

Integration Joint Board

Report By: Chief Officer, Finance & Resources
Contact: John Dearden, Head of Business Administration
Tel: 0141 287 0394

INFORMATION GOVERNANCE

Purpose of Report:	<p>To advise the Board of their responsibilities in relation to Information Governance and specifically under the</p> <p>Freedom of Information (Scotland) Act 2002 Environmental Information (Scotland) Regulations 2004 Public Records (Scotland) Act 2011 Data Protection Act 1998</p>
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Recommendations:	<ol style="list-style-type: none"> 1. To note this report. 2. Under the Freedom of Information (Scotland) Act, to: <ol style="list-style-type: none"> (a) Adopt the Model Publication Scheme approved by the Scottish Information Commissioner and agree to its submission to the Commissioner for approval (Appendix A); (b) Authorise the Officers to complete the preparation of a guide to information (Appendix B); (c) Approve the attached Freedom of Information Policy (Appendix C) including the Complaints/Appeals Procedure at Annex 2;
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Implications for IJB:

Financial:	None
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Personnel:	None
Legal:	Terms of the Acts referred to above.
Economic Impact:	None
Sustainability:	None
Sustainable Procurement and Article 19:	None
Equalities:	The legislation requires that equality issues be taken into account in responding to requests for information.
Implications for Glasgow City Council:	None
Implications for NHS Greater Glasgow & Clyde:	None

1.0 INFORMATION GOVERNANCE

- 1.1 This paper covers a number of legislative requirements placed on the Integration Joint Board relating to how the Board holds and processes information. These responsibilities are separate from corresponding responsibilities held by the Council and Health Board. Under the new arrangements it will be important to distinguish if responsibilities fall to the IJB, the Council or Health Board. This will be a matter of fact to be decided in each case. It is anticipated that the volume of instances where there is a need to apply these requirements will be low.

2.0 FREEDOM OF INFORMATION

- 2.1 The Freedom of Information (Scotland) Act 2002 - and the related Environmental Information (Scotland) Regulations 2004 - provide any applicant with the right to request – and be provided with - any recorded information held by Scotland’s public authorities. If an authority considers that information should not be released it is required to justify its decisions by applying one or more defined exemptions or (under the Environmental Information (Scotland) Regulations 2004) an ‘exception’).
- 2.2 Integration Joint Boards are a “public authority” for the purpose of Freedom of Information (Scotland) Act 2002. This means they are subject to both Freedom of Information (Scotland) Act 2002 and the related Environmental

Information (Scotland) Regulations 2004, as well as other requirements of Freedom of Information legislation, and will be required to respond to information requests accordingly.

- 2.3 Responsibilities under the Act/Regulations are supplemented by Codes of Practice issued by the Scottish Government. Compliance with the legislation is monitored by the Scottish Information Commissioner, who also provides advice on the operation of the legislation.

Action Required by the IJB

- 2.4 The IJB is required to have

- A Publication Scheme - Section 23 of Freedom of Information (Scotland) Act 2002 requires that all Scottish public authorities subject to the Act maintain a publication scheme. A publication scheme sets out the types of information that a public authority routinely makes available. The Integration Joint Board will need to develop and put in place a publication scheme, along with a guide setting out what information it will make available. It is important that consideration is given to the publication scheme – and associated guides to information – as early as possible. A publication scheme must be approved by the Scottish Information Commissioner. It is proposed that the IJB adopt the Model Publication Scheme approved by the Commissioner, a copy of which is attached at Appendix A.
- A guide to information as set out in draft at Appendix B.
- Policies and procedures in place on how the organisation responds to requests for information. A draft is at Appendix C.
- An internal review/appeals process to consider cases where an applicant is dissatisfied with a response to a request for information, or there has been a failure to respond. A draft is at Appendix Annex 2 to Appendix C
- Arrangements in place to make staff and the public aware of the procedures to follow and to distinguish appropriately between requests that should be processed by the Council/Health Board rather than the IJB. The determining factor is who holds the information. A draft leaflet is at Appendix D.

3.0 Public Records (Scotland) Act 2011

- 3.1 Integration Joint Boards are required to comply with the Public Records (Scotland) Act 2011. As such they will be obliged, to prepare and implement a records management plan which sets out proper arrangements for the management of their records.
- 3.2 Records management plans must be agreed with the Keeper of the Records of Scotland (the Keeper) and regularly reviewed by authorities. The plan must account for all the public records for which the authority has responsibility. The plan must detail the functions of each authority and the types of records created in pursuance of these functions. It will show the policies and

procedures in place for the appropriate storage, retention, disposal, archiving and security of these records.

- 3.3 The Keeper has embarked on a Phased Programme to approve Records Management Plans produced by authorities. The IJB will not be required to produce a Plan until the request for submission of a draft Plan for approval is made. Generally the Keeper provides six months' notice of this. In the meantime work will progress on preparation of a Plan alongside how we integrate records management systems within the IJB. This Plan only relates to information that is held and processed by the IJB. The Head of Business Administration will be responsible for taking forward the development and implementation of the Records Management Plan.

4.0 Data Protection Act 1998

- 4.1 Any organization that deals with personal data (i.e. that of a living individual) is required to comply with the Data Protection Act. The organization is also required to register its processing of data with the UK Information Commissioner and appoint a Data Controller for regulating the use of information within the organization. The Data Controller is normally the head of the organization with an individual appointed to manage day to day issues. It is proposed that the Chief Officer be designated as Data Controller and that the Senior Officer Rights and Enquiries be nominated to support this role. The individual has extensive experience in the field from prior involvement in Social Work.
- 4.2 Where personal information is held by the IJB, it will be important to distinguish if it is controlled by the IJB or the Council or the Health Board, as these organisations may be the appropriate bodies to respond to subject access requests. Subject Access requests are requests made by individuals to see or be provided with a copy of their personal information held by the authority.

5.0 Information Sharing Protocols

- 5.1 Public bodies generally have agreed information sharing protocols in place. The Integrations Scheme refers to the Information Sharing Protocol entered into between the Health Board and the six local authorities in Greater Glasgow and how this could be extended to IJBs. Additionally a project, known as the Health and Social Care Data Integration and Intelligence Project is being developed by the Information Services Division of NHS Common Services to facilitate information sharing between health, councils, IJB and the ISD. Related Information Sharing Protocols are being developed.

Model Publication Scheme 2015

**Produced and approved by the Scottish
Information Commissioner**

Introduction

1. The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to adopt and maintain a publication scheme. Authorities are under a legal obligation to:
 - (i) publish the classes of information that they make routinely available
 - (ii) tell the public how to access the information they publish and whether information is available free of charge or on payment.
2. The Act also allows for the development of model publication schemes which can be adopted by more than one authority. This Model Publication Scheme has been produced and approved by the Scottish Information Commissioner. It is approved until 31 May 2019.
3. The Commissioner has issued a Guide to accompany this model scheme www.itspublicknowledge.info/MPS. This is essential reading for authorities adopting the model scheme: it explains the requirements of the scheme in detail and provides lists of types of information the Commissioner expects authorities will publish.

Adopting this model scheme

4. This model scheme can be adopted by any authority which is subject to the Freedom of Information (Scotland) Act 2002. For more information about which bodies this applies to, please visit <http://www.itspublicknowledge.info/YourRights/Whocanlask.aspx>
5. Adoption commits an authority to:
 - (i) adopting this model scheme without amending it
 - (ii) publishing the information, including environmental information, that it holds and which falls within the classes of information below.
 - (iii) ensuring that the way it publishes its information meets the Model Publication Scheme 2015 Principles.
 - (iv) producing a Guide to Information which sets out the information the authority publishes through this model scheme, how to access it, whether there is a charge for it and how to get help to access information.
 - (v) notifying the Scottish Information Commissioner that it has adopted this model scheme.
6. Where an authority fails to meet the above commitments, it cannot be considered to have adopted this model scheme and may be failing with the duty to adopt and maintain a publication scheme in line with section 23(1) of the Act.

Model Publication Scheme 2015 principles

Principle One: Availability and formats

7. Information published through this model scheme should, wherever possible, be made available on the authority's website.
8. There must be an alternative arrangement for people who do not wish to, or who cannot, access the information either online or by inspection at the authority's premises. An authority may, for example, arrange to send out information in paper copy on request (although there may be a charge for doing so).

Principle Two: Exempt information

9. If information described by the classes cannot be published and is exempt under Scotland's freedom of information laws (for example sensitive personal data or a trade secret), the authority may withhold the information or provide a redacted version for publication, but it must explain why it has done so.

Principle Three: Copyright and re-use

10. The authority's Guide to Information must include a copyright statement which is consistent with the fair dealing provisions of the Copyright, Designs and Patents Act 1988. Where the authority does not hold the copyright in information it publishes, this should be made clear.
11. Any conditions applied to the re-use of published information must be consistent with the Re-Use of Public Sector Information Regulations 2005¹.
12. The Commissioner recommends that authorities consider using the Open Government Licence, produced by The National Archives for their published information.

Principle Four: Charges

13. The Guide to Information must contain a charging schedule, explaining any charges and how they will be calculated.
14. No charge may be made to view information on the authority's website or at its premises, except where there is a fee set by other legislation, for example, for access to some registers.
15. The authority may charge for computer discs, photocopying, postage and packing and other costs associated with supplying information. The charge must be no more than these elements actually cost the authority e.g. cost per photocopy or postage. There may be no further charges for information in Classes 1 – 7 below. An exception is made for commercial publications (see Class 8 below) where pricing may be based on market value.

Principle Five: Contact details

16. The authority must provide contact details for enquiries about any aspect of the adoption of the model scheme, the authority's Guide to Information and to ask for copies of the authority's published information.

¹ To be revised as a result of Directive 2013/37/EU by summer 2015.

17. The Act requires authorities² to provide reasonable advice and assistance to anyone who wants to request information which is not published. The authority's Guide to Information must provide contact details to access this help.

Principle Six: Duration

18. Once published through the Guide to Information, the information should be available for the current and previous two financial years. Where information has been updated or superseded, only the current version need be available (previous versions may be requested from the authority).

² Section 15 of the Freedom of Information (Scotland) Act 2002 and regulation 9 of the Environmental Information (Scotland) Regulations 2004

The Classes of Information

	Class	Description
1	About the authority	Information about the authority, who we are, where to find us, how to contact us, how we are managed and our external relations
2	How we deliver our functions and services	Information about our work, our strategies and policies for delivering functions and services and information for our service users
3	How we take decisions and what we have decided	Information about the decisions we take, how we make decisions and how we involve others
4	What we spend and how we spend it	Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent)
5	How we manage our human, physical and information resources	Information about how we manage the human, physical and information resources of the authority.
6	How we procure goods and services from external providers	Information about how we procure goods and services and our contracts with external providers
7	How we are performing	Information about how we perform as an organisation and how well we deliver our functions and services
8	Our commercial publications	Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g., bookshop, museum or research journal.

Scottish Information Commissioner

Kinburn Castle
Doubledykes Road
St Andrews, Fife
KY16 9DS

t 01334 464610

f 01334 464611

enquiries@itspublicknowledge.info

www.itspublicknowledge.info



Glasgow City Integration Joint Board

APPENDIX B

GUIDE TO INFORMATION AVAILABLE THROUGH THE MODEL PUBLICATION SCHEME 2015

Contents

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SECTION 3:	Accessing information under the Guide
SECTION 4:	Information that we may withhold
SECTION 5:	Our Charging Policy
SECTION 6:	Our Copyright Policy
SECTION 7:	Records Management Policy
SECTION 8:	Contact details for enquiries, feedback and complaints
SECTION 9:	How to access information which is not available in the Guide to Information
SECTION 10:	Classes of Information
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Section 1: Introduction

The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to adopt and maintain a publication scheme which has the approval of the Scottish Information Commissioner, and publish information in accordance with that scheme. The publication scheme must:

- publish the classes of information that the authority makes routinely available
- tell the public how to access the information and whether information is available free of charge or on payment

Glasgow City Integration Joint Board has adopted the **Model Publication Scheme 2015** which has been produced and approved by the Scottish Information Commissioner. It is approved until [date to be added following approval by the Scottish Information Commissioner].

You can see this scheme on our website at [\[IJB website address to be added once this becomes operational – meantime information to be placed on NHS and Council web pages\]](#).

You can also contact us at the address below if you prefer a copy of the Model Publication Scheme 2015, or this Guide to Information, to be provided in a different format.

The purpose of the Guide to Information is to:

- allow you to see what information is available (and what is not available) for the Glasgow City Integration Joint Board in relation to each class in the Model Publication Scheme 2015
- state what charges may be applied
- explain how to find the information easily
- provide contact details for enquiries and to get help with accessing the information
- explain how to request information that has not been published.

Alongside the Act, the Environmental Information (Scotland) Regulations 2004 (the EIRs) provide a separate right of access to the environmental information that we hold. This guide to information also contains details of the environmental information that we routinely make available.

Section 2: About Glasgow City Integration Joint Board

The Integration Joint Board was established on 6th February 2016 as a corporate body under the terms of the Public Bodies (Joint Working) (Scotland) Act 2014. It is one of 29 Integration Boards each created covering one or more areas coterminous with that of local authorities. The function of the Integrated Board which contains representatives of Glasgow City Council, NHS Greater Glasgow & Clyde and a number of professional and stakeholder representatives, is to provide arrangements for the development of the integration of health and social care. This integration will improve the outcome for patients, service users, carers and their families. The Integration Joint Board has delegated to it in terms of the Act and an Integration Scheme approved by Parliament functions and resources of Glasgow City Council and NHS Greater Glasgow & Clyde.

The Board is commonly referred to as the Glasgow City Health and Care Partnership. This is the public facing aspect of the Board and comprises the organisation drawing staff from the Council and Health Board which supports to Board in delivering it objectives.

Introducing the Glasgow City Integration Joint Board

The Joint Board has its Principal offices at Commonwealth House, 32 Albion Street, Glasgow G1 1LH.

Telephone 0141 287 0499

Fax 0141 287 0492

e-mail Partnerships.FOI@ggc.nhs.scot.uk

The Chief Officer of the Board is David Williams

We cover the area of Glasgow City Council.

We work in co-operation with other Integrated Joint Boards, the NHS Board and Glasgow, City Council and other agencies in planning and commissioning health and social care services.

The governing Body is the Integrated Joint Board, which comprises 16 voting members - 8 members appointed from Councillors on Glasgow City Council; 8 members from the Non-Executives of NHS Greater Glasgow & Clyde. Additionally there are non-voting stakeholder members and professional members. For more information on the Board see Section 10 – Classes of information - Class 1.

Section 3: Accessing Information under the Scheme

Availability and formats

The information published through this Guide to Information is, wherever possible, available on our website. We offer alternative arrangements for people who do not want to, or cannot, access the information online or by inspection at our premises. For example, we can usually arrange to send information to you in paper copy (although there may be a charge for this – see Section 5: Our Charging Policy).

Information in our Guide to Information will normally be available through the routes described below. Section 10 – Classes of Information provides more details on the information available under the Guide, along with additional guidance on how the information falling within each class may be accessed.

Online:

Most information listed in our Guide to Information is available to download from our website. In many cases a link within Section 10: Classes of Information will direct you to the relevant page or document. If you are having trouble finding any document listed in our guide, then for further assistance please contact:

Business Administration (Freedom of Information)
Commonwealth House
32 Albion Street
Glasgow
G1 1LH

Telephone: 0141 287 0394
Email: Partnerships.foi@ggc.scot.nhs.uk
Website: [\[to be added\]](#)

By email:

If the information you seek is listed in our Guide to Information but is not published on our website, we can send it to you by email, wherever possible. When requesting information from us, please provide a telephone number so that we can telephone you to clarify details, if necessary.

By phone:

All information in the guide will be available in hard copy form for example, paper copies. Hard copies of information can be requested from us over the telephone. Please call us to request information available under this scheme.

By post:

You can also request hard copies of any information in the Guide by post. Please address your request to:

Business Administration (Freedom of Information)
Commonwealth House
32 Albion Street
Glasgow
G1 1LH

When writing to us to request information, please include your name and address, full details of the information or documents you would like to receive, and any fee applicable (see Section 5: Our Charging Policy for further information on fees). Please also include a telephone number so we can telephone you to clarify any details, if necessary.

Personal visits:

If you prefer to visit us to inspect the information you may do so during our normal office hours of 9.00 am to 5.00pm Monday to Thursday and to 4.00pm on a Friday. It may avoid delay if you notify us in advance that you intend to visit. In a limited number of cases you may be required to make an appointment to view the information. In such cases, this will be set out within Section 10 – Classes of Information, and contact details will be provided within the relevant class.

Advice and assistance:

If you have any difficulty identifying the information you want to access, then please contact us to help you.

Exempt information

We will publish all the information we hold that falls within the classes of information in the Model Publication Scheme 2015. We publish this information in Section 10 of this guide. If a document contains information that is exempt under Scotland's freedom of information

laws (for example personal information or a trade secret), we will remove or redact (black out) the information before publication but we will explain why.

Section 4: Information that we may withhold

All information covered by our Guide to Information can either be accessed through our website, or will be provided promptly following our receipt of your request. Our aim in adopting the Commissioner's Model Publication Scheme 2015 and in maintaining this Guide to Information is to be as open as possible. You should note, however, that there may be limited circumstances where information will be withheld from one of the classes of information listed in "Section 10 – Classes of Information". Information will only be withheld, however, where the Act (or, in the case of environmental information, the EIRs) expressly permits it. Information may be withheld, for example, where its disclosure would breach the law of confidentiality, harm an organisation's commercial interests, or endanger the protection of the environment.

Information may also be withheld if it is another person's personal information, and its release would breach data protection legislation.

Whenever information is withheld we will inform you of this, and will set out why that information cannot be released. Even where information is withheld it will, in many cases, be possible to provide copies with the withheld information edited out. If you wish to complain about any information which has been withheld from you, please refer to Section 8 – Contact details for enquiries, feedback and complaints.

Section 5: Our Charging Policy

This section explains when we may make a charge for our publications and how any charge will be calculated.

There is no charge to view information on our website, at our premises (except where there is a statutory fee, for example to access registers), or where it can be sent to you electronically by email.

We may charge you for providing information to you, for example photocopying and postage, but we will charge you no more than it actually costs us to do so. We will always tell you what the cost is before providing the information to you.

Our photocopying charges per sheet of paper are shown in the table below:

Size of paper/alternative format	Black and White Pence per sheet	Colour Pence per sheet
A4	10p	20p
A3	20p	40p

Information provided on CD-ROM will be charged at £1.00 per computer disc.

We will recharge postage costs at the rate we paid to send the information to you. Our charge is based on for sending information by Royal Mail First Class.

When providing copies of pre-printed publications, we will charge you no more than the cost per copy of the total print run. We do not pass on any other costs to you in relation to our published information.

Details of any individual charges which differ from the above charging policy are provided within “Section 10 – Classes of information”.

Section 6: Copyright

Glasgow City Integration Joint Board holds the copyright for the vast majority of information in this Publication Scheme. All of this information can be copied or reproduced without our formal permission, provided it is copied or reproduced accurately, is not used in a misleading context, is not used for profit, and provided that the source of the material is acknowledged.

Providing access to information does not mean that copyright has been waived, nor does it give the recipient the right to re-use information for commercial purposes. If you intend to re-use information obtained from the Scheme, and you are unsure whether you have the right to do so, please make a request to re-use the information to:

Business Administration (Freedom of Information)
Glasgow City Integration Joint Board
Commonwealth House
32 Albion Street
Glasgow
G1 1LH

Telephone: 0141 287 0394

Email: Partnerships.foi@ggc.scot.nhs.uk

Your request will be considered under the Re-use of Public Sector Information Regulations 2005, which may provide the right to impose a charge. In the event that a charge is payable you will be advised what this is and how it is calculated. If you require more information on the re-use of information go to www.oqps.gov.uk or contact Business Administration.

The Publication Scheme may contain information where the copyright holder is not the Integration Joint Board. In most cases, the copyright holder will be obvious from the documents. In cases where the copyright is unclear it is the responsibility of the person accessing the information to locate and seek the permission of the copyright holder before reproducing the material or in any other way breaching the rights of the copyright holder. This includes, for example, Ordnance Survey Maps, which are Crown Copyright.

Section 7: Records Management Policy

Glasgow Integration Joint Board regards its records as a major asset of the organisation. It confirms that its records are one of the essential resources, which support management in the efficient and effective fulfilment of its governance, business and legal responsibilities. The Board will over coming months develop records management and retention policies which will be applied to the management of information held by the Board

Section 8: Contact details for enquiries, feedback and complaints

The Act requires that we review our publication scheme from time to time. As we have adopted the Model Publication Scheme 2015, this means we will review our Guide to Information from time to time. As a result, we welcome feedback on how we can develop our guide further. If you would like to comment on any aspect of this Guide to Information, or comment or complain that information is not included then please contact us via.

Head of Business Administration
Commonwealth House
32 Albion Street
Glasgow
G1 1LH

Telephone: 0141 287 0394
Email: Partnerships.foi@ggc.scot.nhs.uk
Telephone: 0141 201 4461
Website: [\[detail to be added\]](#)

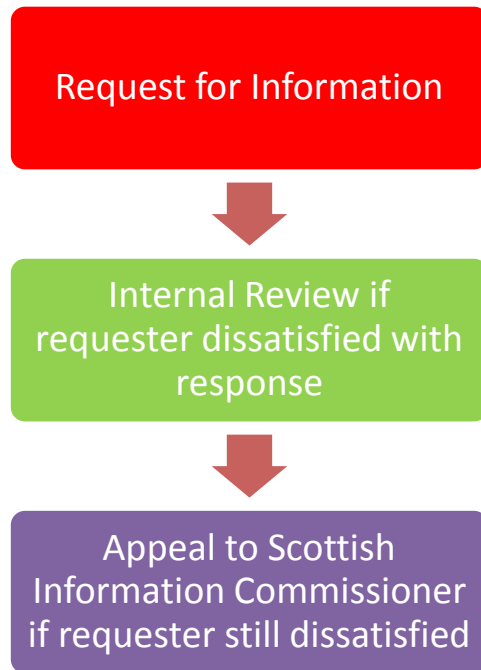
You may, for example wish to tell us about:

- other information that you would like to see included in the guide;
- whether you found the guide easy to use;
- whether you found the guide to information useful;
- whether our staff were helpful;
- other ways in which our guide to information can be improved.

Our aim is to make our guide to information as user-friendly as possible, and we hope that you can access all the information we publish with ease. If you do wish to complain about any aspect of the Guide then please contact us and we will try and resolve your complaint as quickly as possible.

Any complaint will be acknowledged within three working days of receipt and we will respond in full within twenty working days. You have legal rights to access information under the Model Publication Scheme 2015 (as described in this Guide to Information) and a right of appeal to the Scottish Information Commissioner if you are dissatisfied with our response. These rights apply only to information requests made in writing¹ or another recordable format. If you are unhappy with our response to your request you can ask us to review it and if you are still unhappy, you can make an appeal to the Scottish Information Commissioner.

¹ Verbal requests for environmental information carry similar rights



The Commissioner's website has a guide to this three step process, and she operates an enquiry service on Monday to Friday from 9:00am to 5:00pm.

Her office can be contacted as follows:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife KY16 9DS
Tel: 01334 464610
Email: enquiries@itspublicknowledge.info
Website: www.itspublicknowledge.info/YourRights

Section 9: How to Access Information which is not available in the Guide to Information

If the information you are seeking is not available through the Model Publication Scheme 2015 (as described in this Guide) then you may wish to request it from us. The Act provides you with a right of access to the information we hold, subject to certain exemptions. The EIRs separately provide a right of access to the environmental information we hold, while the Data Protection Act 1998 (DPA) provides a right of access to any personal information about you that we hold.

Again, these rights are subject to certain exceptions or exemptions. Should you wish to request a copy of any information that we hold that is not available under the Model Publication Scheme 2015 (and described in this Guide), please write to:

For requests under Freedom of Information and the EIRs please contact:

Business Administration (Freedom of Information)
Commonwealth House
32 Albion Street
Glasgow
G1 1LH

Telephone: 0141 287 0394
Email: Partnerships.foi@ggc.scot.nhs.uk

For requests under the Data Protection Act please contact:

Business Administration (Rights and Enquiries)
Commonwealth House
32 Albion Street
Glasgow
G1 1LH

Telephone 0141 287 8714

Email: jim.charlton@glasgow.gov.uk

Charges for information that is not available under the scheme:

The charges for information that is available under this Guide to Information are set out under Section 5 – Our Charging Policy.

If you submit a request to us for information that is not available in this Guide the charges will be based on the following calculations:

General information requests:

- There will be no charge for information requests that cost us £100 or less to process.
- Where information costs between £100 and £600 to provide you may be asked to pay 10% of the cost in excess of £100. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50 calculated on the basis of a waiver for the first £100 and 10% of the remaining £500 being chargeable.
- We are not obliged to provide information in response to requests which will cost us over £600 to process.
- In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.
- We do not charge for the time to determine whether we hold the information requested, or for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.
- In the event that we decide to impose a charge we will issue you with notification of the charge (a fees notice) and how it has been calculated. You will have three months from the date of issue of the fees notice in which to decide whether to pay the charge. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Charges for environmental information:

Environmental information is provided under the EIRs rather than the Act. The rules for charging for environmental information are slightly different. We do not charge for the time to determine whether we hold the environmental information requested, or deciding whether the information can be released. Charges may be made for locating, retrieving and providing information to you, for example photocopying and postage. In the event that we decide to impose a charge we will issue you with notification of the charge and how it has been calculated. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Charges are calculated on the basis of the actual cost to the IJB of providing the information.

- Photocopying is charged at 10p per A4 sheet for black and white copying, 20p per A4 sheet for colour copying.
- Postage is charged at actual rate for Royal Mail First Class.
- Staff time is calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.

The first £100 worth of information will be provided to you without charge.

Where information costs between £100 and £600 to provide, you will be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.

Where it would cost more than £600 to provide the information to you, however, we will ask you to pay the full cost of providing the information, with no waiver for any portion of the cost.

Charge for request for your own personal data:

The minimum cost is £10 rising to a maximum of £50 depending on the volume and type of information requested, plus reproduction and postage costs (both on the same basis as for FOI requests).

Section 10 – Classes of Information

CLASS 1: ABOUT GLASGOW CITY IJB

Class description:

Information about Glasgow Integrated Joint Board, who we are, where to find us, how to contact us, how we are managed and our external relations.

The information we publish under this class includes:	Description	How to access it/details of any charges @ = to be accessible via web
About Us	The Glasgow City Integration Joint Board is a corporate body established under the Public Bodies (Joint Working) (Scotland Act 2014. It covers the area of Glasgow City Council	About us - @
Organisation's Purpose, Mission Statement, Vision and Values	Our Vision Statement.	Vision Statement – @
Contact Details	Address and contact details for Glasgow City Integration Joint Board.	Contact details – @
Organisational Chart	Gives details of the organisational structure of the officers working within the Integrated governance arrangements	H&SCP Organisation Chart – @
Our Board	Profiles of Board Members and Professional Advisers and Stakeholder	Voting Board Members - @ Non-Voting Stakeholder Members - @

	<p>representatives.</p> <p>Programme of Meeting Papers for Board Meetings</p> <p>Board Members Declarations of Interest and their Register of Gifts and Hospitality.</p> <p>Board Members expenses are published here.</p>	<p>Non-Voting Professional Members - @</p> <p>Board Meeting Programme - @ Board Papers - @</p> <p>Register of Interests and of Gifts and Hospitality [Also view each member's profile to see individual interests] @</p> <p>Expenses [View each member's profile to see expenses claims] @</p>
Governance	<p>Governance & Committee Arrangements Standing Orders Code of Conduct for Board members Risk Management Scheme of Delegation</p>	<p>Governance & Committee Arrangements @ Standing Orders @ Code of Conduct for Board members @ Risk Management @ Scheme of Delegation @</p>
News	<p>News about the IJB for example news releases, newsletters.</p>	<p>Briefings @ Newsletters @ News Releases @</p>
Accountability and Audit Relationships	<p>Details of bodies we are audited and/or regulated by, and the nature of our relationship with them.</p>	<p>Audit Scotland http://www.audit-scotland.gov.uk</p> <p>Care Commission @ Health Improvement Scotland @ Healthcare Environmental Inspection @ Mental Welfare Commission @</p>

External relations and working with others		
Partner Agencies	Information on working in partnership with.	Glasgow City Council @ NHS Greater Glasgow & Clyde @ Others to be added
Information on rights, how to make a request		
How to complain or make a comment	How to complain or make a comment, for example complaints policy, and contact details.	Making a Complaint @ Patient Feedback @
How to make a freedom of information request	How to request information, contacts details for FOI section/unit. Rights of appeal under FOI/EIR if you are dissatisfied.	<u>Making an FOI Request @</u> <u>Review procedure @</u>
How to make a request for personal information	How to apply your rights under the Data Protection Act 1998 and request personal information held by the IJB about you.	<u>Information about you @</u>
Model Publication Scheme 2015	The Scottish Information Commissioner's Model Publication Scheme 2015.	Publication Scheme @
Guide to Information	Guide to Information it makes available under the Model Publication Scheme 2015.	Guide to information available under the Publication Scheme @

CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES

Class description:

Information about our work, our strategy and policies for delivering functions and services and information for our service users.

The information we publish under this class includes:	Description	How to access it/details of any charges
Strategic Plan	The Strategic Plan describes how the functions delegated to the Glasgow City IJB by Glasgow City Council and NHS Greater Glasgow and Clyde will be delivered.	Strategic Plan @
Corporate policies and procedures.	Policies adopted by the IJB	Risk Management Strategy @ Freedom of Information Policy @ Public Participation and Engagement Policy @ Others
How to access services	Information about how to locate health services including: Primary Care Services: Dental Services/General Dental Practitioners GPs/GP Surgeries Optometrists and Opticians Pharmacies	Hospitals and other locations @ Accessing NHS Services @ Accessing Social Work Services @ Other

CLASS 3: HOW WE TAKE DECISIONS AND WHAT WE HAVE DECIDED

Class description:

Information about the decisions we take how we make decisions and how we involve others.

The information we publish under this class includes:	Description	How to access it/details of any charges
NHS Board meetings	Agendas and papers for Shadow Board and past Integration Joint Board and approved minutes of Board meetings.	Board Meeting Papers @
Board standing orders for the conduct of business		Standing Orders @
Scheme of delegation		Scheme of Delegation @
Public consultation and engagement strategies	Details of how we inform and engage with service users, families and key stakeholders. Details of current and previous public consultations.	Public Consultation and Engagement @
Reports of Regulatory Inspections	Reports of regulatory inspections, audits and investigations.	List relevant reports @

CLASS 4: WHAT WE SPEND AND HOW WE SPEND IT

Class description:

Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent).

The information we publish under this class includes:	Description	How to access it/details of any charges
Annual Accounts	Statutory financial statements Directors report including Board member and senior employees' remuneration. Governance statement Independent auditors report	Annual Accounts (Exchequer) @ (The Governance statement is included within the Annual Accounts) Audit Scotland's Reports as they become available @
Public Services Reform (Scotland) Act 2010	Public Relations Expenditure Overseas Travel Expenditure Hospitality and Entertainment Expenditure Supplier payments over £25,000 Employees with remuneration in excess of £150,000 Sustainable economic growth information Efficiency, Effectiveness and Economy information	Annual Disclosures @ EcoSmart @ EcoSmart Policies @ Efficiency @
Financial Plan	Revenue Financial Plan	Financial Plan 2016/17 @
Financial Polices	Standing Financial Regulations	Standing Financial Regulations @

	Scheme of Delegation	Scheme of Delegation @
Financial Monitoring Reports	Overview in-year financial reports	Financial Monitoring Reports are reported to the Integrated Joint Board and included in the Board Papers. See Board Papers

CLASS 5: HOW WE MANAGE OUR HUMAN, PHYSICAL AND INFORMATION RESOURCES

Class description:

Information about how we manage the human, physical and information resources of the authority.

The information we publish under this class includes:	Description	How to access it/details of any charges
Human Resources		
Current policies	The Integration Board does not employ staff directly. Staff are employed by the Glasgow City Council or NHS Greater Glasgow & Clyde. For relevant Human Resources Policies refer to these bodies web sites.	Add relevant links to Glasgow City and NHS GG&C @
Strategies	Workforce Planning	Information on development of workforce Plan
Employee relations	Information about partnership arrangements and facilities agreements in place including area partnership	NHS GG&C Facilities Agreement @ NHS GG&C Partnership Agreement @ Glasgow City Partnership Arrangements or equivalent @

	forums, HR forums and staff development groups	
Equality and Diversity at NHS Greater Glasgow and Clyde	Establishing Equality Outcome for Glasgow City IJB	Document to be added @
Volunteering	Working with us	Volunteering @
Carers Strategy	Carers Strategy	Carers Strategy Review @
Information Resources		
Records management	<p>Information on records management including codes of practice, records management plan, health records policy, administrative records policy, and the removal of data from vacated properties policy.</p> <p>A records management plan requires to be produced under the Public Records (Scotland) Act 2011 which should then be approved by the Keeper of the Records of Scotland. This plan will be published on our website when it becomes available.</p>	Retention, Destruction and Archiving of Health Records Decommissioning Protocol Add Council equivalents @
Information assurance and management	Information on using, protecting and the fair processing of another individual's personal information; information security, including the information assurance strategy, information governance standards, information asset	How to submit subject access requests @ How to submit Freedom of information Requests, @

	<p>registers, IG toolkit, fair processing notice, data protection principles, Caldicott guardian principles, and how to submit subject access requests.</p> <p>Information on these issues is held by Glasgow City Council and NHS Greater Glasgow & Clyde. A small number of procedures and policies have been agreed by the Integration Joint Board</p>	
Freedom of Information	Information about the freedom of information policy and how to submit a request	Freedom of Information Policy How to request information
Knowledge management		
Statistics	<p>Health information is published by the Information Services Division of NHS National Services Scotland (ISD). You can find statistical information here on cancer, child health, deaths, dental care, drugs and alcohol misuse, emergency care, equality and diversity, eye care, finance, general practice, health and social care, health conditions, heart diseases, hospital care, maternity and births, mental health, prescribing and medicines, public health, quality indicators, healthcare audits, sexual health, stroke and waiting times.</p> <p>Please note that the IJB is not responsible for the content of external</p>	Information Services Division http://www.isdscotland.org

	sites.	
Lists and registers	Information we are currently required to hold in publicly available registers: Independent contractors:	List of Dental Practitioners @ Performers List of GPs @ List of Ophthalmic medical practitioners @ <u>Pharmaceutical List @</u>
Physical Resources		
Property or rental	Property management information, including: <ul style="list-style-type: none"> • Property and Asset Management arrangements • Fire policy and procedures • Sustainability policy and annual report setting out objectives and actions on sustainability 	?? ?? ??

CLASS 6: HOW WE PROCURE GOODS AND SERVICES FROM EXTERNAL PROVIDERS

Class description:

Information about how we procure goods and services, and our contracts with external providers

The information we publish under this class includes:	Description	How to access it/details of any charges
Procurement policies	Procurement arrangements made by the	Council Procurement

	City Council and NHS Greater Glasgow & Clyde	NHS Procurement
Invitations to Tender	<p>Invitations to tender can be found on the Public Contracts Scotland portal*</p> <p>*The IJB is not responsible for the content of external websites.</p>	Public Contracts Scotland* Tender support information
Contracts	<p>A list of contracts which have gone through formal tendering can be found at Public Contracts Scotland Advertising Portal*</p> <p>* The IJB is not responsible for the content of external websites.</p>	Public Contracts Scotland*

CLASS 7: HOW WE ARE PERFORMING

Class description:

Information about how we perform as an organisation, and how well we deliver our functions and services.

The information we publish under this class includes:	Description	How to access it/details of any charges
Key Performance Indicators	<ul style="list-style-type: none"> National Health & Wellbeing Outcomes Regulations on the content of Performance reports Performance Reports 	<p>Outcomes @ Regulations @</p> <p>Performance reports are set out in the IJB Board papers.</p>

Audits & Inspections	Information about audits and inspections carried out by external bodies - for example, Healthcare Environment Inspectorate (HEI).	Add details of relevant inspections @
Patient feedback	Information on how to provide feedback on our services.	Patient Feedback
Complaints	Complaints statistics	Complaints Statistics (ISD) Quarterly Complaints Reports (Board Papers)
Scottish Public Service Ombudsman (SPSO)	Findings and our responses	SPSO

CLASS 8: COMMERCIAL PUBLICATIONS

Class description:

Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet, for example bookshop, museum or research journal

The information we publish under this class includes:

Description

How to access it/details of any charges

We do not publish any information in this class

Freedom of Information Policy

Lead Manager	Head of Business Administration, Glasgow City H&SCP
Responsible Director	Chief Officer, Finance & Resources
Approved by	Pending
Date approved	
Date for Review	February 2018
Replaces previous version	New

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1. Introduction

General Obligation

The Freedom of Information (Scotland) Act 2002 (as amended) (“the Act”) imposes a number of obligations on Scottish public authorities, including the Glasgow IJB/H&SCP. Integration Joint Boards established under the Public Bodies (Joint Working) (Scotland) Act 2014 are separate responsible bodies under the Act from the date of their establishment¹. The Act gives a general right of access to recorded information held by public authorities, subject to certain exemptions. The Act also imposes additional responsibilities:-

- (a) to produce a Publication Scheme subject to approval by the Scottish Information Commissioner. Publication schemes are high level, strategic documents in which a public authority makes binding commitments to make information available to the general public. Such schemes:-
- provide clear evidence to the public that an authority is meeting its obligations under the Act to be accessible, open & transparent;
 - enable the public to see what information is already published, and to access it without having to make a formal request for information;
 - give employees clear guidance about the information that they can and should give out to the public so they can respond to information requests efficiently;
 - help reinforce leadership messages about openness and accountability to staff at all levels in the organisation;
 - are to be easily accessible and designed to be easy to understand and to use – by everyone (including those with no web access).
- (b) to respond to requests (which must be in writing or some other permanent form) made by anyone for information held by the authority within set timescales (normally 20 working days) regardless of when it was created, by whom, or the format in which it is now recorded.
- (c) to advise an applicant if information is not held.
- (d) to specify within the terms of exemptions set out in the Act if the authority refuses to release the requested information.
- (e) to charge for the provision of information only in accordance with regulations made under the Act and to decline to provide information if the cost of doing so exceeds a specified level.

¹ The Freedom of Information (Scotland) Act 2002 (Scottish Public Authorities) Amendment Order 2014

- (f) to make applicants aware of their right to seek a review of any decision on a request for information and of the right to pursue an appeal to the Scottish Information Commissioner if dissatisfied with the decision of the authority.
- (g) to provide advice and assistance to applicants seeking information.

Environmental Information

Under Section 62 of the Act the Scottish Ministers have made the Environmental Information (Scotland) Regulations 2004 (EIRs). These make provision in Scottish law of the Aarhus Convention of June 1998 on “Access to Information, Public Participation in Decision Making and Access to Justice in Environmental Matters”. They also implement the European Commission Directive 2003/4/EC. The Convention is based on the principle ***that every person has the right to live in an environment adequate to his health and wellbeing.***

Through the Environmental Information Regulations there is a provision similar, but not identical to, Freedom of Information legislation which conveys a “right to access environmental information”. Environmental information has a wide definition. The definition from the EIRs is reproduced as an Annex 1 to this Policy. It is not an exclusive definition and may include information on the Board’s policies, plans and activities likely to affect the state of human health and safety – for example, the cleanliness of our premises and control of infection.

There are differences in the obligations on the Board under the EIRs as compared with Freedom of Information Act. Most notable relate to:-

- (a) requests for information may be made orally – there is no requirement to put them in writing or other permanent form.
- (b) the timescale for responding may, in certain circumstances, extend to 40 working days.
- (c) the charging arrangements under EIRs allow for flexibility for the Board to recover the costs of providing information – but we cannot refuse to provide on the grounds of cost.

Data Protection Act 1998

Under the Data Protection Act 1998 the subject of personal data (i.e. the person the information relates to) has a right to request access to that data. This may include health records. The rights under the Data Protection Act are not covered by this Policy. Reference should be made to relevant information security and related policies available via the Publication Scheme. Alternatively for a brief guide follow the link:-

<http://library.nhsggc.org.uk/mediaAssets/library/Document%203%20-%20Confidentiality%20Flyer%20-%20Oct%2008%20.pdf>

2. Scope of Policy

This policy sets out the arrangements that the Glasgow City IJB has made to ensure compliance with the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004.

This Policy applies to all employees engaged on the work of the Glasgow City H&SCP and to Board Members. Under the delegation arrangements entered into with the Glasgow City Council and NHS Greater Glasgow & Clyde, staff are accountable to the Board for compliance with this Policy.

Contractors, proposed contractors and others communicating with the Board shall be informed of our obligations under **freedom of information legislation**² and that we may have to disclose information which is provided to us by them.

The Policy will provide a framework within which Glasgow City IJB will ensure compliance with our obligations under the Act and ensure that internal procedures developed are the most effective means of complying with the Board's obligations.

The Policy will be supported by more detailed guidance on our obligations under **freedom of information legislation**.

3. Responsibilities

Glasgow City IJB has a statutory responsibility to make information available in accordance with **freedom of information legislation**. It is essential that all staff are aware of and take seriously their responsibilities under the legislation. As an organisation we are committed to meeting statutory timescales under **freedom of information legislation** and in supporting our staff to achieve the requirements of the legislation. Any member of staff who is unable to respond effectively to the principles set out in this Policy should advise their line manager or more senior member of staff.

The Chief Officer is ultimately responsible for the Board's compliance with relevant statutory provisions and shall provide strategic direction on operation of our Freedom of Information Policy, including on how this is fulfilled through Corporate Communications.

The Head of Business Administration has responsibility for advising the Chief Officer on the application of **freedom of information legislation** and for

² **Freedom of Information legislation** is to be read as reference to **both** the FOIA and EIRs

ensuring that the Board meets its obligations under legislation. This includes responsibility for reviewing operation of the Board's compliance with **freedom of information legislation** and for ensuring that relevant Policy and operating procedures are in place. Performance of the Board will be reviewed annually via the Senior Management Team.

Managers are responsible for ensuring staff under their direction and control are aware of the freedom of information policies, procedures and guidance agreed and for ensuring that those staff understand and apply appropriately those policies, procedures and guidance in carrying out their day to day work.

All staff must have a general understanding of **freedom of information legislation** and know where to refer any issues on which they require guidance.

4. Policy Statement

Glasgow City IJB is committed to being open and honest in the conduct of its operations and in complying fully with the Freedom of Information (Scotland) Act and the Environmental Information (Scotland) Regulations 2004. To this end NHSGG&C will ensure:

- Compliance with the relevant Scottish Ministers Codes of Practice on **Freedom of Information legislation** and to related guidance issued by the Scottish Information Commissioner;
- a significant amount of routinely published information about NHSGG&C is made available to the public as a matter of course through its Publication Scheme;
- that the content of our Publication Scheme is reviewed quarterly and updated through the proactive identification of material for inclusion in the Scheme;
- requests for information not included in the Publication Scheme will be processed in accordance with our statutory obligations;
- we will publish via the web and elsewhere guidance on how to make a valid information request and the procedures adopted by the Board;
- advice and assistance will be actively provided to applicants seeking information;
- staff are aware of the need to be able to demonstrate the steps they have taken to identify if the Board holds information sought by any individual or if the request might more appropriately be directed to another organisation such as the Health Board or City Council. Where information cannot be located a record of searches undertaken for every request where information sought cannot be located must be completed.

- that charges for information requested are made only in accordance with the statutory requirements and a fee notice is issued prior to any charge being levied;
- due consideration is given to whether or not information is covered by an exemption (or exception under EIRs) and should not be released;
- if we claim an exemption (or exception under EIRs) the reasons for our decision will be fully explained to the applicant, unless to do so would itself result in the disclosure of exempt information;
- that if we do not hold information requested, but it is known or suspect who does, we should as a matter of good practice confirm the availability of the information with another public body and provide appropriate advice and assistance to the applicant on where the information can be obtained;
- appropriate training and information is provided to staff at all levels within the organisation of their obligations and how they can obtain assistance in ensuring they meet these;
- staff are made aware that it is an offence under the Act to alter, deface, block, erase, destroy or conceal information with the intent of preventing disclosure.
- that the Complaints Procedure – **Requirement for Review** – appended to this Policy will be made publicly available and will be followed in processing any Requests for Review under the Act (See Appendix 2)..
- that a Records Management Plan under Public Records (Scotland) Act 2011 is developed which supports the ability of the organisation to effectively manage its corporate and operational records and provides a framework for the Board's compliance with the Scottish Ministers Code of Practice on Records Management under Section 61 of the Act.
- That personal data as defined in the Data Protection Act 1998 is held securely and is not inappropriately disclosed in response to a request for information under **freedom of information legislation**.

5. Communication and Training

All staff will have a general awareness of the Board's and each individual's obligations under **freedom of information legislation**. Use will be made of an on-line training package to form part of the mandatory training for new entrants on freedom of information. Specific and focussed training will be provided on demand to specific categories of staff or staff groups.

We will make web resources available which will support staff in fulfilling their obligations. Training will be provided at three levels:-

General Awareness - This should be achieved through successful completion of the basic level Freedom of Information e-learning module on Learn-Pro.

Response Training – This is for those who are involved in responding to requests and require a full understanding of Fol procedures. This should be achieved through successful completion of the second level Freedom of Information e-learning, to be re-validated every two years.

Practitioner Training – This is for those who process a wide range of Fol requests, some of which may be complex and/or spend a significant proportion of their job on Fol on-line training should be supplemented by refresher training every 2 years through attendance on short courses, formalised training or other evidence of on-going awareness of application of the legislation.

Reviewer Training – This is for those involved in responding to requests for review submitted.

6. Recording & Monitoring

All Fol requests must be recorded promptly by submission to the Rights and Information Section for recording.

Robust arrangements must exist to ensure that in an individual's absence a nominated deputy is available to respond to requests for information and/or record requests/responses. Monitoring of activity under **freedom of information legislation** will include the routine collection of data on:-

- the number of requests received and whether they fall under Fol or EIR
- the number of requests for review received
- the proportion of requests answered within and outwith the statutory timescale
- the number of requests refused (or partially refused) and the reasons for this. the number of times a fee has been charged
- the outcomes of reviews
- the number of cases appealed to the Commissioner and the outcome.

This data will be published through the Publication Scheme along with statistical information produced for the Scottish Information Commissioner's Office.

Operation of the Board's policies and procedures under **freedom of information legislation** will be reviewed by the SMT who will also review decisions which are the subject of internal requests for review or external appeal to the Scottish Information Commissioner.

An annual report on the Board's compliance with legislation (including relevant statistical analysis) will be submitted to the SMT.

7. Social Media

With the increasing use of social media e.g. Facebook and Twitter, and blogging sites such as Blogger and Wordpress, it is recognised that more and more requests for information may be submitted using these channels rather than traditional e-mails. Messages received by these media which are directed to IJB social media accounts will be monitored by Corporate Communications who will ensure that any such requests are passed to the appropriate service for a response to be prepared and sent. Requests would only be valid if there was provided the applicant's full name, a means of responding in writing and details of the information requested in writing.

8. Voice Mail

Generally answer phone recordings of telephone messages are not regarded as sufficient to be a valid FoI request, but may be for the purpose of EIR. Where there is a system in place which allows a voice mail request to be stored permanently e.g. recordings to out of hours services where permanent recordings of all calls are made, this may be regarded as a valid FoI request if the information stored includes the individual's name and address for correspondence.

9. Procurement

In addition to the responsibilities under ***freedom of information legislation*** there are obligations under the Public Contracts (Scotland) Regulations 2012 and the Procurement Reform (Scotland) Act 2014 to give tenderers involved in some tendering exercises the right to ask for information e.g. right to ask why a tender was not successful. The authority has the right to withhold information in some cases, subject to conditions within the Act. In exercising any decision to withhold information cognisance should be taken of the Board's responsibilities under ***freedom of information legislation***.

10. Impact Assessment

The legislation requires that we respond to requests from anyone without questioning their motivation. It also requires us in responding to a request to comply so far as is practical with the provision of information in the format requested. There is also a requirement to comply with the Board's duties under the Equality Act 2010, specifically in relation to discrimination in relation to disability.

As the requirements to provide information apply universally to all applicants it is not envisaged that the Policy will require any significant adjustment.

11. Review

The Policy will be reviewed every two years or more frequently in the event of significant change in the legislative framework.

Definition of Environmental Information

Any information in written, visual, aural, electronic or any other material form on –

- (a) the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;
- (b) factors, such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases into the environment, affecting or likely to affect the elements of the environment referred to in paragraph (a);
- (c) measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements and factors referred to in paragraphs (a) and (b) as well as measures or activities designed to protect those elements;
- (d) reports on the implementation of environmental legislation;
- (e) cost benefit and other economic analyses and assumptions used within the framework of the measures and activities referred to in paragraph (c); and
- (f) the state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures inasmuch as they are or may be affected by the state of the elements of the environment referred to in paragraph (a) or, through those elements, by any of the matters referred to in paragraphs (b) and (c)

Explanatory Note

The use of the word ‘any’ qualifying the word ‘information’ indicates a legislative intention that environmental information should be interpreted widely. Environmental information can be found in:

- documents, leaflets, reports, books, post-it notes, notes, data sets, memos, meeting notes, maps, diagrams, sketches, graphs, illustrations - basically, anything written down;
- digital and/or analogue records, such as tape recordings, answer phone recordings, recorded presentations, Dictaphone tapes, DVDs, memory sticks, compact discs or any other electronic or optical storage format;
- any type of electronic file, word-processor file, database (including GIS and related data), spreadsheet, computer models (including 3D models) and files, specially written bespoke programs, calendars, emails, archived web pages/sites, temporary or cached files and computer generated images;

- any other material form – that is, other forms not widely available, or not yet developed or invented at the time the EIRs came into force.

Public authorities are not required to acquire or create new information but may be required to compile or otherwise manipulate existing information which they hold to meet the terms of a request.

Glasgow City Integrated Joint Board

Annex 2

Freedom of Information Requirement for Review or Representation

Introduction

1. We have procedures in place to allow an individual¹ who is dissatisfied in any way with a decision taken by us on the provision of information under the Freedom of Information (Scotland) Act 2002 to require us to review decisions taken.
2. This note sets out the procedures we follow where someone is dissatisfied.
3. Under the Freedom of Information (Scotland) Act 2002, this procedure is known as a "Requirement for Review". Under the Environment Information (Scotland) Regulations 2004 this is known as a "Representation"². A requirement for review/representation can arise in circumstances where the applicant believes we have not complied with our obligations under the legislation, including (but not limited to):-
 - (a) where we indicate that we do not hold information, but the individual believes we do; or
 - (b) where the individual feels that we have not provided the advice and assistance we should have done; or
 - (c) where we have refused to provide information; or
 - (d) where we have failed to reply to a request for information; or
 - (e) where we have failed to respond to a request for information within the prescribed timescale; or
 - (f) where the individual feels the charge for providing information is higher than it should be.
4. If the applicant is dissatisfied in anyway he/she can require us to review the way the request was handled or the decision reached.
5. Whenever we reply to a request for information a copy of this Requirement for Review/Representation Procedure must accompany the response. The response must also explain to the applicant their right to seek a review of any decision taken and the subsequent right of appeal to the Scottish Information Commissioner and the Courts (see paragraphs 14 to 16 below).

¹ Reference to an individual is to any person or organisation that makes a request for information.

² For our procedure under the Environmental Information (Scotland) Regulations 2004 see our separate guidance.

Timescale

6. A requirement for review should be submitted in writing (or other permanent form) within 40 working days of either:-
 - the day the individual actually received a response from us; or
 - the end of the period within which we should have replied to a request.
7. We have the discretion to consider requests for review received beyond this timescale. It would normally be our intention to accept requirements for review outwith the 40 working days, unless there are practical difficulties in doing so e.g. relevant documentation was due for destruction and has been destroyed. It is always in the applicant's interests to submit a review request within the 40 working day period specified.

Submission of Requirement for Review

8. Where a response is made to a request for information, the response must advise that any request for review is submitted to:-

John Dearden
Head of Business Administration
Glasgow City Integration Joint Board
Commonwealth House
32 Albion Street
Glasgow
G1 1LH

Telephone 0141 287 0394
E-mail john.dearden@ggc.scot.nhs.uk

9. Should the person making the request submit their requirement for review to another person within our organisation, the recipient must pass it immediately to the Head of Business Administration.
10. The person seeking a request for review/representation must state their name and an address for correspondence. A statement explaining why the individual feels aggrieved at the decision taken (or the lack of response) by the organisation should accompany any request for review. It is always helpful if the person seeking a review makes their dissatisfaction explicit in what they say to us and clearly sets out the grounds for requesting a review. Where the applicant is seeking further information relating to his/her original request this will normally be treated as a new request.

Review Procedure

11. The review procedure is designed to be accessible, prompt, fair and impartial. It may result in a decision being made where no decision was made previously, confirmation of the original decision, or the making of a different decision to that originally taken being made. The decision will be binding on the organisation.
12. Requests for review have to be processed swiftly within a maximum timescale of 20 working days. During this timeframe we will review our

previous decision and provide any further information required if the review outcome requires this.

Our Timescale

Event	Action	Day
(a) On receipt of a request.	Send acknowledgement within two working days of receipt.	2
(b) Identify person who was handling request.	Collate relevant information about request and response (including search log).	2
(c) Notify person who was handling request that a review request has been received and provide a copy of statement in support from applicant and seek comments on rationale for decision.	Receive comments from request handler.	2-3
(d) Selection of Review Person.	Chief Officer to identify a senior member of staff with experience in Freedom of Information to conduct review of the decision previously made.	4
(e) Supply all available information to Reviewer.	Head of Business Administration to check all information is to hand then issue to Reviewer.	5
(f) Undertake Review	Reviewer considers request and response together with terms of review request and prepares a report on findings.	10
(g) Complete and submit review report	Provide final report to Chief Officer who notifies outcome of the review and right of further appeal. Any additional information to be provided is required to be sent by 20 th working day	20

13. If it is concluded that the applicant has been unfairly treated, an apology should be offered on behalf of the organisation.

Right of Further Appeal

14. The applicant is to be advised of his/her right to raise the matter further with the Scottish Information Commissioner if he/she remains dissatisfied with the decision of the organisation. The right of appeal is to be exercised in writing (or some other permanent form) by the applicant who must provide an address for correspondence, specify the request for information to which the requirement for review relates and the reason for dissatisfaction. An appeal to the Commissioner must be made within a period of 6 months from the date of any notice on the review request made to us or within 6 months from when a decision should have been notified by us.

15. In advising of this right, the applicant should be given details of the contact address and e-mail address of the Commissioner at:-

Rosemary Agnew
Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
ST ANDREWS
Fife KY16 9DS

Tel: 01334 464610
E-Mail: enquiries@itspublicknowledge.info

16. The applicant should also be advised of their right to make an appeal against any decision by the Scottish Information Commissioner ³ on a point of law to the Court of Session.

Assistance to Applicants

17. Under the spirit of the Freedom of Information (Scotland) Act 2002, the recipient of a request for review should provide assistance, if required, to any applicant who seeks it. He should also ensure that the needs of persons with a disability within the terms of the Equality Act are not unfairly disadvantaged as a consequence of the procedure described above and shall make appropriate adjustments to the procedure where appropriate under the terms of that Act.

Review of Requirements for Review and Decisions of the Scottish Information Commissioner

18. Our internal procedures will provide for decisions on requirements for review and decisions by the Scottish Information Commissioner are reviewed to ensure that Board processes follow best practice in dealing with requests for information under the legislation.

³ Under Section 56 of the Act.

Section 1 – Information on Request
To be completed by person responding to initial request

Request from		Date received	
Subject Matter of request (brief summary)		Reference No.	
Person replying		Date of reply	
Additional information sought		Additional Information received on	
Fee Notice issued on		Payment received on	

Section 2 - Requirement for Review¹/Representation²
To be completed by person seeking review/wishing to make a representation

I wish Glasgow City Integration Joint Board to review the decision on this request for the following reasons:-

If typing, box will expand to accommodate text.
If writing continue on reverse if required

To request a Review please return this form to Head of Business Administration, Glasgow City Integration Joint Board, Commonwealth House, 32 Albion Street, Glasgow G1 1LH. Should you require assistance in completing this form please contact John Dearden, Head of Business Administration on 0141 287 0394.

Information contained in this form (including applicant's name and contact details) will be held by Glasgow City Integration Joint Board on a database and may be processed in accordance with the Data Protection Act 1998 for the purpose of monitoring our compliance with the requirements of the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004. By completing this form you consent to our holding this information.

¹ Under the Freedom of Information (Scotland) Act 2002
² Under the Environmental Information (Scotland) Regulations 2004
Version 1.0 January 2016



Freedom of Information – A Summary of your rights

Introduction

Glasgow City Integration Joint Board has been established to provide for the integration of health and social care. The Board is a Scottish public body separate from the Health Board and the City Council, but closely aligned to them. If you want information about the Health Board or the Council you should contact them direct (contact information is at the end of this leaflet). It is only information that is held by the Integration Board that we can assist with.

The Freedom of Information (Scotland) Act 2002 requires public bodies in Scotland to make information publicly available.

Information about the range of information available from us which we routinely publish is set out in our Publication Scheme. You can download the Publication Scheme by clicking on the link below. It explains how you can access information.

[Link to Publication Scheme](#)

If the information you require is not listed in our Publication Scheme you can still ask us for the information.

Your request must be made in writing or another permanent form, such as email or by Fax. You should include your full name and an address for correspondence. This may be an e-mail address. If possible please also include your telephone number in case we need to contact you about your request. Your request should state as clearly as possible the information you want to receive, including any date ranges.

You can make a request in one of the following ways:

By Email: partnerships.foi@ggc.scot.nhs.uk

By Post. Write to:

Business Administration (Freedom of Information)
Glasgow Integration Joint Board
Commonwealth House
32 Albion Street
Glasgow
G1 1LH

By Fax: 0141 287 0492

If you need help in making your request or, need more information about your rights under freedom of information legislation, then please telephone 0141 287 0394 so that we can assist you.

Environmental information

Access to environmental information is governed by the Environmental Information (Scotland) Regulations 2004. Although these Regulations are slightly different from the FOI Act in Scotland, they are applied in much the same way and relate to information concerning the environment including land, air, noise, energy, waste and many other aspects of the state of the natural and built environment.

What are Your Rights?

The Freedom of Information (Scotland) Act 2002 (and the associated Environmental Regulations) aims to increase openness and accountability in government and across the public sector by making sure that people have the ability to access information held by Scottish public bodies. These therefore apply to all recorded information held by Glasgow City Integration Joint Board (with the exception of personal information).

Anyone can make a request for information held by a Scottish public authority and, unless there are specific exemptions which we decide should apply to release of the information, this information should normally be provided to you within 20 working days.

If you are dissatisfied with the response you receive from us, or with the way that we have dealt with your request, then you have a right to ask us to review this. We have a formal procedure that we will follow in such cases, after which we will write to you to let you know the outcome.

Once you have received the outcome of the review, if you are still dissatisfied you then have the right to appeal to the Scottish Information Commissioner who will decide if further investigation is necessary.

Useful Contacts

Scottish Information Commissioner, Kinburn Castle, Doubledykes Road,
St Andrews, Fife KY16 9DS
Telephone: 01334 464610 Fax: 01334 464611
E-mail: enquiries@itspublicknowledge.info

Scottish Information Commissioner Publication [Your Right to Know](#)

Glasgow City Council freedom of information contact

Glasgow City Council, Freedom of Information, City Chambers, George Square Glasgow
G2 1DU

Telephone: 0141 287 1055 · E-mail foi@glasgow.gov.uk

NHS Greater Glasgow & Clyde freedom of Information contact

FoI Manager, NHS Greater Glasgow & Clyde, JB Russell House, Gartnavel Royal
Hospital Complex, 1055 Great Western Road, Glasgow, G12 0XH
Telephone 0141 201 4461. E-mail foi@ggc.scot.nhs.uk