



Scottish Information  
Commissioner  
It's Public Knowledge

OFFICE OF THE SCOTTISH  
INFORMATION COMMISSIONER

OPERATIONAL PLAN 2004/05

## INTRODUCTION

The Operational Plan provides an organisation wide work programme for the forthcoming year. It is supplemented by appendices which provide detailed information regarding the plan.

Appendix A - the Remit and Progress Plan for each Operational Objective

Appendix B - the allocated Staff Functions for each Operational Objective

Appendix C - a summary of the Budget which resources the Operational Plan

Appendix D - a summary of the powers and duties of the Commissioner under the Freedom of Information (Scotland) Act 2002.

## OUR PURPOSE

The general functions of the Scottish Information Commissioner are to promote and enforce the Freedom of Information (Scotland) Act 2002. We shall:

- Promote good practice by Scottish public authorities in providing access to information.
- Advise people of their rights to information
- Issue decisions on whether public authorities should release information requested
- Resolve disputes by mediation, decision or enforcement
- Issue practice recommendations to public authorities

## OPERATING PRINCIPLES OF THE SCOTTISH INFORMATION COMMISSIONER

- Independent and impartial
- Open, accountable and approachable
- Committed to improving freedom of information

## KEY PRIORITIES 2004/5

**A. Preparing to implement the Act** – The more that public authorities have anticipated their duties under the Act and the more that people are aware of their rights under the Act then the better will be the culture of openness and accountability which the Act is intended to promote.

1. We will assist public authorities to meet their obligations, through a programme of research, communication, briefings and guidance.

2. We shall develop public awareness of rights through a promotional campaign including benchmark research, accessible information, and cooperation with external advice and rights providers.
3. We will respond to consultation processes on statutory changes, regulations, and guidance relating to bringing into force the provisions of the Act, and the amended Environmental Information Regulations.

**B. Approving Publication schemes** - it is our aim that in 2004 we will complete a challenging programme of approving publication schemes for all public authorities in Scotland within the timetable set down by the Scottish Executive.

**C. Accountability and Transparency** - we want to embody good practice in making available the information which we hold available, as well as publicly commenting on the progress in Scotland to improve freedom of information.

**D. Development of the Office of Scottish Information Commissioner**— as a new and independent body the challenge is to

1. put in place and develop systems and procedures to meet our obligations as a public body and
2. to ensure that staff are equipped to meet the expectations and responsibilities of the SIC.

We can learn from the experience of other public bodies in Scotland, and from Commissioners in other jurisdictions, but we should be aware that we shall also be leading the way for others.

**E. Enforcement** - we shall prepare the process by which we will process and investigate requests for decision in 2005, and share thinking on key aspects of implementing the legislation.

### **Objectives and Key Actions**

The plan sets out objectives intended to deliver on the priorities. To meet these objectives certain key actions have to be fulfilled. The actions should be completed by a given date and qualitative/quantitative targets set to evaluate performance standards.

These outcomes will be secured either through allocating functional responsibilities to staff who will through the line management system be held accountable for progress; or by designating project leaders who will lead colleagues in achieving agreed project objectives.

Some objectives will engage all or a substantial part of the organisation in which case the project leader's role is taken by a Head of Department. In other cases a member of staff will fulfil the project leader's role, working to a remit agreed with the Head of Department responsible.

The Objectives and Key Actions are supported by more detailed Remits. These are appended to this plan, and quarterly progress reports will monitor performance and update the priority actions for the remaining period. Individual staff contributions towards meeting the Plan objectives will be established and monitored through our performance management system.

## A. Preparing to Implement the Act

### A.1 Assist public authorities to meet their obligations

	Objective	Key Actions	Targets / Date
A.1.1	Research the state of readiness of public authorities 2003 and 2004, by benchmark research 03/04 and comparative follow up 04	<ul style="list-style-type: none"> <li>Identify appropriate partner organisations with which to jointly commission the study</li> <li>Undertake a tendering process to identify the contractor</li> <li>Monitor, review and evaluate the project during its operation</li> <li>Publish and promote the findings in February 2004</li> <li>Repeat the research in October / November 2004</li> </ul>	(Oct 03)  (Oct 03)  Feb 04  Nov 04
A.1.2	Advice and information programme	<ul style="list-style-type: none"> <li>Monitor OSIC's effectiveness in promoting the Act and the Codes to all public authorities</li> <li>Identify gaps in our approach and recommend appropriate actions to fill these gaps</li> <li>Develop a resource bank of materials, advice and information for public authorities</li> <li>Develop and organise c 6 sectoral/ geographical seminars</li> </ul>	c. 6 seminars Mar – Nov 04

### A.2 Develop public awareness of rights

A.2.1	Develop promotional campaign-encompassing media, materials, activities and guidance on Act for general public	<ul style="list-style-type: none"> <li>Develop strategy to raise public awareness of the right to information held by public authorities and how to use it</li> <li>Develop specific measures for children &amp; young people, disadvantaged areas / groups, community councils, unions</li> <li>Develop appropriate materials for the public</li> <li>Promote the new right through a range of appropriate media, including events.</li> <li>Organise, and participate in, events for voluntary and community organisations to encourage them to use the Act</li> </ul>	June 04  July 04 - Mar 05
A.2.1.1	Develop joint projects with advice/rights providers	<ul style="list-style-type: none"> <li>Meetings with and presentations to advice and rights providers to raise awareness of the Act and the role of the Scottish Information Commissioner.</li> <li>Preparation of FOI materials which can be distributed through newsletters and displayed in offices.</li> <li>Preparation of articles for appropriate newsletters and journals</li> <li>Joint projects to develop information materials for the public and for</li> </ul>	Jan – Sept 04

A.2.1.1 (contd)		<ul style="list-style-type: none"> <li>workers in advice organisations</li> <li>• Training for advice providers</li> <li>• Identify potential areas of demand</li> </ul>	
A.2.1.2	Media training – develop training on FOISA and rights for media in Scotland	<ul style="list-style-type: none"> <li>• Develop FoI for Journalist briefing/ pack</li> <li>• Deliver awareness training on the FOI(S)A to journalists</li> <li>• Organise workshops for journalists, press officers and other media contacts</li> </ul>	Jun 04 – Mar 05
A.2.2	Conduct benchmark research of public awareness	<ul style="list-style-type: none"> <li>• Commission and conduct quantitative research of public awareness of the FOI(S)A, the right to information held by public bodies and how to use it</li> <li>• Commission and conduct similar qualitative research directed at general public and target groups</li> <li>• Publicise the research findings</li> </ul>	Mar & Dec 04  Aug 04  Oct 04

### A.3 Respond to consultation processes

A.3.1	Determine OSIC response to consultation documents	<ul style="list-style-type: none"> <li>• Fee regulations</li> <li>• Environmental Information Regulations</li> </ul>	On-going
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### B. Publication Schemes - approve publication schemes for all public authorities in Scotland within the timetable set down.

B.1.1	Monitor and assist with model schemes development	<ul style="list-style-type: none"> <li>• Offer assistance to the public sector in Scotland in developing model publication schemes</li> <li>• Reduce the workload of OSIC by approving model, rather than bespoke, schemes where appropriate</li> <li>• Ensure the quality of the model publication schemes being adopted in Scotland</li> <li>• Ensure that arrangements are in place for the approval and/or adoption of model publication schemes by individual medical practitioners</li> </ul>	Mid Feb - Sep 2004
B.1.2	Manage OSIC approval scheme process (in conjunction with C1.1)	<ul style="list-style-type: none"> <li>• Implement an OSIC publication scheme approval procedure, which is clear to all members of staff as well as to public authorities and members of the public</li> <li>• Manage the workflow through the OSIC publication scheme approval procedure to ensure deadlines are met.</li> <li>• Review the approval procedure once OSIC has experience of using it</li> </ul>	Jan 04  1.April 04 2.Dec 04
B.1.2		<ul style="list-style-type: none"> <li>• Implement procedures on how to deal with any new public authorities,</li> </ul>	Sep 04

(contd)		<ul style="list-style-type: none"> <li>• Install procedures to deal with future changes to publication schemes</li> </ul>	Dec 04
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### C. Accountability and Accessibility: embody good practice in making available information, and in handling, retrieving data and documentation

C.1.1	<b>Develop and institute OSIC procedures for responding to requests for assistance, and facility for providing information</b>	<ul style="list-style-type: none"> <li>• Ensure that OSIC has clear, recordable, systems for dealing with all enquiries and requests to the office</li> <li>• Ensure that OSIC has a high quality website the contents of which are easily retrieved and are useful to public authorities and to the public alike</li> <li>• Ensure that OSIC can comply with the section 60 and 61 codes of practice</li> <li>• Ensure that OSIC gives a high level of service to the public and to public authorities seeking information from OSIC</li> </ul>	
C.1.2	Approve OSIC publication scheme	<ul style="list-style-type: none"> <li>• Ensure that SIC has a publication scheme in line with the requirements of FOI(S)A and which is of sufficient quality to show good practice to other public authorities</li> <li>• Put systems into place to ensure that all information contained in the classes of information are made available under the publication scheme</li> </ul>	Jun 2004  Jun 2004
C.1.3	Annual Report to Parliament	<ul style="list-style-type: none"> <li>• Meet the obligation under 46(1) of FOISA 2002 to lay annually before the Parliament a general report on the exercise of functions.</li> <li>• Provide year- on- year performance measurements</li> <li>• Provide an annual commentary on freedom of information issues affecting Scotland.</li> </ul>	May 04

### D Development of the office of the SIC

#### D.1 put in place and develop procedures to meet our obligations as a public body

D.1.1	<b>Budget and Finance– ensure systems meet requirements as accountable officer and OSIC operates within budget.</b>	<ul style="list-style-type: none"> <li>• Produce monthly budget reports</li> <li>• Submit detailed budget projections 05/06</li> <li>• Develop and implement OSIC finance procedures</li> <li>• Prepare 03/04 annual account</li> </ul>	June 2004  by Sep 04
D1.2	Framework for Action – develop consult on, and review organisational plans	<ul style="list-style-type: none"> <li>• Produce risk management and continuity plan</li> <li>• Develop Strategic Plan 05-08 and Operational Plan 05/06</li> </ul>	April 04  By March 05

D.1.3	Operational Procedures- ensure clarity of function and expectations with SPCB	<ul style="list-style-type: none"> <li>• Agree Memorandum of Understanding with SPCB</li> <li>• Review financial arrangements</li> <li>• Contribute to SSRB review</li> </ul>	June 04 Nov 04 Jan 04
D.1.4	Greening the Office- set environmental standards and targets to reduce energy; minimise waste and specify products	<ul style="list-style-type: none"> <li>• Put in place env mgt policy and procedures</li> <li>• Produce annual report</li> </ul>	Interim Mar 2004 First annual Mar 05
D.1.5	Exchange of experience and knowledge	<ul style="list-style-type: none"> <li>• Engage with Dunedin Group</li> <li>• Set up exchange visits to OIC Dublin and UKIC</li> <li>• Contribute to annual International Conference of FOI Commissioners</li> <li>• Participate in FOI Quadrilateral meetings</li> </ul>	Jan & Feb 2004 Jan 04/Jan 05
D.1.6	Establish protocols where required	<ul style="list-style-type: none"> <li>• UKIC</li> <li>• SPSO</li> </ul>	By Dec 04 By Dec 04

## D.2 Staff capacity - ensure that staff are equipped to meet expectations and responsibilities

D.2.1	<b>Maintain Staff Handbook of code of conduct and office policies</b>	<ul style="list-style-type: none"> <li>• <b>Draw up maintenance schedule</b></li> <li>• <b>Ensure up to date versions</b></li> </ul>	
D.2.2	Institute staff performance management system	<ul style="list-style-type: none"> <li>• Develop individual job plans and objectives</li> <li>• Train line managers and staff on system</li> </ul>	March 04
D.2.3	Implement staff training programme to deliver competencies and OSIC objectives		

## E. Enforcement

E.1.1	<b>Develop procedure for enforcement</b>	<ul style="list-style-type: none"> <li>• <b>Put in place a workable policy and clear procedures for dealing with investigations and enforcement action in relation to FOI and EIRs</b></li> <li>• <b>Put in place interim arrangements for dealing with complaints made under the Code of Practice on Access to Scottish Executive Information</b></li> </ul>	Nov 2004 Mar 2004
E.1.2	Produce briefings on key legal issues and exemptions	<ul style="list-style-type: none"> <li>• Prepare practical, clear and precise briefings.</li> </ul>	By Dec 2004
E.1.3	Build background library on issues	<ul style="list-style-type: none"> <li>• Develop office library resource in both paper and electronic format</li> </ul>	June 2004

