1. I refer to your call for written evidence on the Freedom of Information (Amendment) (Scotland) Bill which was recently introduced by the Scottish Government. NHS Lanarkshire welcomes the opportunity to comment on the proposed amendments and is happy that the content of the response be made to the Finance Committee in its deliberations on the Bill.

2. NHS Lanarkshire did take part in the Scottish Government’s consultation on the Bill and feel that our views of NHS Lanarkshire have been reflected.

3. NHS Lanarkshire is generally in agreement with the purpose of the Bill. The shift in culture towards greater openness and accountability and the public’s expectations of being able to access information earlier would be enhanced by the amendments to the periods when historical records become available. We, therefore, welcome the Scottish Government proposal to amend Section 59 of the Act to provide for greater flexibility in determining the lifespans of individual exemptions. The exemptions are so diverse in nature that we feel it would be difficult to find one exemption period to fit them all.

4. Lengthening the prosecution time for offences under Section 65 is welcomed as it is currently not in line with the processing of requests for information and for this section to be workable there needs to be sufficient scope to take action against any individual found to be altering or destroying records with intent to prevent disclosure.

5. Changes to Section 25, 38 and 41 are noted.

6. These changes to the legislation will, however, have limited implications for NHS Lanarkshire. While we can see that there might be implications for other organisations that use these exemptions more regularly, NHS Lanarkshire does not have the need to routinely make use of these particular exemptions. We also do not foresee any financial implications for NHS Lanarkshire if these changes were made.