large print, electronic format, or different language, wherever possible;

- Providing applicants and potential applicants with details of their rights under the Act, including the right to request a review of the Council's decision in relation to a request for information, and the right to appeal for a decision from the Scottish Information Commissioner; and
- Regularly monitoring procedures for processing requests to ensure that they meet the legislative requirements and reflect emerging best practice.

Review Procedure

In accordance with the Act we have put in place a procedure for reviewing its actions and decisions in response to requests for information. In establishing this procedure and carrying out reviews of our decisions we are committed to ensuring:

- A fair, balanced review procedure, independent from the original decision making process; and
- Applicants are informed of their right to appeal to the Scottish Information Commissioner for a decision if they are unsatisfied with the outcome of the review panel.

Records Management

The Council accepts responsibility for managing its records as required by Section 53 of the Local Government (Scotland) Act 1994. Procedures for the management of the Council's records will reflect professional standards, emerging best practice and the Code of Practice issued under Section 61 of the Act.

Responsibilities

The Council as a whole has responsibility for compliance with the Act.

Corporate Resources will lead the development and maintenance of procedures to meet the provisions of the legislation and associated codes of practice. This will be taken forward by a Freedom of Information Lead Officer.

Individual Resources are responsible for the implementation of these procedures across their Services and the monitoring of their effectiveness.

Every employee and Elected Member should be aware of the rights of access brought in by the Act. Employees must also have appropriate knowledge of the Act and Council procedures to ensure that the provisions of the Act are implemented correctly.

Corporate Resources are responsible for the development and delivery of appropriate training and provision of guidance to all staff across the organisation.

Contact

For more information phone 0303 123 1015 or email foi.request@southlanarkshire.gov.uk

If you need this information in another language or format, please contact us to discuss how we can best meet your needs.

Phone 0303 123 1015 or email equalities@southlanarkshire.gov.uk