

## ITEM 2.3: FREEDOM OF INFORMATION

### Purpose

1. To advise that the Scottish Civil Justice Council (SCJC) has been added to the list of Scottish Public Authorities to whom the Freedom of Information (Scotland) Act 2002 applies and has adopted a Publication Scheme and Guide to Information.

### Discussion

2. The SCJC is subject to the provisions of the Freedom of Information (Scotland) Act 2002 (“the Act”), being a public authority listed at part 7 of Schedule 1 of the Act.<sup>1</sup>
3. As a committee of the SCJC the ATJ Committee will also be subject to the provisions of the Act. Accordingly information produced in the course of ATJ Committee business will be subject to the provisions of the Act. This will include (but is not limited to) agendas, papers submitted to the ATJ Committee, minutes of meetings and correspondence between and to committee members.

### Publication Scheme and Guide to Information

4. A Publication Scheme and guide to information (**Paper 2.3A**) have been adopted by the SCJC. Parties will have the right to ask for information not covered by the Publication Scheme and release of such information will be decided on a case by case basis.

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<sup>1</sup> The [Freedom of Information \(Scotland\) Act 2002 \(Scottish Public Authorities\) Amendment Order 2013](#) (SSI 2013/226) inserts the Scottish Civil Justice Council and the Criminal Courts Rules Council within Schedule 1 to the Act, with the effect that those bodies were required to comply with the Act from 28 May 2013.

*Classes of Information*

5. The SCJC must publish information that it holds which falls within the following classes. Once published, information will be available for the current and previous two financial years. Where information has been updated or superseded, only the current version will be available (previous versions may be requested from the SCJC).
6. Information held by the ATJ Committee which falls within the following classes will also be published on similar terms. This will include ATJ Committee agendas, minutes and papers.
7. The classes and their descriptions are as follows:

**Class 1: About the SCJC**

Information about the SCJC, who we are, where to find us, how to contact us, how we are managed and our external relations.

**Class 2: How we deliver our functions and services**

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

**Class 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.

**Class 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).

**Class 5: How we manage our human, physical and information resources**

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

**Class 6: How we procure goods and services from external providers**

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

**Class 7: How we are performing**

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

**Class 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. Not applicable to the SCJC.

**Recommendation**

8. **Members are invited to note that information produced in the course of ATJ Committee business will be subject to the Freedom of Information (Sc) Act 2002.**
  
9. **Members are invited to note the terms of the Publication Scheme and Guide to Information.**

**Scottish Civil Justice Council- Secretariat  
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