



2450 enquiries,
571 appeals,
64% increase
in public awareness

Scottish Information Commissioner
Annual Report 2005



Scottish Information
Commissioner

Welcome	1
2005: Year at a glance	2
2005: Facts and figures	4
Freedom of Information Commentary 2006	6
Enforcement	12
Information, guidance and awareness raising	20
Office of the Scottish Information Commissioner	24
Who we work with	30
Financial overview 2004/5	32

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Scottish Information Commissioner
February 2006



As the Scottish Information Commissioner I am responsible for the promotion and enforcement of freedom of information legislation in Scotland. Welcome to my second annual report which provides an overview of my work and experiences during 2005 (the first year of operation of Scotland's new freedom of information regime). I also take this opportunity to look forward to 2006 and the challenges in the year ahead.

2005: Year at a glance

First year of operation of freedom of information in Scotland - at a glance.

January

Scotland's freedom of information legislation comes into force.

Margaret Curran MSP, Minister for Parliamentary Business, describes it as "one of the most significant commitments to openness and transparency in public service that Scotland has ever seen."

Ross Finnie, Rural Development Minister, announces that more information on farm subsidy payments will be made available.

February

Your Right to Know campaign launched: TV advertising of the new right to request information from Scottish public authorities.

Scottish Executive publishes its internal guidance on the handling of information requests

March

Food hygiene reports from inspections of Edinburgh and Glasgow restaurants are released to requesters.

Caledonian MacBrayne reported to be struggling to cope with FOI following numerous requests from its competitors.

April

Ministers issue a section 31 certificate to exempt information about the G8 summit.

Scottish Parliament launches a disclosure log, providing details of information released under freedom of information legislation.

May

University of Edinburgh receives a Records Management Society Award for their work in preparing for the implementation of FOISA.

Carlisle Gazette reports that a Lanarkshire parents' group is using FOI to gather information on the Council's decision to move their children's schooling to a town several miles away.

June

21 councils announce that they have received more than 5,000 information requests between them since the start of the year.

Commissioner publishes report on institutional childcare records showing that the Scottish Executive has taken reasonable steps to find and open them.



July

Commissioner rules that MSPs are not covered by the Act and information held by a public authority about another organisation is held for the purposes of the Act.

The Re-Use of Public Sector Information Regulations 2005 come into force.

August

Ayrshire Post reports that a Scottish provost is using FOI to access information from his own council.

Glasgow City Council publishes its food hygiene reports online

September

The Lord Advocate announces that papers relating to the Dunblane inquiry will be made publicly available.

Common Services Agency appeals Commissioner's decision on childhood leukaemia statistics to the Court of Session.

October

Scottish Executive reports that it has received 1208 requests under the Act in the first half of 2005.

Scottish Ministers announce there is to be a review of freedom of information in Scotland after its first year of operation

November

Commissioner rules that 700+ requests submitted in one day were vexatious requests.

Commissioner's third public awareness research study shows a 64% increase in public awareness in one year.

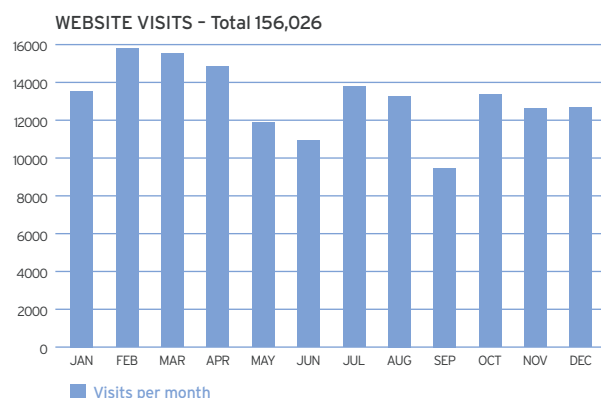
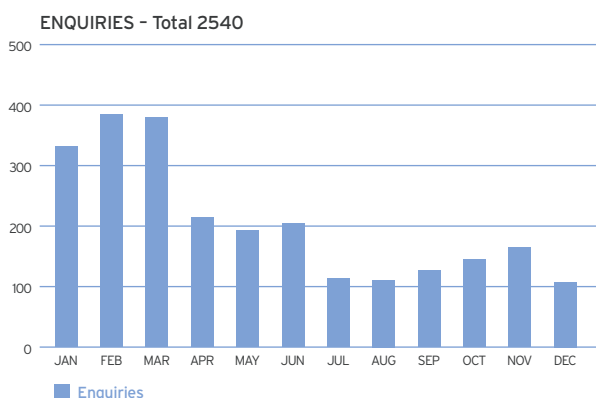
December

Commissioner rules that the NHS should release details of individual surgeons' mortality rates.

Scottish Executive launches its consultation on the review of FOI.

2005: Facts and figures

12 months of enforcing and promoting freedom of information legislation in facts and figures.



2450 enquiries dealt with, on average in 2 working days

INFORMATION REQUESTS

Publication scheme requests	227
FOI requests	77
EIR requests	0
Subject access requests	2
Information provided in full	41
Information not held	23
Fee notices issued	0
Refusal notices issued (including partial)	13

WORKFLOW - AVERAGE NUMBER OF DAYS TO:

Respond to an enquiry	2
Respond to a publication scheme request	2
Respond to an information request	4
Complete an investigate	131

PUBLIC AWARENESS - Have you heard of the Freedom of Information (Scotland) Act

	Sep 04	Apr 05	Oct 05
Yes definitely	30%	49%	57%
Yes I think so	14%	20%	15%

APPEALS

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	Total
EIR	0	1	9	4	1	9	6	4	10	6	10	2	62
FOI	2	14	53	92	52	54	42	47	44	36	50	23	509
Total applications	2	15	62	96	53	63	48	51	54	42	60	25	571

EIR - Environmental Information (Scotland) Regulations 2004 FOI - Freedom of Information (Scotland) Act 2002

CASELOAD

Appeals received	571
Disposed of without investigation	142
Decision issued	90
Conjoined cases	8
Number of cases completed in 2005	240
Number of cases which took longer than 4 months to decide	49
Proportion of investigated cases taking longer than 4 months	21%
Caseload carried forward to 2006	331

BASIS FOR APPEAL

Mute/ deemed refusal	18%
Fees	3%
Publication Scheme	1%
Information withheld	70%
Information not held	8%
Failed in duty to advise/assist	1%

571 appeals, majority from members of the public

OUTCOME OF DECISIONS

In favour of applicant	28
In favour of public authority	32
Partially upheld	30

CASES DISPOSED WITHOUT INVESTIGATION

Frivolous or vexatious appeal	1
Invalid appeal	76
Withdrawn or abandoned	25
Excluded under s48	5
Settled during investigation	29
Otherwise disposed	6
Total disposed	142

ENQUIRIES AND APPEALS BY CLIENTS

	Enquiries	Appeals
Adult	52%	55%
Child or person	0%	0%
Community council	1%	0%
Elected representative (MSP, MP, MEP, Councillor)	2%	6%
Media	8%	7%
Other regulator	0%	0%
Private/commercial organisation	4%	7%
Public authority	25%	1%
Solicitor	3%	20%
Trade union	0%	0%
Voluntary or campaign organisation	4%	5%

Freedom of Information Commentary 2006

As the New Year's bells faded on 1st January 2005, the Freedom of Information (Scotland) Act 2002 came into force. Even on that public holiday more than one person used their new rights to make a valid request for information to a Scottish public authority. Since then thousands of others have followed suit. Nobody really knows how many - unlike some other countries Scottish public authorities are not required to keep a log of how many requests have been made to them, but the common consensus is that the volume of requests has been higher than anticipated for some authorities.

What we do know is how many people have made appeals to my office where they have not got the information they have requested and are not satisfied with the authorities' reasons for not providing it. Nearly 600 appeals were received in this first year. That is twice as many as the highest prior estimate.

Part of the reason for the higher than expected rate of appeals, perhaps, is that public awareness of the new rights has climbed steeply. Only 30% of people in Scotland had definitely heard of the Freedom of Information Act before it came into force; when we asked the same question 12 months later this had nearly doubled, to 57%. People's awareness of the Scottish Information Commissioner also doubled in that same period.



Some of this can be attributed to my promotional activities. Unlike the comparable UK legislation the Scottish freedom of information law gives me a dual responsibility to promote as well as enforce the Act. Some 10% of my budget has gone on promotion. There is sound public recall of the television advertising campaign which twice ran on our small screens in 2005. This has been backed up by thousands of leaflets and booklets, explaining how to use the new rights, distributed throughout Scotland.

However, it is also the case that media use of the Act has stimulated public awareness. In local as well as national press throughout 2005, articles which included the phrase 'using the new Freedom of Information Act,' have allowed people to see the types of information and the range of public authorities covered by the Act.

In this first year the use of the legislation by some journalists has been enthusiastic and as might be expected public authorities have not

It needs to be emphasised that the greatest use of the new laws is by ordinary members of the public.

always been impressed by the stories which have run as a result. The focus of requests can range from matters of real public interest to the downright trivial. Some of the information would have been provided in any case - but some has only seen the light of day because of freedom of information. Some of the resulting stories have had a high impact such as the details of an MSP's travel claims, which were released only after I had upheld an appeal by a journalist.

Journalists are perfectly entitled to use the legislation which says that 'A person who requests information from a Scottish public authority is entitled to be given it'. What I would say, however, is that they should be aware that dashing off an e-mail with a request causes the whole might of the Act to come into effect with obligations on authorities. This is not to discourage use of the legislation but, as one journalist pointed out to me, when fishing for information there is a difference between the skilful angling of a well defined request compared to the drift netting which calling for all material held on a particular subject often resembles. The by-catch of unwanted information which is then discarded has been provided at a real cost to the authority.

However, it needs to be emphasised that the greatest use of the new laws is by ordinary members of the public, not journalists. More than half of the appeals to my office come from individuals across Scotland who want information often particular to their own circumstances or the interests

of their local community, such as planning, education, health or public spending. On several occasions I have ordered the release of information; many other times I have not. The important thing is that people can turn to an independent person to adjudicate upon whether an authority is right to withhold information.

In dealing with such appeals one bread and butter concern bothers me. Too often authorities are failing to respond to requests for information. These are known as mute or deemed refusals. We do not know how many requests go unanswered in Scotland, but 17% of all FOI appeals and 27% of all EIR information appeals to my office are for mute and deemed refusals. Often when I contact the public authority about the appeal they then release the information that had been requested. But this may be months after the original request was submitted. Mute or deemed refusals happen in all countries with freedom of information regimes, and are a concern to all Commissioners. Whilst it is perhaps not unexpected in the first year that there will be such failings, especially where we have an enviable regime which does not require applicants to cite the legislation when making their request, nevertheless I would like to see improvements in Scottish performance.

In coming to decisions on appeals the process of investigation is thorough but often also time consuming. I am usually obliged to come to a decision on every appeal unless it is abandoned or withdrawn. After establishing that

Freedom of Information Commentary 2006 continued

an appeal is valid (which is not always straightforward), my investigators will usually look at the request and the replies from the authority. They will look at the information which has been withheld - which may run into hundreds of pages of documents. They will ask the authority to make a submission in response to the appeal and often have to go back for supplementary information. Normally this is provided on request, but on occasion this year I have had to use my statutory powers and issue Information Notices to secure the information I require. My decision notices, whether upholding the appeal or not, are detailed. This is because I believe the applicant and the authority should be given an adequate reasoning for my decision and also because they assist other authorities when dealing with similar requests.

The nature of the appeals we have received in this first year has been wide ranging - individuals in dispute with the police and regulatory bodies; prisoners seeking information from the prison service; community groups wanting information from local authorities and the Scottish Executive related to planning applications; solicitors wanting information of benefit to their clients; businesses wanting information of benefit to themselves. MSPs are also increasingly making use of the legislation. Given that 10,000 public authorities, ranging from the Scottish Parliament to individual GPs are covered by the Act, it is surprising that the 571 appeals that I have received are against less than 100 authorities.

(continued overleaf)

Members of the Scottish Parliament Case Study

Are MSPs covered by the Act?

This case concerned a request made by Mr S to the Scottish Parliament for information about the constituency work of Members of the Scottish Parliament (MSPs).

The Act lists the Scottish public authorities it covers and this includes the Scottish Parliament and the Scottish Parliamentary Corporate Body (SPCB). Could information about an MSP's constituency work be considered to be held by one of these public authorities?

Does the SPCB hold information about constituency activities?

The SPCB does not collect information about MSPs' constituency activities and it cannot access information held in constituency offices. It does provide office and IT facilities to MSPs in the Holyrood buildings and I assessed whether any of the information within MSPs' offices and computers could be accessed by the SPCB. I found that while the SPCB provides the means to hold MSPs' information, it has no access to it other than for technical support purposes. Therefore it could not be considered that the SPCB held the information.

Are individual MSPs covered by the Act at all?

The Scotland Act 1998 sets out how MSPs will be elected to the Scottish Parliament and how they can come together to legislate, but it does not specify whether individual MSPs are parts of the Parliament or separate units that come together within it. MSPs certainly participate in decision making in the Parliament, but they also deal with constituents' issues and concerns.

Our legislation is unusual in that most freedom of information laws in other countries do not apply to their parliaments at all. If the Act applied to MSPs in all of their functions as Parliamentarians, this would be very unusual in international terms. I also identified very real practical difficulties in enforcing the Act if it applied to individual MSPs across all of their functions. If I had to investigate a complaint about an MSP's handling of an information request, I would have to take action against the SPCB, yet I had already established that this authority did not actually hold the information for the purposes of the Act.

I concluded that MSPs could not be bound by the Act as individuals in their roles of serving constituents and I therefore did not uphold the complaint: the Scottish Parliament was correct to conclude that it did not hold the information about constituency work. I did, however, note that it would be reasonable for anyone to ask an MSP for information about parliamentary debates or committee proceedings and I recommended that the Scottish Parliament should have a code of practice to ensure that such requests are passed on to the appropriate staff within the SPCB. I also suggested that there may be a need to consider further the roles of Presiding Officer and other MSPs elected to the SPCB as the individuals fulfilling these functions may be covered by the Act.

The Commissioner finds:

MSPs are not covered by the Act when they carry out their constituency work. The Scottish Parliament can therefore not be required to gather information on these activities from MSPs' parliamentary or constituency offices. The Scottish Parliament acted correctly in response to Mr S's request.



Freedom of Information Commentary 2006 continued

We are at the end of only the first year. The new law has presented many challenges to authorities but by and large they appear to have risen to the task. They have taken seriously their obligations and in a relatively short time they have put in place systems, trained staff, and begun to provide more information than would have previously been the case. It is only to be expected that some aspects of the new regime will be unwieldy and uncomfortable. Whilst it is right to keep these under review and address them, we must also guard against demands which have the consequence of frustrating the stated intent of the legislation which is to provide a right to information and to bring about a shift in culture towards more transparency and accountability.

The public clearly welcome that new right and see the value of it to themselves. But as our surveys show they still remain sceptical as to whether authorities will make the shift towards more openness or instead will seek to find ways around the Act. In this first year the hard part has been done, and done successfully, in that the Act has been implemented and is in full use. I would hope that we can build on that so that we have a new normality where information is provided, and received, as part of the mature exchange of a modern democracy.

Mute and Deemed Refusals Case Study

Failure to comply with timescales for response

The first section of the Act states that "A person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority". This is one of the clearest and most unequivocal statements of entitlement to freedom of information in any country of the world.

Timescales

The Act imposes a duty upon public authorities to respond to requests in full within 20 working days of receipt. All of the rights in the Act flow from this most fundamental requirement that authorities will respond within reasonable time.

This timescale should always be the maximum period in which an authority should respond. I do recognise that some requests will prove difficult, for example, searching for old documents in storage, but it will not be unduly difficult for public authorities to respond to most requests within 20 working days.

Request for Review

Where a requester does not get a response from an authority he or she is obliged to wait the full 20 working days before submitting a request for review of the authority's handling of the request. In some countries requesters may proceed to the regulator at this stage without having to refer to the authority again. In Scotland, however, the requester must have allowed the public authority a second opportunity to respond before he or she can make an application to me (allowing up to 20 days). In effect, this means that if a requester gets no response at all, he or she has to wait at least 40 working days before the matter can be referred to me for a decision.

Compliance

Experience of Scottish public authorities' compliance with the duty to respond has not been positive. 18% of applications to me for decision in 2005 related to failure by public authorities to respond at all to an information request even after a request for review. 98 people's requests were allegedly ignored by Scottish public authorities, but it should also be recognised that these individuals had to be particularly persistent to reach the point of making an application. The volume of applications to me about mute or deemed refusals could be indicative of a much larger problem.

In such cases as that of Mr M and Scottish Water, I have found that failure to respond to an approach by a member of the public is a discourtesy which does not fit well with the ethos of public service. I appreciate that Scottish public authorities had only a short period in which to prepare their organisations for the Act coming into force, but the duty to respond within 20 working days is not particularly onerous in most cases. I hope to see a radical improvement in this area in 2006.

The Commissioner finds:

Experience of Scottish public authorities' compliance with the duty to respond has not been entirely positive. The volume of applications to me about mute or deemed refusals could be indicative of a much larger problem.



Scottish Information
Commissioner



Enforcement

I am responsible for the enforcement of the freedom of information legislation laid down by the Scottish Parliament. I can receive an application from anyone who is dissatisfied by the response of a Scottish public authority to an information request. The right to request information from a public authority and the right to make an application to me both came into force on 1 January 2005. This section of the report provides an overview of my work in the first year of enforcing the legislation: the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004.

Preparations

Following consultation in 2003, Scottish Ministers decided to implement the Act in Scotland at the earliest possible date. I was fully supportive of this decision, particularly as the equivalent legislation for UK public authorities was also scheduled to come into force on 1 January 2005 and Scottish public authorities were confident that they would be prepared in time. The timetable created a particular challenge for me, however, as I was appointed Scottish Information Commissioner in February 2003: within just 21 months I would approve all Scottish public authority publication schemes, promote the legislation to authorities and provide them with information and guidance, at the same time as preparing my own organisation to investigate applications for decision.

I provided an account of the preparations for implementation in my Annual Report 2004. By the end of that year I had developed appropriate investigation procedures, developed and implemented an electronic case handling administration system and trained investigating officers.

Volume of Applications

The likely volume of applications, however, was the great unknown element in all of my preparations. The experience of information commissioners in other jurisdictions could only be a guide to what to expect in Scotland. A report commissioned from the Constitution Unit of University College London by the UK Information Commissioner in 2004 estimated the likely volume of complaints to be dealt with by the UK Commissioner under the UK freedom of information legislation in the range of 1,250 to 3,000 complaints in 2005. The UK and Scottish freedom of information legislation is very similar, particularly the complaint/appeal routes to the respective commissioners. Scotland's population is close to 10% of the UK population and so on the basis of the UCL study the likely volume of applications to me would be between 125 and 300 in 2005. My staffing establishment allowed for 8 Freedom of Information Officer posts, rising to 10 later in the year. According to the predicted volume, each officer would carry a caseload of between 20 and 30 investigations in the year.

The other issue for me to consider in planning for enforcement was when the applications would come in to the

Significant issues in 2005 have been volume of applications, interpreting exemptions and public authority compliance.

organisation. An application may be made to me for a decision under both the Act and the Regulations once both steps of request and request for review have been exhausted with the public authority. Authorities are obliged to respond to the requester within a maximum of 20 working days at each step (although this can be extended in some limited cases under the Regulations). An application can be made to me up to 6 months after the response to the request for review. I therefore anticipated that I would receive few applications for decision until March 2005 at the earliest. This proved to be the case, but the high volume of applications in March 2005 (60) was unexpected and was the earliest indication that the caseload would be considerably higher than had been anticipated. Applications in April rose to 94 for the month.

The lower end of the predicted annual caseload (125 applications) was exceeded within 2 months of full operation and the maximum anticipated volume (300 applications) was exceeded by the end of July. By the end of December 2005 I had received 571 applications, 90% more than the upper level anticipated for this first year of operation.

It is too soon to assess the reasons for the exceptional volume of applications for decision in Scotland. I am naturally delighted that people are using their right and that they know that they can come to me as regulator so early in the life of the legislation. It does, however, present me with the very significant challenge of deciding so many applications in just one year.

I publish a list of cases which are currently under investigation on my website. My decisions are also published on my website within one week of issue.

Investigations

My investigations procedures (published on my website) were based upon learning from other information commissioners and regulators and then developed to fit the specific requirements of the Scottish legislation. Although ready to receive applications from the start of the year, the high volume of appeals has meant we have had to constantly monitor and review the investigation procedures to ensure best fit with the workload and to speed cases through to resolution as quickly as possible.

In 2005 the number of occasions in which I have failed to reach a decision on an application within 4 months was 49, that is 21% of the total number of applications received. The complexity of cases is a major factor in determining case times. The childhood leukaemia statistics case, for example, took ten months to complete due to the significant complexity of the data and the extensive research required to make the determination. On the other hand, I have completed some investigations into technical breaches of the Act within 2 weeks. Such breaches include failure to respond to request for review. Other significant issues which have impacted on case times in 2005 include the need to establish precedent in so many decisions and the practical difficulties

Enforcement continued

of managing the volume and rate of applications over the year.

The reason for delay in issuing decisions can, however, often be outwith my control. Both applicants and public authorities can be slow to provide the information I require to carry out an investigation. On many occasions public authorities have failed to provide adequate information or sufficient argument to allow me to bring the investigation to an end and thus additional detailed correspondence is often required in relation to a case.

Protracted investigations are not unusual. Internationally the experience of even well established Commissioners' offices is that cases can be time - consuming. The Canadian Commissioner takes on average 7.5 months to deal with appeals. The Queensland Commissioner aims to complete 70% of her cases in 6 months and 90% within 12 months. Therefore my own target of 4 months for completion of a case is certainly ambitious by comparison with other jurisdictions. I am committed to resolving cases as quickly as possible in order to engender confidence in the legislation and the rights that it affords and am therefore constantly striving to improve case times. I have bid for increased staffing in the next financial year and anticipate that additional resources will be required as long as the application rate continues to rise.

Validation

An applicant for decision must evidence that he or she has already exhausted the steps of making an information request to a Scottish public authority and has requested a review by the public authority of its decision on the original information request before I carry out an investigation. The process need not be complicated and I have provided guidance on this in the Your Right to Know publication and on my website. It is entirely understandable, however, that it will take time for everyone to get used to using their rights. I have therefore found that the validation process for applications over the last year has frequently involved additional correspondence with the applicant and sometimes with the public authority before I could accept a case for investigation. In all but a very few cases, the applicant has assisted with this process. I have, however, had to abandon 4 cases in the year where the applicant failed to respond to follow up correspondence.

I have been obliged to reject a proportion (13%) of applications for decision on the grounds that they were not valid in terms of the Act or Regulations. The majority of these cases were where the applicant had not exhausted the required processes of request and review with the authority or where the organisation complained about is not covered by freedom of information legislation in Scotland.

Abandoned, withdrawn and settled cases

A total of 40 cases were withdrawn by the applicant in 2005, 23 of these following settlement with the public authority. As both public authorities and applicants become more accustomed to the legislation and the body of my decisions increases over time, I anticipate that effecting settlement will become an increasingly important part of my approach to resolving applications.

Technical breaches

Applicants can ask me for a decision on the way in which an authority has responded to their request. I use the term “technical breach investigation” to describe examination of an authority’s alleged failure to respond to the requester or disputes about determination of vexatious requests or the application of fees. Such cases do not usually require detailed investigation or analysis and I aim to issue a decision within one month of receipt. Should I find that an authority has failed to respond to the applicant within the prescribed timescales or that the authority has incorrectly deemed a request to be vexatious, I will require that the authority responds to the request within a given period. If the applicant is dissatisfied with that response, he or she may still make a further, new, application to me to examine the matter. I issued 6 technical decisions in 2005 although many of my other decisions also address cases where authorities have

failed to comply with the technical aspects of freedom of information law.

Compliance with the investigation process

Public authorities are notified as soon as possible when I have received an application. I have an obligation to notify an authority when an application has been received and to invite comments from the authority. An investigating officer will request a copy of all information held by the authority relating to the case, including any information which has been withheld. Scottish public authorities have generally responded well to such requests, meeting the timescale wherever they can. There have been some delays, however, and this has inevitably resulted in, as mentioned above, delay to the determination of the case. On 17 occasions, however, authorities have failed to provide the information on request and I have therefore been compelled to issue an Information Notice, an enforceable notice compelling release of information. My preference is to be given the information without using the Information Notice, but I will do so where necessary.

My role is still very new to Scotland and the experience of investigations under freedom of information legislation is very new to public authorities. I therefore appreciate that authorities may find it initially difficult to understand what is expected of them in terms of compliance with an investigation. I provide guidance to

Enforcement continued

them in correspondence and through FAQs on my website. I have also produced a leaflet which sets out my role and enforcement powers. I maintain contact information for all Scottish public authorities and I have welcomed moves by sector organisations such as Universities Scotland to provide investigation contacts in their organisations.

Decisions

I issued 90 decisions in 2005. Of these 31% were in favour of the applicant, 36% in favour of the public authority and 33% were partially in favour of both parties. All of my decisions are published in full within one week on my website. In November I launched a database on the website which allows the visitor to search decisions by sections of the legislation.

There were several "landmark" decisions over the last year, most notably on the determination of personal information, commercial interests, legal advice, formulation of government policy and the exchange of advice between officials within authorities. Examples of such determinations are provided in the case studies within this report.

Some of my decisions attracted considerable media attention, including MSPs' expenses, childhood leukaemia statistics and surgeons' mortality rates. Not all cases are of such interest to the press, however. If freedom of information legislation is to change the culture of public authorities,

(continued overleaf)

Care Commission Case Study

Substantial prejudice to the exercise of an authority's functions?

Mrs S had asked the Care Commission* to provide a copy of the list of questions and answers it would use to assess whether someone was a fit person to be a childminder. The Commission had refused to provide the information and had explained its reasons for refusal, which included use of the Law Enforcement exemption. This exemption is subject to the public interest test.

What was the test for?

The Care Commission is legally responsible for regulating and improving the quality of care services in Scotland. Part of its role is to make sure that care services comply with the law and meet quality standards. Care services cannot operate without registration with the Commission. The 'fit person' assessment is part of the Commission's registration process.

The arguments

Mrs S argued that she should be able to see the questions and answers in the fit person assessment in advance so that she could prepare properly for her interview with the Commission officers. The Commission, on the other hand, felt that it already provided adequate information and guidance to childminders so that they could prepare for the test in advance. It said that if the test questions and answers were given out to the interviewees it would allow them to study the questions and answers in advance. It claimed that its checking process would then no longer be a test of the person's knowledge and ability to answer questions about the provision of the care service.

The public interest test

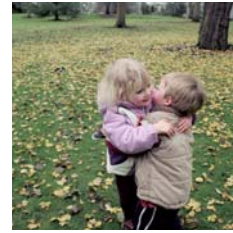
Would it be in the public interest for prospective childminders to know the questions and answers in advance of the test so that they could be better prepared for it? Or was the Commission correct in its view that the public interest would be better served by keeping the questions and answers secret until the actual test?

The registration process is the Commission's way of ensuring that the people who provide and manage care services are regulated effectively, including stringent assessment to check that they are 'fit persons' to carry out their role. If inexperienced or inappropriate people were deemed to be fit for the role of care provider or manager this could put people using those services at significant risk. I concluded that this was where the balance of the public interest lay in this case: it is overwhelmingly more in the public interest to have effective regulation of care services than to make public the questions and answers to the fit person assessment.

*Scottish Commission for the Regulation of Care

The Commissioner finds:

The overriding public interest must be for the Care Commission to be allowed to perform its duties to ensure that persons who provide and manage care services are stringently assessed and regulated in order to check their suitability as care providers.



Enforcement continued

both the public and the authorities themselves need to be aware of emerging case law. I will be keen to work with both the public sector and voluntary and community organisations in the year ahead to raise their awareness of my decisions.

Appeals and Enforcement

My decisions may be appealed to the Court of Session by either or both parties to the investigation. An appeal may only be made on a point of law. Two decisions have been appealed to the Court of Session over the last year. I am advised that the first of these will be heard by the court in November 2006.

I issued no enforcement notices during 2005.

Harm Test Case Study

Substantial prejudice to commercial interests?

Mr K, managing director of an independent theatrical production company, had asked South Ayrshire Council for information about the total number of tickets sold and the revenue from summer season and winter pantomime productions at its Gaiety Theatre in Ayr.

The council gave him the requested information for 1998 - 2001, but refused to release more recent information. It said that the information would give competitors an unfair commercial advantage against the theatre and that this in turn could affect the quality and standard of service that the theatre provides to the public. It claimed that the information could prejudice substantially the council's commercial interest.

The arguments

The applicant argued that the information he wanted was not commercially sensitive. He felt this information should be available to everyone who wanted it.

The council said that information about ticket sales and income could be used to assess the effectiveness of the theatre's investment, quality, casting, marketing and pricing strategies. Competitors could use this information to make their own productions more competitive and in the long term, they could take customers away from the Gaiety Theatre, resulting in less income to the theatre. It felt that the theatre had to take commercial risks to learn which strategies were most successful and a competitor should not be able to get this information from the council in order to be able to compete with the council.

Real or very likely?

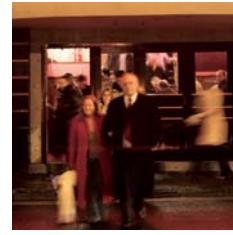
The exemption claimed by the council in this case is subject to the substantial prejudice or harm test in the Act. To claim this exemption, the council would have to evidence that the damage caused by disclosing the information would be real or very likely, not hypothetical.

I examined the council's arguments closely. It said that release of the information might cause a chain of events which would damage the theatre's commercial interests, but it did not offer evidence to suggest that these events would actually happen. The information Mr K wanted was about total income and a competitor would not be able to evaluate the effectiveness of individual strategies from that. Information about the Gaiety Theatre's strategies and finances is already available through South Ayrshire Council's committee minutes, which are public documents.

I decided that the council had not dealt with Mr K's request in accordance with the Act and I required the council to release the remaining information he had requested.

The Commissioner finds:

Total sales and revenue figures for the theatre would not provide sufficient information for anyone to determine the success or failure of the Gaiety Theatre's marketing strategies. I was therefore not persuaded that release could substantially prejudice the council's commercial interests.



Information, guidance and awareness raising

The Scottish Information Commissioner's responsibility to promote access rights to information is a particularly distinctive aspect of Scotland's freedom of information regime. This section of my report sets out the work that I have achieved over the last year to raise public awareness of their rights and the practical application of the legislation. I have also continued my programme of providing good quality information about the legislation in order to assist public authorities to fulfil their duties.

Public promotion campaign

Why campaign?

My research in 2004 showed that while 92% of Scottish public authorities were fairly, or very, confident that they would be able to comply with the Act once it came fully into force in January 2005, there was a very low public awareness across Scotland of the right to use the Act. Only 30% of people surveyed in August 2004 said they definitely had heard of the Act, while a further 14% said they thought they had. Awareness was much greater among people in managerial and professional occupations than among people in manual work or on very low incomes. Awareness was much greater among people aged 35 to 55 than any other age group. Younger and older people were particularly unlikely to be aware that they had a right to request information from a Scottish public authority.

The priority in promoting the legislation was therefore to maximise every opportunity to raise public awareness of the new rights while also providing much needed support to public authorities and the public during the first year of implementation.

TV advertising

I had commissioned The Union advertising agency in 2004 to identify the most efficient and cost-effective medium to communicate the new right to as large a public audience as possible from the start of 2005. Having considered a range of media options, including press and radio, billboards and bus-sides and leaflets to households, I decided upon a TV advertising campaign which gave the best opportunity to reach as many people as possible.

Creative ideas and the campaign message were rigorously tested with focus groups to ensure that the advertising would be easily understood by the audience. The ensuing TV campaign has just one very simple message - that the public now has a new right to ask for information held by Scottish public authorities. The dramatic visual, in which a man opens a filing cabinet to release documents which fly like birds across Edinburgh, was directed by Jon Harvey and screened across Scottish commercial stations for 5 weeks in February and March and a further 5 weeks in September and October 2005. The media buying plan for screening on ITV, Channels 4 and 5 achieved coverage for over 80% of the Scottish population for both periods, each

Public use of the enquiries service continues at the steady rate of 100 - 150 new contacts a month from individuals or members of community organisations.

with more than 5 opportunities for all adults to see the advert.

The first round of advertising in February and March gave the URL for my website www.itspublicknowledge.info as the contact point for more information. I took this decision primarily on cost grounds, but I was very aware that not everyone has the means or ability to access the internet. For the second round of advertising I developed an information pack and commissioned a fulfilment house to provide a freephone number for the TV advert. More than 2,000 individual packs were sent out in this way.

Increased public awareness

I commissioned a third public awareness survey in October 2005 following the second showing of the TV advert. The table below shows the results, including the large increase in public awareness from September 2004. While not all of that can be attributed to the advertising campaign, I do consider that it has had a very significant impact.

Enquiries Service

Public authority enquiries

Public authority enquirers often want to clarify specific issues in relation to their duties to handle information requests, or the interpretation of exemptions. They will often wish to discuss the interaction of freedom of information legislation with their other statutory duties. Trading standards officers have, for example, have been particularly keen to explore with me

Have you ever heard of the Freedom of Information (Scotland) Act?

	Sept 2004	Apr 2005	Oct 2005
Yes definitely	30%	49%	57%
Yes I think so	14%	20%	15%

Have you seen any advertising recently about the Freedom of Information (Scotland) Act? (unprompted)

	Sept 2004	Apr 2005	Oct 2005
Yes definitely	n/a		26%
Yes I think so	n/a		15%

The survey also explored other issues, including awareness of my role. This has also increased steadily throughout the year, but it is still the case that only 20% of the public are aware of who to complain to if they are refused information by a Scottish public authority.

Have you ever heard of the Scottish Information Commissioner?

	Sept 2004	Apr 2005	Oct 2005
Yes definitely	6%	4%	10%
Yes I think so	2%	5%	10%

Public confidence in the power of the new legislation was higher before the Act came into force than after implementation. It is not possible at this early stage to hazard the reason for this decline in confidence. It is, however, an issue that should be monitored over the coming year. If they have low expectations of the Act, the public will be discouraged from using it.

Do you agree with the statement "As a result of the Freedom of Information (Scotland) Act public authorities are becoming more open and accountable."

	Sept 2004	Apr 2005	Oct 2005
Agree strongly or slightly	79%	79%	67%
Disagree slightly or strongly	12%	10%	20%

Information, guidance and awareness raising continued

the confidentiality requirements of the Enterprise Act which have led to confusion in relation to the Act and the Regulations. I am grateful to authorities for their sensitivity to the fact that my staff cannot advise them on how to deal with specific information requests. The enquiries service has been helpful, not just for the callers, but also for my own staff in raising their awareness of the concerns and issues that public authorities are encountering in the operation of FOI in their own organisations.

Public enquiries

Public use of the enquiries service continues at a steady rate of 100 to 150 new contacts a month from individuals or members of community organisations. Enquirers usually want to know how to use their rights in relation to a particular situation or would like an explanation of an authority's use of an exemption in their case. This is a particularly enjoyable aspect of our work as we have the opportunity to talk directly to the public about their many and varied issues. We also hear first-hand of some of the difficulties that individuals encounter at earlier stages than through the appeal route. Most of our enquirers do not come back to us again and this suggests that most of their information requests are being answered first time by the public authorities concerned. We occasionally have contact with a member of the public all the way through request and review to appeal.

My enquiries service is provided by administrators and case investigators

who have extensive knowledge of the legislation and of dealing with particular issues. We have invested over the year in training for all staff from the Telephone Helplines Association to improve our customer service and also to increase our efficiency in dealing with telephone calls.

Publications and information materials

During the first half of 2005 I produced a series of briefings covering 16 exemptions and the public interest test. These briefings explain the background to the exemptions, including some of the deliberation by MSPs during the course of the FOI Bill through the Scottish Parliament and examples from other FOI jurisdictions around the world. Briefings provide readers with a better understanding of what the exemptions mean so that they can apply the principle to the determination of information requests. They have been extensively used and it will be appropriate to increase their scope over the course of the year ahead as we learn from decisions.

I jointly produced a booklet with the Scottish Consumer Council, "Your Right to Know: a guide to freedom of information law in Scotland" provides a plain language overview of both the Act and the Regulations in under 50 pages. It explains how to make a request, request a review and how to appeal to me for a decision. The booklet was initially sent to all councils, public libraries and citizens advice bureaux. Demand for the publication

has been very high and to date 30,000 copies have been printed. It is also regularly downloaded from my website.

A further leaflet "Enforcing Freedom of Information: the Scottish Information Commissioner's powers" was initially intended for a public authority audience, but has also proven very popular with enquirers and applicants.

A new leaflet was produced for the information pack for the second round of the TV advertising campaign. "How to Make the Freedom of Information Act Work for You" contains style letters for request, request for review and appeal, along with helpful tips about framing requests and calculating the 20 working days for response by an authority.

Website and newsletters

My website has been extensively revised and developed over the course of the year. The "Your Rights" section was added in January to provide information for members of the public. Based on the "Your Right to Know" publication, this section also includes my contact list for the public authorities covered by the Act and a list of web links to authorities' publication schemes. We have continued to add to this section throughout the year, particularly with new FAQs based on our experience of the enquiries service.

An overhaul of the website was undertaken in April and May to improve the accessibility, layout and searchability of the site for both

public and public authority visitors. I decided to provide a current list of investigations on the website and this has received many positive comments. It is difficult to maintain on a regular basis, however, and I hope to improve this in the year ahead. I have published all decisions within a week of issue to the applicant and public authority. A database was launched in November to help the visitor to search for decisions by authority, date or exemption.

Visits to the website were exceptionally high during the first 3 months of 2005 and although the volume has decreased, the site continues to receive more than 2000 visitors every week. This confirms the importance of the website as a repository of information and promotional medium. A web survey was conducted in November and the feedback from this was highly positive. Respondents also made many excellent practical suggestions for new resources that they would like to see on the site and we look forward to developing these over the year ahead.

An electronic newsletter has been produced each month to advise our 1477 subscribers of news, forthcoming events, developments on the website, changes to guidance, etc.

Office of the Scottish Information Commissioner

Duties

I was appointed as Scottish Information Commissioner by Her Majesty the Queen in February 2003, on the nomination of the Scottish Parliament, for a period of 5 years. My role and function is laid down in the Act in significant detail, but this has been a new post for Scotland and it is not always readily understood. There are other information commissioners in other countries of the world, but their relationships to government are not always the same as mine. I am required to lay an annual report before the Scottish Parliament, but my work is not subject to the direction or control of the Scottish Parliament or Scottish Executive.

Importantly I am a public official and I must fulfil a number of duties, including:

- >> Demonstrating that funds provided to me by the Scottish Parliament are spent properly, efficiently and effectively
- >> Sound administration and good standards of service delivery
- >> Responding to information requests.

Personnel

I employ a staff of 16 people in my Office in St Andrews who support me to fulfil my role. During the year there was a small turnover of staff.

The planned review of the staffing structure was brought forward from

October to June 2005 in response to the much higher volume of applications than had been anticipated. I had expected to receive between 125 and 300 applications in the first year of operation. By April 2005 I had already received 174 and by June there was every indication that the volume of cases would far outstrip my investigative capacity. In addition to more investigators, the review identified the need for a case manager and a records manager. I successfully recruited a new Deputy Head of Investigations and three new Freedom of Information Officers (one with a records management responsibility) in August 2005.

During 2005, my staff list was:

Head of Policy and Information

Sarah Hutchison

Head of Investigations

Margaret Keyse

Deputy Head of Investigations

Euan McCulloch (from October)

Finance and Administration Manager

Jann Sangster (from March)

Freedom of Information Officers

Simin Abrahams (to December)

Jill Anderson (from October)

Karen Bremner (to June)

Caitlin Dalgleish

Alison Davies

Martin Hughes

Colin MacFadyen (from November)

Paul Mutch

Lucy Scharbert

Claire Sigsworth

Ruaraidh Wishart (from October)

Administrators

Alison Fernie

Mary Ingram

I have established an audit advisory board to enhance corporate and financial management and provide the external audit function.

Personnel management system

I operate a performance management system based on the system developed by the Scottish Parliament for its staff. All staff have a regular one to one meeting with their line manager, an interim appraisal in October and a full appraisal in March each year. Staff are encouraged to evaluate their own performance against objectives and a series of work-based competencies such as the ability to respond positively to change and customer care. The first full year appraisals for the organisation were completed in March 2005 and a staff development plan was established to meet some of the needs identified through the process.

Financial management

On 1st April 2005 my Office became financially autonomous from the Scottish Parliamentary Corporate Body. This change was made at my request as I had encountered a number of practical difficulties with the operation of the previous arrangements where the SPCB had held my budget. My administrative staff managed the change-over process extremely efficiently and we were able to switch to internal book-keeping arrangements by the due date. With financial autonomy came the need to appoint both internal and external auditors to scrutinise the organisation's financial probity and governance. Alan Fyffe, seconded from Scottish Enterprise, is my Internal Auditor and I have established an advisory audit board to enhance

corporate and financial management and provide the external audit function for this organisation.

My financial report is published separately, by financial year from 1st April to 31st March each year and is available on my website at www.itspublicknowledge.info. A financial overview is provided at the end of this report.

Equality

Recruitment and retention

My recruitment policy was reviewed and new procedures were developed as part of the staffing structure review in June 2005. The procedures formalised the in-house arrangements to ensure that all information about an applicant's age, gender, race, disability, dependents, etc, was withheld from the selection panel. Equality monitoring was undertaken after each round of recruitment and workforce monitoring will be undertaken in early 2006.

Premises

Access audits of the premises were conducted by Fife Society for the Blind and Fife Independent Disability Network. Both audits found significant areas for improvement in the accessibility of the ground floor of Kinburn Castle. Following the audits, building works were undertaken to improve access to the disabled toilet and to pave the disabled parking area. Lighting and signs were improved on the ground floor. The Office plans to address further access issues in the year ahead, including provision of

Office of the Scottish Information Commissioner continued

a textphone service and hearing induction loops.

Promotion

We continue to aim to achieve the Scottish Accessible Information Forum's standard for our own publications. We produced an audio version of our key publication *Your Right to Know* and this was promoted through the Update newsletter. We produced a Gaelic version of the *Your Right to Know* introductory leaflet and this was in some demand in the earlier part of 2005.

Green Office

My Office is a Green Office. This means that I have, from the outset, sought to incorporate environmental considerations in the management of the building and the work that I do. I published my Green Office policy in 2004 which provides an action plan to address:

- >> The amount of waste the office produces and we consume
- >> The amount of energy we use
- >> Purchasing goods which are less environmentally damaging
- >> The amount of waste we recycle.

I have updated this policy to report the organisation's performance in 2004/5, our benchmark year. The full report, available from my publication scheme at www.itspublicknowledge.info, or by contacting my office, provides detail of all the measures undertaken to meet the goals of the policy and includes

(continued overleaf)

North Berwick Harbour Case Study

Personal information about an identifiable, living individual?

There is a waiting list for moorings at North Berwick harbour and Mr B, a berth holder, asked East Lothian Council for a copy of this list. The council refused to provide the list on the grounds that the list contained personal information and that release of the list would breach one of the data protection principles.

Public versus Private Information

The balance between private and public information, is not always straightforward. In many countries privacy law and freedom of information rights came into effect at the same time and as a result the balance between private and public information has perhaps been clearer from the outset. In Scotland, however, public authorities had worked with the Data Protection Act for 20 years before freedom of information legislation came into force and therefore we could expect that some adjustments in the balance would be required.

So was the information in the North Berwick Harbour waiting list personal information as the council contended? The council provided me with a copy of the list which I found contained some information about the people who had applied for moorings, some information about their boats and some administration information.

Personal data

Personal information is information from which anyone could identify an individual. I agreed that the names, addresses and telephone numbers of people who had applied for a mooring are personal information. I also decided that, given the small number of applications on the list, it might be possible to identify an individual from the name of a boat, its make, model, length or beam and therefore these items should be considered personal information. I accepted the council's argument that people had given this information expecting it to be kept private and that release would therefore breach the first data protection principle of fair and lawful processing.

Public information

I did not, however, accept that the council's arguments should extend to all the information held in the list. I took the view that the council should provide as much information on the list to Mr B as it could to evidence the openness and accountability of the mooring allocation process. I therefore ordered release of details of the council's internal applications processing, the outcome of the applications and the applicants' home towns, none of which would reveal an individual's identity. While I accepted that the council could not release information about individual boats, I required it to provide the length and beam of the vessels aggregated into size bands (e.g., number of vessels measuring between 5 and 10m in length). I ordered that the list should be provided to the requester with the exempted information blanked out.



The Commissioner finds:

I ordered release of details of the council's internal applications processing, the outcome of the applications and the applicants' home towns. This ensured that the application process was as open and accountable as possible, while protecting the privacy rights of individuals.



Scottish Information
Commissioner



Office of the Scottish Information Commissioner continued

monitoring information for copier and copier paper use, in addition to printed paper and envelope use. 2004 was the implementation year for the Act coming into force and significant efforts were made to promote the new legislation to public authorities. This included mailings to public authorities and the organising of regional seminars, all of which involved use of paper and travel resources. From the beginning of 2005, the use of resources by the office has steadied as our activities have been predominated by investigation work. In 2004 monthly staff travel averaged 79 miles per person; in 2005 this has fallen to only 21 miles per person on average - a reduction of nearly 75%. Paper use per person has fallen by 13% between 2004 and 2005.

Other achievements in 2005 include:

- >> Achieving designation as a Fairtrade Workplace (contributing to St Andrews being awarded designation of Fair Trade Town)
- >> development of teleconferencing facilities to reduce the need for travel to meetings.

Skye Windfarm Action Group Ltd Case Study

Prejudice to the effective conduct of public affairs?

The Skye Windfarm Action Group Ltd asked the Scottish Executive to provide copies of all reports and correspondence between its departments and a range of other organisations including the local council, the developer and interest groups such as the RSPB on the subject of the Edinbane wind farm proposal.

Early progress

During the early stages of the investigation the Executive decided that another 37 documents could be released to the Action Group after all. My investigation therefore focused on the 32 pages of information which the Executive continued to withhold. The Executive claimed that the disclosure of this information would inhibit officials from providing advice or giving their opinions in future and that there was greater public interest in preventing this from happening than in releasing the information to the Action Group.

What was withheld?

I found that the withheld information related to a planning officer's factual background notes about the wind farm development and internal correspondence between Executive staff. The internal correspondence was mainly about handling enquiries about the wind farm, some of which had come from members of the Action Group. Most of the advice was factual in nature, based on existing policy, guidance notes and technical standards used by the Executive, although it also included some comments about the correspondents.

The key questions

Would release of the information really inhibit free and frank advice from being provided in future? If Scottish Executive staff knew that their correspondence might be released would they be less forthcoming in giving their views or advice?

The decision

I found that only 2 documents contained controversial statements and these concerned information which had already been made public. As the information was largely factual and closely aligned to existing policy I decided that its release could not endanger future communications (although staff might be more guarded about expressing opinions about correspondents). Even if I had found that officials would be likely to be inhibited from providing such advice in future, there would still be a strong public interest in releasing the information. Decision makers should be prepared to justify the basis on which planning decisions are made and to be accountable for the reliability of any research on which they depend. Such openness can only improve accountability and so increase public confidence in the decision making process.

The Commissioner finds:

There is a strong public interest in releasing such information. I do not accept that the release of factual advice would inhibit officials from offering such advice in future, although it is possible that officials would in future be more guarded in expressing their opinions of the correspondents.



Who we work with

I have contact with both the public and public authorities on a daily basis through my enquiries service and through my enforcement work. I also aim to meet interested groups and organisations as much as possible throughout the year. A full list of speaking engagements completed in 2005 is given to the right of this page. I receive many more invitations than can be fulfilled by my small organisation, but I do try to participate in as many as possible. I also have regular meetings with:

Scottish Freedom of Information Implementation Group

I have continued to attend regular meetings of this group which has representation from every section of the Scottish public sector. Meetings have provided invaluable opportunities for information exchange and debate about implementation issues. I particularly welcomed the extension of the membership this year to a range of voluntary and private sector organisations.

External organisations

I have regular contact with a range of organisations, including other regulators, both in Scotland and internationally through membership of the British and Irish Ombudsmen's Association. Although I was unable to participate in the 2005 International Information Commissioners' Conference, I maintained regular contact with the UK and Irish Information Commissioners during the year. I agreed memoranda of understanding in 2005 with the UK Information Commissioner, the Keeper of the Records of Scotland and the Office of Public Sector Information.

Speaking Engagements 2005

Same as You Implementation Group
 Johnson Press Group
 National Society for Clean Air and Environmental Protection
 Scottish Council on Deafness
 CIPFA Better Governance Forum
 Scottish Civic Forum
 Scottish Planning and Environmental Law (SPEL) Conference 2005
 Central Law Training (Scotland) Ltd
 Brodies FOI Seminar
 FOI SOS Conference - Ark Group
 John Smith Fellowship
 Scottish Circle of Records Management Society
 Institute of Directors - West of Scotland Branch
 Direct Payments Network
 Scottish Parliament Cross Party Working Group on Human Rights
 North Glasgow Information and Advice Forum
 Annual Inter-Parliamentary Research Network Conference
 Homes for Scotland - Implications of FOI for Private Developers
 The Scottish Daily Newspaper Society Editor's Committee
 Society of Editors Annual Conference
 Association of Local Authority Risk Manager (ALARM) Scottish Conference
 Reform of the NHS Complaints Procedure conference
 British Council Seminar on Leadership in Civil Society
 Chartered Institute of Librarians and Information Professionals
 Faculty Criminal Board Group Human Rights Conference
 W.Green / Sweet and Maxwell Human Rights Conference
 SEPA Agency Board Seminar
 SCVO National Voluntary Sector Intermediary Organisations
 Scottish Executive senior civil servant sustainable development course
 Trading Standards Scottish Branch Conference
 Research event on Scottish Parliament Commissioners
 Community Care Providers Scotland
 Visit by Commonwealth Professional Fellows
 Environmental Resources Management group
 Information Services Group of Chartered Institute of Library and Information Professionals
 Holyrood Conference - "Freedom of Information One Year On."





Speaking
engagements
fulfilled in 2005

Financial overview 2004/5

ANALYSIS OF EXPENDITURE PER ACCOUNTS FOR 2005 ANNUAL REPORT			
	£000	%	% of total expenditure
Staffing costs	502	100	45
Operating costs:			
Administration*	366	72	-
Travel expenses	9	2	-
Depreciation	48	9	-
Property **	59	12	-
Audit	14	3	-
Cost of Capital	11	2	-
Total operating costs	507	100	45
* including research, promotion, stationery and utilities			
** including rent and rates			
Capital expenditure:			
	£000	%	% of total expenditure
Fixed assets			
IT Systems	56	51	-
Fixtures and Fittings	11	10	-
Artwork	0	0	-
Buildings	30	27	-
Intangibles			
Other	13	12	-
Total capital expenditure	110	100	10
Total expenditure	1119		

Full accounts, audited by Audit Scotland are available on my website www.itspublicknowledge.info or by contacting my Office.

This report is printed on Greencoat Velvet paper. The Greencoat Plus range contains 80% recycled fibre and the remaining 20% pulp is TCF (Totally Chlorine Free). In recognition, the range has been awarded both the NAPM and the Eugropa recycled marks, two of the most prestigious and recognisable recycled certificates available. Greencoat Plus provides an exceptional combination of quality, value and care for the environment.



Scottish Information Commissioner Annual Report 2005

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