

REPORT

To: GENERAL PURPOSES COMMITTEE		Subject: FREEDOM OF INFORMATION (SCOTLAND) ACT 2002
From: DIRECTOR OF ADMINISTRATION		
Date: 15 August 2006	Ref: JAF/IL	

1. **Purpose of Report**

1.1 The purpose of this report is to advise Committee of the current position with regard to Freedom of Information requests.

2. **Background**

2.1 Following the enactment of the Freedom of Information (Scotland) Act 2002 which came into force on 1 January 2005 the Council put in place procedures for dealing with Freedom of Information requests and the Committee has, since that date, monitored the operation of those procedures.

3. **Current Position**

3.1 At its meeting on 17 May 2006, the Committee noted that the number of requests received in the period from January to 30 April 2006 showed a significant increase over the number received in the corresponding period in 2005. It is now possible to extend these figures to cover the period from January to 31 July. The 2006 figures for that period are 374 as compared with 220 for the corresponding period in 2005.

3.2 The Committee further noted that, of five applications made to the Scottish Information Commissioner, only one had then been determined – and that substantially in favour of the Council. In the period since that report a further two applications have been made to the Information Commissioner. Of the seven applications now with the Commissioner, a further two have been determined – and in each case the Commissioner has found that, while in the provision of information the Council has complied with the substantive requirements of the Act, the Council has failed to do so within the time periods specified for internal review. Those findings have been noted and, within the constraints of the resources available, every effort will be made to complete reviews within the statutory timescale.

4. **Recommendation**

4.1 It is recommended that the Committee note the position.

J. A. Fleming

 Director of Administration

Members seeking further information on the contents of this report are asked to contact John Fleming, Head of Central Services on Extension 2228.