Policy

ANGUS
Health & Social Care
Partnership

Access to Information

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Contents

1 Policy Statement

As a public body, the Angus Integration Joint Board (AIJB) recognises the importance of conducting its business in a transparent and accountable manner. The information created or held by the AIJB, or on behalf of the AIJB, is a public asset and as far as lawfully possible should be openly accessible for public scrutiny.

The integration of health and social care depends on close collaboration between public bodies, local communities, third and independent sector organisations, and the general public. The requirement for the AIJB to collaborate and engage widely with all stakeholders is enshrined in the Public Bodies (Joint Working) (Scotland) Act 2014 and in the Angus Integration Scheme. The sharing of information and transparency in decision making is essential to that collaboration and in fostering public trust in, and understanding of, the AIJB and its functions.

The AIJB is committed to upholding the rights of the public under the Freedom of Information legislation by proactively publishing information about its business and by responding positively to requests for information wherever possible. In doing so the AIJB seeks to ensure that its information assets are equally accessible to all members of the community in alternative formats and languages.

This document sets out the AIJB's policies on access to its information.

This policy must be applied in a way which is consistent with the objectives of the AIJB's policies on Information Security, Records Management, and Data Protection.

1.1 Scope

This policy applies to:

- All information created or processed in the carrying out of the functions of the AIJB by any individual or organisation.

- The AIJB corporately, the members and officers of the AIJB, any organisation carrying out the functions of the AIJB, any member of staff of such organisations while engaged in carrying out the functions of the AIJB.

1.2 Definitions

Information – for the purpose of this policy, any information which is produced or processed in the carrying out of the functions of the AIJB by any person or organisation, whether the information is text, data, audio, photographic, or video.

Access to Information Legislation – the legislation referred, including but limited to:

- [Freedom of Information (Scotland) Act 2002](#) (FOISA)

- [Environmental Information (Scotland) Regulations 2004](#) (EIR)

- [INSPIRE (Scotland) Regulations 2009](#) (INSPIRE)

- [Equality Act 2010](#) (EA)
- [Public Records (Scotland) Act 2011](#) (PRSA)
- [The Public Bodies (Joint Working) (Scotland) Act 2014](#) (Joint Working Act)
- [British Sign Language (Scotland) Act 2015](#) (BSL Act)
- [Re-use of Public Sector Information Regulations 2015](#)
- [Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017](#)
- [The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018](#)

Freedom of Information – the rights of the general public under the freedom of information legislation to access and scrutinise information created or held by any public body, and the duty of any public body to make information available to the public under the same legislation.

Publication Scheme – every public body is required under section 23 of FOISA to publish a publication scheme setting out the range of information routinely published by a public body and how it may be accessed.

Model Publication Scheme – a model publication scheme published by the Scottish Information Commissioner under section 24 of FOISA as a recommended format for public bodies to adopt in developing their own publication schemes.

Guide to Information – where a public body adopts the Model Publication Scheme it must also publish a more detailed Guide to Information setting out details of the formats in which information is published and any copyright restrictions on its use.

Accessibility – the extent to which information is equally accessible to people whose first language is not English and people with sensory impairment, cognitive impairment, or other needs requiring alternative means of communication.

1.3 Principles

This policy reflects the AIJB's commitment to the following principles:

Transparency – The AIJB shall conduct its business openly and shall make all its information and decision making available and accessible to the public and except where that information is personal information, commercially sensitive information, or where its publication would be otherwise exempt under FOISA.

Collaboration – Any information created or processed by any individual or organisation in carrying out the functions of the AIJB shall be made accessible to all other individuals or organisations carrying out the functions of the AIJB to enable effective collaboration and integration, except for information which is personal information, commercially sensitive information, or where the information would be otherwise exempt from publication under FOISA.

Accessibility – Any organisation creating or processing information in carrying out the functions of the AIJB shall ensure that, as far as is

practicable, that information is fully accessible by all persons irrespective of their communications requirements.

2 Publication by Default

The AIJB has agreed to adopt the Model Publication Scheme issued by the Scottish Information Commissioner.

The publication scheme will be reviewed annually and updated in line with changes to the model publication scheme.

In line with the principles of the access to information legislation, and FOISA in particular, the AIJB shall endeavour to pro-actively publish on its website all the classes and types of information set out in Appendix 1 to this policy.

The AIJB shall publish on its website a "Guide to Information available under the Model Publication Scheme" detailing the information it publishes, where it can be accessed, and any charges the AIJB makes for information in particular formats.

Where functions of the AIJB are carried out under the direction of the AIJB on the AIJB's behalf by NHS Tayside or Angus Council, those bodies must publish the information listed in Appendix 1 insofar as it relates to the carrying out of the functions of the AIJB, either on their own public websites or on the website of the AIJB.

3 Responding to Requests for Information

Under the access to information legislation, members of the public are entitled to request access to information not published pro-actively by the AIJB under the Model Publication Scheme.

The complex arrangements for the delivery of health and social care services mean that it is not always easy for the general public to be certain whether a request for particular information should be addressed to the AIJB, NHS Tayside, Angus Council, or an independent contractor carrying out functions of the AIJB such as a GP practice.

It is a founding principle of integration that AIJB services "should be provided in a way which, so far as possible, … is integrated from the point of view of service-users" (Public Bodies (Joint Working) (Scotland) Act 2014 section 31(1)(b)(i) "Integration delivery principles").

On this principle any request for information in relation to any function of the AIJB, whether carried out by the AIJB or carried out by NHS Tayside or Angus Council on behalf of the AIJB, shall be treated as a request to the AIJB even if the request is directed in the first instance to either NHS Tayside or Angus Council.

The AIJB will establish a formal agreement with NHS Tayside and Angus Council for the handling of information requests under FOISA or EIR including the transfer of requests between the bodies where appropriate to deliver a timely service to the public.

Any information provided under FOISA or EIR in response to a request from the public is automatically in the public domain. The AIJB shall publish all responses to FOISA and EIR on its website.

4 Collaborative Working

Under section 49 of the Public Bodies (Joint Working) (Scotland) Act 2014 there is no legal restriction on the information that can be shared between NHS Tayside, Angus Council and the AIJB to support the AIJB in developing its strategic plan or in carrying out its functions.

The objective of this provision is to support collaborative working and integration of services across health and social care, which is the primary task of the AIJB.

The AIJB expects that all persons engaged in carrying out the functions of the AIJB, irrespective of their employing organisation, will have full and shared access to such information and data as is necessary for them to collaborate effectively in carrying out the work of the AIJB, subject only to the requirements of the AIJB's data protection policy and information security policy.

This includes persons employed by NHS Tayside or Angus Council, insofar as they are carrying out the functions of the AIJB, and staff and volunteers of third party bodies commissioned by those bodies to carry out certain functions of the AIJB on their behalf.

To facilitate this the AIJB expects NHS Tayside and Angus Council to provide a single intranet platform for the storage and management of AIJB information assets other than those managed and stored on clinical or social work client information systems.

5 Equal Access for All

The AIJB is committed to mainstreaming equality in the delivery of all its functions and services, whether delivered directly or under the direction of the AIJB by NHS Tayside.

The AIJB, in collaboration with NHS Tayside and Angus Council, will ensure that all AIJB information can be made available in paper or electronic form and through the AIJB's website.

The AIJB, in collaboration with NHS Tayside and Angus Council, will ensure that all AIJB information can be provided to staff and to the general public in translation into languages other than English.

The AIJB, in collaboration with NHS Tayside and Angus Council, will ensure that all AIJB information can be provided in formats which are suitable for people with sensory or cognitive impairment including, but not limited to:

- Braille
- Large print
- Digital documents formatted for screen readers
- Video transcription in BSL

The AIJB, in collaboration with NHS Tayside and Angus Council, shall ensure that interpretation services are available for members of the public who require access to AIJB information in languages other than English, BSL, or deafblind signing.

The AIJB shall develop and provide accessible document templates for the use of staff in the preparation of all its electronic documents.

6 Roles and Responsibilities

6.1 Corporate Accountability

The AIJB is ultimately accountable for ensuring its information assets are fully accessible to people with different communications needs.

NHS Tayside and Angus Council are accountable to the AIJB for:

- ensuring that all relevant AIJB information assets created or processed by their organisation in the carrying out of AIJB functions are available for publication under the Model Publication Scheme or on request from members of the public

- cooperating with the AIJB to provide a streamlined access to information service to the public in respect of the functions of the AIJB

- ensuring that all AIJB information assets, and any relevant information assets of their organisation, which are necessary for a person engaged in delivering the functions of the AIJB to carry out that function, are accessible to that person, whether employed by their organisation of by another organisation

- ensuring that AIJB information assets, created or processed by their organisation in the carrying out of AIJB functions under the direction of the AIJB, are accessible to people who require that information in alternative languages and formats, including both staff and members of the general public.

6.2 AIJB Senior Information Risk Owner (SIRO)

The SIRO has overall strategic responsibility for governance in relation to ensuring appropriate access to AIJB information assets. The AIJB's SIRO is the Clinical Director. The SIRO:

- Acts as advocate for organisational transparency and access to information as a member of the AIJB and the Executive Management Team.

- Liaises with the SIRO of NHS Tayside and Angus Council's Chief Information Governance Officer (CIGO) to secure the necessary assurances from both organisations regarding access to information issues in relation to the functions of the AIJB.

6.3 NHS Tayside SIRO

The person designated by NHS Tayside as senior information risk owner shall be accountable to the AIJB for access to information arrangements in

respect of the information assets of the AIJB created or processed by NHS Tayside in carrying out functions of the AIJB under the direction of the AIJB.

6.4 Angus Council CIGO

The person designated by Angus Council as chief information governance officer shall be accountable to the AIJB for access to information arrangements in respect of the information assets of the AIJB created or processed by Angus Council in carrying out functions of the AIJB under the direction of the AIJB.

6.5 Information Asset Owners (IAO)

Service managers of any service provided or commissioned by the AIJB, or provided or commissioned on its behalf by NHS Tayside or Angus Council in the carrying out of a function of the AIJB under the direction of the AIJB, are information asset owners in respect of AIJB information assets created or processed within their service area, and are responsible for managing arrangements for access to that information in line with this policy.

7 Governance

7.1 Clinical, Care, and Professional Governance Forum (CCPG)

The CCPG accountable to AIJB and the Executive Management Team through the SIRO, and is responsible for providing assurance to the AIJB and Executive Management Team in respect of all information governance matters including access to information.

This includes:

- Reviewing information access policies and guidance
- Monitoring compliance with agreed standards in responding to requests under FOISA and EIR

7.2 Partnership Information Governance Working Group (PIGWG)

The IGWG is responsible for the day to day implementation and monitoring of information governance policies and procedures and for promoting information governance best practice across the Health and Social Care Partnership.

The agreed terms of reference are:

- To communicate/cascade best practice, guidance and information at a service level;
- To regularly review, update, approve (minor changes) and implement the AIJB's information governance policies;
- To implement relevant actions identified in the Information Governance Strategy or any other associated improvement plans;
- To assist with annual Progress Update Reviews for approval by the National Records of Scotland in connection with the AIJB's Records Management Plan; and

- To provide a focal point for the resolution and/or discussion of all information governance issues.

8 Monitoring and Review

Compliance with this policy shall be monitored by the PIGWG and reported annually to the CCPG.

This policy will be reviewed annually by the CCPG and any revisions submitted to the AIJB for approval.

Related Policies and Procedures

- AIJB Records Management Policy
- AIJB Information Security Policy
- AIJB Data Protection Policy
- Tripartite Information Governance Protocol

Appendix 1: Publication Scheme Recommended Content

Classes of information which must be published under the Model Publication Scheme with a list of types of information the Scottish Information Commissioner expects public bodies to publish as a minimum under the Model Publication Scheme.

Class 1: About the public body
Description
Information about the public body, who we are, where to find us, how to contact us, how we are managed and our external relations
The Commissioner expects public bodies to publish the following information (if held), **as a minimum:**
General information about the public body
• Public body name, address and contact details for headquarters and principal offices
• Organisational structure, roles and responsibilities of senior officers
• Business opening hours
• Contact details for customer care and complaints functions
• Customer codes or charters
• Publication scheme and Guide to Information
• Charging schedule for published information
• Contact details and advice about how to request information from the public body
• Charging schedule for environmental information provided in response to requests under the Environmental Information (Scotland) Regulations 2004, as amended (if the public body charges for environmental information)
• Legal framework for the public body, including constitution, articles of association or charter
How the public body is run
• Description of governance structure, Board, committees and other decision making structures
• Names, responsibilities and (work-related) biographical details of the people who make strategic and operational decisions about the performance of function and/or delivery of services by the public body e.g. Board members, chief officers
• Governance policies, including standing orders, code of conduct and register of interests

Corporate planning
• Mission statement
• Corporate plan
• Corporate strategies e.g., for economic development, etc.
• Corporate policies, e.g., health and safety, equality, sustainability
• Strategic planning processes

External relations
• Accountability relationships, including reports to regulators
• Internal and external audit arrangements
• Subsidiary companies (wholly and part owned) and other significant financial interests
• Strategic agreements with other bodies

Class 2: How we deliver our functions and services

Description

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

The Commissioner expects public bodies to publish the following information (if held), **as a minimum:**

Functions
• Description of functions, including statutory basis for them, where applicable
• Statement of public task required by the [Re-use of Public Sector Information Regulations 2015](#) (if applicable)
• Strategies, policies and internal staff procedures for performing statutory functions
• How to apply for a licence, warrant, grant, etc. where it is a function of the public body to approve it
• How to report a concern to the public body
• Reports of the public body's exercise of its statutory functions
• Statutory registers (NB not if inspection-only)
• Fees and charges for performance of the public body's function e.g., fee for making a planning application, etc.

Services
• List of services, including statutory basis for them, where applicable
• Service policies and internal staff procedures, including allocation, quality and

standards

- Service schedules and delivery plans
- Information for service users, including how to access the services
- Service fees and charges, including bursaries

Class 3: How we take decisions and what we have decided

Description

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

The Commissioner expects public bodies to publish the following information (if held), **as a minimum:**

- Decisions taken by the organisation: agendas, reports and papers provided for consideration and minutes of Board (or equivalent) meetings
- Public consultation and engagement strategies
- Reports of regulatory inspections, audits and investigations carried out by the public body
- Environmental Impact Assessment Reports undertaken in compliance with the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017

Class 4: What we spend and how we spend it

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 Commissioner expects public bodies to publish the following information (if held), **as a minimum:**

- Financial statements, including annual accounts, any regular statements e.g. quarterly budget statements.
- Financial statements required by statute e.g., sections 31 and 33 of the Public Service Reform (Scotland) Act 2010, if applicable to the public body
- Financial policies and procedures for budget allocation
- Budget allocation to key policy / function / service areas
- Purchasing plans and capital funding plans
- Financial administration manual / internal financial regulations
- Expenses policies and procedures
- Senior staff / board member expenses at category level e.g., travel, subsistence and accommodation

- Board member remuneration other than expenses

- Pay and grading structure (levels of pay rather than individual salaries)

- Investments, summary information about endowments, investments and public body pension fund

- Funding awards available from the public body, how to apply for them and funding awards made by the public body

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

Description

Information about how we manage the human, physical and information resources of the public body

The Commissioner expects public bodies to publish the following information (if held), **as a minimum:**

Human resources

- Strategy and management of human resources

- Staffing structure

- Human resources policies, procedures and guidelines, including e.g., recruitment, performance management, salary and grading, promotion, pensions, discipline, grievance, staff development, staff records

- Employee relations structures and agreements reached with recognised trade unions and professional organisations

Physical resources

- Management of the public body's land and property assets, including environmental / sustainability reports

- Description of the public body's land and property holdings

- Estate development plans

- Maintenance arrangements

Information resources

- Records management policy and records management plan, including records retention schedule

- Information governance / asset management policies and procedures, information asset list

- Knowledge management policies and procedures

- List of statistical information published by the public body

- Freedom of information policies and procedures

- Data protection or privacy policy

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

Description

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

The Commissioner expects public bodies to publish the following information (if held), **as a minimum:**

- Procurement policies and procedures
- Invitations to tender
- Register of contracts awarded, which have gone through formal tendering, including name of supplier, period of contract and value

    Additional information which is required to be published by applicable procurement legislation and statutory guidance (e.g. the [Procurement Reform (Scotland) Act 2014](#), the [Procurement (Scotland) Regulations 2016](#) and [Public Contracts (Scotland) Regulations 2015](#))

- Links to procurement information the public body publishes on the [Public Contracts Scotland](#) website

Class 7: How we are performing

Description

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

The Commissioner expects public bodies to publish the following information (if held), **as a minimum:**

- External reports e.g., annual report, performance statements required by statute (e.g., section 32 of the [Public Service Reform (Scotland) Act 2010](#) if applicable.
- Performance indicators and performance against them.
- Mainstreaming Equality Reports produced under the [Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012](#), as amended
- Employee and board equality monitoring reports, produced under the [Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012](#), as amended

Class 8: Our commercial publications

Description

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.

Class 9: Our open data

Description

Open data made available by the public body as described by the Scottish Government's Open Data Resource Pack and available under an open licence.

The Commissioner expects public bodies to publish the following information (if held), **as a minimum:**

- The public body's open data publication plan
- Open data sets and their metadata, or links to where they are accessible

NOTE: This appendix is adapted from Appendix 1 of the Model Publication Scheme: Guide for Public Authorities 2018 published by the Scottish Information Commissioner.