

CAIRNGORMS NATIONAL PARK AUTHORITY

FOR INFORMATION

Title: FREEDOM OF INFORMATION

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Purpose

To provide the Audit Committee with an update on the current position on requests submitted to CNPA for information under the Freedom of Information Act 2002.

Recommendations

- a) The Committee is asked to note the current position.

Executive Summary

The provisions of the Freedom of Information Act 2002 came into effect in January 2005, providing a statutory right of access to all types of recorded information of any age held by Scottish public authorities.

The process has now been in operation for some 18 months and during that period we have received numerous requests for information covering a broad range of topics. From the total number of requests received, 82 have been treated as formal requests for information under the terms of Freedom of Information and all were replied to within the prescribed period.

FREEDOM OF INFORMATION - FOR INFORMATION

Background

1. The Freedom of Information (Scotland) Act 2002 was passed by the Scottish Parliament on 24 April 2002 and received Royal Assent on 28 May 2002. The Act, which came fully into force in January 2005, provides a statutory right of access to all types of recorded information of any age held by Scottish public authorities, subject to certain exemptions listed in the Act.
2. The Act specifically requires Scottish public authorities (including the Cairngorms National Park Authority) to adopt and maintain a Publication Scheme. Each Publication Scheme must set out the classes of information contained within the relevant public authority's Publication Scheme, the manner in which such information is intended to be published and whether or not a charge will be made for the supply of such information. The CNPA Publication Scheme was submitted to and approved by the Scottish Information Officer on 5 October 2004 and is available on the CNPA web site. The Scheme will be subject to formal review by the Scottish Information Commissioner in July 2008.
3. As from 1 January 2005, the general entitlement to information under section 1 of the Act allowed any member of the public to make a request for information that is not covered by such a Publication Scheme.

Requests

4. All requests for information received by CNPA are treated as requests under Freedom of Information for the purposes of responding within the prescribed period. It was acknowledged that there would be many requests for information of a general nature but it was considered important to evaluate, over a period of time, the types of requests received.
5. The process for dealing with requests has been documented internally and a member of staff has been given responsibility for recording and monitoring progress to ensure replies are issued within the prescribed period.
6. Freedom of Information – 18 months on and we have treated 82 requests as formal requests for information under FoI. These have either been specifically requested under the terms of FoI or where there has been no reference to FoI, have been regarded as of significant relevance to be classed as requests within the terms of FoI. There is no requirement to make reference to FoI when seeking information.
7. All requests for information received have been replied to within the prescribed period.

Recommendation

8. The Committee are asked to note the current position.

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