

AdvoCard

Freedom of Information Policy

Policy Statement

AdvoCard takes its responsibilities with regard to the management of the requirements of the Freedom of Information (Scotland) Act 2002 very seriously. This document provides guidance ensuring that we comply with the law. It covers:

1. Scope of the policy
2. Responsibilities
3. Relationship with existing policies
4. Available Guidance
5. Specific Requests for Information
6. Charges
7. Complaints
8. Exemptions
9. Contacts

1. Scope of the Policy

The purpose of this policy is to ensure that the provisions of the Freedom of Information Scotland Act 2002 are adhered to and in particular that:

- A significant amount of routinely published information about AdvoCard is made available to the public as a matter of course
- Other information not included is readily available on request and such a request is dealt with in a timely manner
- In cases where information is covered by an exemption, consideration is given as to whether or not the information should be released

2. Responsibilities

AdvoCard recognises its responsibility under the Act to provide a general right of access to information held. The people with overall responsibility for this policy are the Director and the AdvoCard Board of Directors.

The Director is responsible for drawing up guidance on freedom of information and promoting compliance with this policy in such a way as to ensure the easy, appropriate and timely retrieval of information.

Wherever possible, members of staff should receive training on the Freedom of Information Act in order that they too can ensure compliance.

3. Relationship with existing policies

This policy should be read in conjunction with AdvoCard's range of policies but in particular AdvoCard's:

- Data Protection Policy
- Document retention schedule
- Confidentiality Policy
- Complaints Procedure
- Secure handling, use, storage, retention and disposal of Disclosure Information

4. Available Guidance

Guidance is available from the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife. KY16 9DS. Tel: 01334 464610. Email: enquiries@itspublicknowledge.info Website: www.itspublicknowledge.info

5. Specific Requests for Information

The Freedom of Information Scotland Act 2002 individuals will have:

- the right to be told whether information exists, and
- the right to receive the information (subject to exemptions)

Any request must be made in a permanent form (for example in writing or by email) and a charge may be made for dealing with any request.

Requestors will not be entitled to information to which any of the exemptions in the Act applies. However, only those specific pieces of information to which the exemption applies will be withheld, and information covered by an exemption will be subject to review.

AdvoCard must respond to any request within 20 working days although further reasonable time can be requested in order to identify and locate the information. If a fee is required, the period of 20 working days is extended by up to 3 months until the fee is paid.

6. Charges

Unless otherwise specified information made available by AdvoCard will be free of charge.

7. Complaints

Any complaint should be addressed to the Complaints Officer in the first instance. The complaint will be acknowledged immediately and every reasonable effort will be made to offer a more comprehensive reply within 21 days.

If the applicant is not satisfied with the reply then they should inform the Office Bearers of the AdvoCard Board of Directors within 21 days. The complaint will then be forwarded to the funding body of AdvoCard and will be dealt with in accordance with the City of Edinburgh Council's Complaints Procedure.

If applicants are dissatisfied with the outcome of the City of Edinburgh

Council's Complaints Procedure they may seek an independent review from the Information Commissioner. Requests for review by the Scottish Information Commissioner should be made in writing to: The Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife. KY16 9DS Tel: 01334 464610. Email: enquiries@itspublicknowledge.info

8. Exemptions under the Act

AdvoCard may decide that some information it holds could be regarded as exempt information under the Act. Where a request is made for information which is exempt AdvoCard will withhold the requested information.

9. Contacts

Chair of AdvoCard Board of Directors 0131 554 5307

Service Commissioner - Mental Health, City of Edinburgh Council:
0131 200 2000