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Kacey Montagu  
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Our Reference: 202000086590

2 October 2020

Dear Kacey Montagu,

## **REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)**

Thank you for your request dated 10 September 2020 under the Freedom of Information (Scotland) Act 2002 (FOISA).

### **Your request**

Under FOI please give me an excel (NOT as a pdf) list of all FOI requests you have had since it became law. for each FOI request, please list:

date of request

date of reply

reference number/ID

subject/title of the request [each request on the list should include the subject/title of the request please] status [whether information was fully released, partially released or withheld]

### **Response to your request**

For the purposes of responding to this request I have assumed that the term 'FOI request' refers both to requests responded to under FOISA and requests responded to under the Environmental Information (Scotland) Regulations 2004 (EIRS). FOISA and EIRS came into force on 1 January 2005.



## **Date of Request / Reply / Reference Numbers**

Please find attached a report. This details the reference numbers and the date received of all FOI/EIR cases processed on our case management system. This is for the period of 18 December 2007, when our first case management system was introduced, to the date of your request, 10 September 2020. We do not hold the information requested for 1 January 2005 to 17 December 2007. This is a formal notice under section 17(1) of FOISA that the Scottish Government does not have some of the information you have requested.

You'll note that I have applied s.17(1) to the date the request was replied to up until row 23736. At that time the Scottish Government was transitioning to a new case management system for the handling of correspondence and formal information requests. No business need was identified to retain information relating to the date a historical request was responded to on our previous case management system. So that was not transitioned and so we do not hold that information. This is a formal notice under section 17(1) of FOISA that the Scottish Government does not have some of the information you have requested.

## **Subject / Title of the request**

You'll also note that I have not included the summaries of each case. While our aim is to provide information whenever possible, in this instance the costs of providing the information requested would exceed the upper cost limit of £600. This is because we are required to check for instances of personal information that may be contained in each summary. So to check for and remove this personal information would require us to individually check over 26,000 records.

As you have not indicated any particular timeframe that you are interested in, we consider that if we were to attempt this exercise for all FOI/EIR requests, the £600 cost limit would be significantly exceeded. Under section 12 of FOISA public authorities are not required to comply with a request for information if the authority estimates that the cost of complying would exceed the upper cost limit, which is currently set at £600 by Regulations made under section 12. You may, however, wish to consider reducing the scope of your request in order that the costs can be brought below £600. It is likely that the most useful way to do this would be to give us an indication of which particular Month you are interested in, to allow us to undertake a more focussed approach to the removal of personal information. You may also find it helpful to look at the Scottish Information Commissioner's 'Tips for requesting information under FOI and the EIRs' on his website at:

<http://www.itspublicknowledge.info/YourRights/Tipsforrequesters.aspx>.

You may wish to note that, since July 2017, we have published those requests in which we have released information. These cases, which include suitably redacted titles is available on the Scottish Government website at: <https://www.gov.scot/publications/?cat=filter&publicationTypes=foi-eir-release&begin=27/05/2020&end=26/07/2020&page=1>.

## **Fully Released / Partially released / Refused**

Fully released (12263), partially released (6658) and refused (4803). There was no business need for us to categorise completed cases in this fashion prior to 2013. At that time the Scottish Information Commissioner introduced a requirement for all Scottish Public Authorities to submit FOISA / EIR statistics through their portal. This can be accessed here: <https://stats.itspublicknowledge.info/> and it



will provide you with information like this and also other aspects you may be interested in. For the purposes of the portal the Scottish government's name is 'Scottish Ministers'

### **Your right to request a review**

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to David Rogers, Director of Constitution and Cabinet, Scottish Government, Email: David.Rogers@gov.scot. Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:  
<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.asp>

Yours sincerely

Eric Green  
**EFD : Freedom of Information Unit**

