Extension of Coverage of Freedom of Information (Scotland) Act 2002

Consultation QuestionsExtension of Coverage of Freedom of Information (Scotland) Act 2002

Question 1: A: Contractors who run privately managed prisons and provide prisoner escort services	
Question 2: B: Contractors who build and/or maintain schools	
Question 3: C: Contractors who build and maintain hospitals	
Question 4: D: Leisure, sport and cultural trusts and bodies established by local authorities	I agree with the rationale to extend FOISA to Leisure Trusts, and welcome greater transparency and openness. I have, however, two points to make: 1. Leisure Trusts operate in an increasingly competitive environment, often competing directly with the private sector. Customer income, for example, makes up 75% of our total income. Our competitors could use FOISA to gather commercial information about us (particularly if we are approaching a period of tendering for contracts). I would like to see the commercial exemption strengthened to recognise this; and 2. Many Leisure Trusts have Council Officers and/or Elected Members on their Board. As Trustees such people are acting as Non Exec Directors of the Company and have access to a lot of information often of a commercial or personal nature. I would recommend that it be made clear that by receiving such information as a Trustee does not make it information available to the Council (who could then release the information to an FOI Requestee). I.e. such individuals have to separate their roles of Council Official/Member and Trustee. If an FOI request comes in for information about a Trust it would best be dealt with by that Trust, who will be more aware of what is/isn"t commercially sensitive or of a personal nature.

Question 5: E: Glasgow Housing Association	
Question 6: F: The Association of Chief Police Officers in Scotland ('ACPOS')	
Question 7: G: Contractors who build, manage and maintain trunk roads under private finance contracts	