

PUBLIC AUDIT AND POST-LEGISLATIVE SCRUTINY COMMITTEE

POST LEGISLATIVE SCRUTINY - FREEDOM OF INFORMATION (Scotland) ACT 2002

SUBMISSION FROM :Mr S.Yousaf

Statutory obligation to publish FOI replies

It is proposed that FOI legislation is amended to make it obligatory on public bodies to publish all FOI requests on their websites, with any personal identifiers redacted.

- Currently FOI replies are only known to the requesting party.

The information requested may be of wider public interest. Unless the person requesting the information is a journalist and is deemed significant, is it only then published in the media, bringing the facts determined from an FOI request to light. Most FOI replies subsequently remain unknown to the wider public.

- Prevents duplication of requests

Where FOI requests have already been made and replies given, publication of these would prevent duplication of the same or similar requests. Subsequently minimising administrative costs in handling FOI requests.

- Increases transparency of the FOI regime

Publishing FOI replies would enable full transparency of the public body to whom the FOI request is made. This would strengthen the FOI mechanism and increase transparency which is the primary purpose of the FOI legislation.

- Safeguarding personal information

Where FOI requests and the content of the replies are specific to individuals then the public body can in these circumstances withhold publication, where it would breach data protection.

