

SCOTTISH CHILDREN'S REPORTER ADMINISTRATION

PUBLICATION SCHEME

**Required under Section 23 of The Freedom of Information
(Scotland) Act 2002, Schedule 1, Part 7 (other public bodies)**

All enquiries on this publication scheme should be directed to:

Gillian Henderson
Information & Research Manager
Scottish Children's Reporter Administration
Ochil House
Springkerse Business Park
Stirling
FK7 7XE
Tel: 01786 459531
Fax: 01786 459532
Email: <mailto:inforequest@scra.gsi.gov.uk>

www.scra.gov.uk

Introduction

This document is the introduction to the Publication Scheme of the Scottish Children's Reporter Administration (SCRA) which is a public body listed under Schedule 1, Part 7 of the Freedom of Information (Scotland) Act 2002.

The **Freedom of Information (Scotland) Act 2002** is designed to promote openness by making the information created and held by government and public authorities available to the public on request. It gives a general right of access to all types of recorded information held by public bodies. Right of access to information under the Freedom of Information (Scotland) Act 2002 came into effect on 1 January 2005.

Section 23 of the Freedom of Information (Scotland) Act 2002 requires public bodies to adopt and maintain a **publication scheme**, and to publish information in accordance with that scheme. Publication schemes must set out the classes of information available, the manner in which information will be published, and whether a charge will be made for the information. The purpose of a publication scheme is to ensure that a significant amount of information is available routinely, without the need for a specific request.

SCRA welcomes the opportunity to embrace the principles of Freedom of Information. Our aim is to be an open and transparent organisation, accountable to Scottish Ministers and the Scottish Parliament, our service users and partners, and the public in general. We will aim to include as much information as we reasonably can in the public interest.

Scottish Children's Reporter Administration

The Children's Hearings System is the judicial system for children in Scotland. It is a unique system, which upholds the welfare and rights of children, while addressing their behaviour. At its centre are Children's Reporters located in each local authority area. Children are referred to the Reporter from a number of sources for a variety of reasons. The Reporter investigates each referral to decide if compulsory measures of intervention are needed. If necessary, the child

is referred to a Children's Hearing. Each Hearing comprises three Panel Members, who are all trained volunteers from the local community. The Children's Hearings System has wide and far-ranging powers available to it, designed to ensure that the best interests of the child are met.

SCRA is a Non-Departmental Public body (NDPB) established under the Local Government (Scotland) Act 1994. It came into existence on 1 April 1995 and on 1 April 1996 assumed 3 main statutory functions:

- Facilitating the performance by the Principal Reporter of Reporters' statutory functions;
- Managing the staff of the Reporter Service throughout Scotland;
- Providing suitable accommodation and facilities for Children's Hearings throughout Scotland.

SCRA is accountable to Scottish Ministers and to the Scottish Parliament through the Scottish Executive Education Department.

The Publication Scheme

This publication scheme was prepared after review of the information held by SCRA and the types of request for information made by external parties. SCRA staff were consulted on the draft publication scheme. The final version of the publication scheme was agreed by the SCRA Board on 8 July 2004. It was approved by the Scottish Information Commissioner in September 2004.

Exemptions

All information included in this scheme must be provided promptly on request (subject to the exemptions discussed in this section).

From 1 January 2005, the general entitlement to information under section 1 of the Freedom of Information (Scotland) Act 2002 enables any member of the public to make a request for information that is not in this scheme.

SCRA's aim is to be as open as possible. However, information may be withheld from any of the classes of information listed below where we consider that the disclosure may fall within one of the exemptions contained in the Act. For

example, we may withhold information if its disclosure would breach the law of confidentiality or seriously prejudice the commercial interests of any person or the organisation. We may also withhold information which is personal data under the Data Protection Act 1998 (see below).

In these cases, we will withhold the information and indicate why the information is being withheld. Even where an exemption exists, it may nevertheless be possible to provide copies with the exempt information edited out.

If you wish to complain about information which is being withheld from you, please read the section below – Accessing information under the publication scheme.

Data Protection Act 1998

SCRA is committed to care and justice for children. We are conscious of the need to protect personal information on individual children and their family members. Such information is protected by the Data Protection Act 1998 and will be handled by us in accordance with its principles. An individual is entitled, under the Data Protection Act, to apply for a copy of any personal data held about them; this is called a Subject Access request. Information on how to make a Subject Access request is available from this publication scheme under the class 2 information listed or from SCRA's Data Protection Officer.

Accessing information under the publication scheme

Most of the information listed in this publication scheme is available from SCRA's web site – www.scra.gov.uk. Some older documents may only be available in paper form. All information is available in paper form. We will also take reasonable steps to make information available in a more accessible form if this is necessary.

By email – please email inforequest@scra.gsx.gov.uk giving your name and email address, and details of the information or documents you wish to see.

By post – please write to the Information & Research Manager, SCRA, Ochil House, Springkerse Business Park, Stirling FK7 7XE giving your name and address, and details of the information or documents you wish to see.

If you have any difficulty determining the information you want to see, please contact the Information & Research Team who will be happy to help – either at the address above, or Fax: 01786 459533, or email: inforequest@scra.gsx.gov.uk.

The person with responsibility for SCRA's publication scheme is Lucy Hanson, Information and Research Manager. If you have any queries about Freedom of Information in SCRA, please contact Nick Hobbs, Policy Officer. Or you may contact the Service Development Manager in your local area – for full contact details, see Annex 1 of SCRA's publication scheme on SCRA's website.

In cases where we withhold information, we will indicate why the information is being withheld under the exemptions described above. If you wish to complain about information which is being withheld from you, please contact SCRA's Information & Research Manager. You will have a right of appeal against any decision made by us in this respect, through SCRA's appeal procedure in the first instance.

If you are unable to resolve any complaint, you can complain to the Scottish Information Commissioner who oversees the Act and whose contact details are below. From 1 January 2005, when the general right of access comes into force, there will be a formal appeal mechanism when information is withheld. Further details will be available on the Commissioner's website at www.itspublicknowledge.info before this date.

The contact details for the Commissioner are Kevin Dunion OBE, Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife KY16 9DS, telephone number 01334 464610, email: enquiries@itspublicknowledge.info.

Use of information in the publication scheme

Information obtained from this publication scheme can be copied or reproduced without formal permission provided it is copied or reproduced accurately, is not

used in a misleading context and provided that SCRA is identified and acknowledged as the source of the material.

Charging policy

The Scottish Information Commissioner has indicated that public bodies should provide as much information as possible free of charge. SCRA will not charge for information that is available electronically, or for single paper copies of documents. However, SCRA reserves the right to charge for the cost of producing and sending multiple paper copies. In these cases, SCRA will charge 15 pence per A4 page and the costs of postage.

Classes of information

This publication scheme contains 11 classes of information as follows:

1. General Information
2. Access to information
3. Management
4. Finance
5. Corporate planning
6. Strategies and guidance
7. Human resources
8. Health and Safety
9. Property
10. Information Services
11. Publications and related material

Please refer to www.scra.gov.uk for full details of the documents available within SCRA's Publication Scheme.