

**LOTHIAN AND BORDERS POLICE BOARD
PUBLICATION SCHEME
PRODUCED AS REQUIRED BY THE FREEDOM OF
INFORMATION (SCOTLAND) ACT 2002**

SECTION 1: INTRODUCTION TO THE PUBLICATION SCHEME

The Freedom of Information (Scotland) Act 2002 (FOISA) provides individuals with a right of access to all recorded information held by Scotland's public authorities. Anyone can use this right, and information can only be withheld where FOISA expressly permits it.

Section 23 of FOISA also requires that all Scottish public authorities maintain a publication scheme. A publication scheme sets out the types of information that a public authority routinely makes available. This scheme has been approved by the Scottish Information Commissioner, who is responsible for enforcing FOISA. We are also obliged to review this scheme from time to time.

The purpose of the scheme is to provide you with details of the range of information that we routinely publish. The scheme also provides details of how you can access this information, and tells you whether it is available free, or if there is a charge for the information.

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

Where information is not published under this scheme, you can request it from us under FOISA or, in the case of environmental information, the EIRs. For further information on accessing information not covered by this scheme, refer to Section 11 – How to access information not available under the scheme.

SECTION 2: ABOUT LOTHIAN AND BORDERS POLICE BOARD

Lothian and Borders Police Board was established by Section 34 of the Local Government etc (Scotland) Act 1994 and the Lothian and Borders Combined Police Area Amalgamation Scheme Order 1995. This Order provided for the City of Edinburgh Council, East Lothian Council, Midlothian Council, West Lothian Council and Scottish Borders Council becoming amalgamated for police purposes into the Lothian and Borders Police Board.

The Board consists of 18 Councillors appointed from the membership of the five Councils as follows:

9 members appointed by the City of Edinburgh Council
2 members appointed by East Lothian Council
2 members appointed by Midlothian Council
2 members appointed by Scottish Borders Council
3 members appointed by West Lothian Council

Members of the Board are appointed by each of these Councils following each Local Authority election.

The Board shares responsibility for Lothian and Borders Police with the Chief Constable who is responsible for police operational matters and with the Scottish Ministers.

The Board is supported by a Chief Executive and Clerk, Treasurer, Solicitor and Monitoring Officer who give administrative support and professional advice. Currently the Chief Executive and Clerk, Treasurer, Solicitor and Monitoring Officer are the Chief Executive, Director of Finance, Council Solicitor and Director of Corporate Services respectively of the City of Edinburgh Council.

The Board currently meets six times a year with meetings rotating annually between Edinburgh, Haddington, Dalkeith, Livingston and Newtown St Boswells. In addition, business is conducted through a Sub Committee Dealing with Complaints Issues, Support Staff Appeals Committee, Audit Committee and an Appointment and Remuneration Committee.

All meetings, unless specified, are open to the public and papers are available in advance of meetings.

The Board has a number of statutory duties and responsibilities. The main ones are to:

- set the budget for Lothian and Borders Police and provide the Chief Constable with the resources necessary to police Lothian and Borders efficiently and effectively;
- make arrangements to secure best value and participate in community planning;
- keep themselves informed as to the manner in which complaints made by members of the public against police officers are dealt with by the Chief Constable;
- appoint the Chief Constable, Deputy Chief Constable and Assistant Chief Constables.

SECTION 3: PREPARING THE PUBLICATION SCHEME

When preparing or reviewing our publication scheme, we are obliged by FOISA to have due regard to the public interest in providing access to the information that we hold which relates to:

- the services we provide;
- the costs of those services;
- the standard of those services;
- the facts that inform the important decisions we take; and
- the reasoning that informs our decisions.

In preparing this publication scheme, we have tried to ensure that a wide range of information about Lothian and Borders Police Board is made easily accessible to the public. We have undertaken a review of information requests received in order to ensure that information that is in the public interest is included in the scheme.

SECTION 4: ACCESSING INFORMATION UNDER THE SCHEME

Information available under our publication scheme will normally be available through the routes described below. Section 12 – Classes of Information provides more details on the information available under the scheme, along with additional guidance on how the information falling within each “class” may be accessed.

Online:

Most information listed in our publication scheme is available to download from our website. In many cases a link within Section 12: Classes of Information will direct you to the relevant page or document. Where no such link is present, you can use our website’s “Search” facility at <http://www.lothianandborderspoliceboard.co.uk>

If you are still having trouble finding any document listed under our scheme, then please call the Office of the Chief Executive and Clerk, Lothian and Borders Police Board on 0131 529 4240 for further assistance.

By email:

If the information you seek is listed in our publication scheme 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. Our contact email address is policeboard@edinburgh.gov.uk

By phone:

Information can also be requested from us over the telephone. Please call the Office of the Chief Executive and Clerk, Lothian and Borders Police Board on 0131 529 4240 to request information available under this scheme.

By post:

All information under the scheme will normally be available in paper copy form. Please address your request to:

Office of the Chief Executive and Clerk
Lothian and Borders Police Board
City Chambers
High Street
Edinburgh
EH1 1YJ

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 6: 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.

Advice and assistance:

If you have any difficulty identifying the information you want to access, then please contact the Office of the Chief Executive and Clerk, Lothian and Borders Police Board using the contact details listed above who will be happy to help.

Other languages or formats:

We aim to meet your requests for translated information or alternative formats wherever practicable.

Please note that there is a separate Publication Scheme for Lothian and Borders Police Force which can be obtained from their website on www.lbp.police.uk or alternatively contact:

Rachel Watson
Force Information Manager
Force Information Unit
Lothian and Borders Police
Force Headquarters
Fettes Avenue
Edinburgh
EH4 1RB
Tel: 0131 311 3901

SECTION 5: INFORMATION THAT WE MAY WITHHOLD

All information covered by our publication scheme can either be accessed through our website, or will be provided promptly following our receipt of your request.

Our aim in maintaining this publication scheme 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 12 – Classes of Information. Information will only be withheld, however, where FOISA (or, in the case of environmental information, the Environmental Information (Scotland) Regulations 2004) 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 the 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 may, 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 10 – Complaints.

SECTION 6: OUR CHARGING POLICY

All information contained within our scheme is available from us free of charge where it can be downloaded from our website or where it can be sent to you electronically by email.

We reserve the right to impose charges for providing information in paper copy or on computer disc. Charges will reflect the actual costs of reproduction and postage to the authority, as set out below.

In the event that a charge is to be levied, you will be advised of the charge and how it has been calculated. Information will not be provided to you until payment has been received.

Reproduction costs:

Where the number of copies requested exceeds 50 sides of paper or the request is for multiple copies of a single document, photocopied information will be charged at a standard rate of 10p per A4 side of paper (black and white copy) and 30p per A4 side of paper (colour copy).

Computer discs will be charged at the rate of £1.00 per CD-Rom.

Postage cost:

We may pass on postage charges to the requester at the cost to the Board of sending the information by first class post.

SECTION 7: OUR COPYRIGHT POLICY

Lothian and Borders Police 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, and provided that the source of the material is identified.

The publication scheme may, however, contain information where the copyright holder is not Lothian and Borders Police Board. In most cases the copyright holder will be obvious from the documents. In cases where the copyright is unclear, however, 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. Wherever possible, this scheme will indicate where we do not own the copyright on documents within Section 12 – Classes of Information.

Information about Crown copyright material is available on the website of the Queens Printer for Scotland at www.oqps.gov.uk. We can provide you with a copy of this information if you do not have internet access.

SECTION 8: OUR RECORDS MANAGEMENT AND DISPOSAL POLICY

Lothian and Borders Police Board utilises the City of Edinburgh Council's professional archiving service. The Council's City Archivist processes all records received in an appropriate manner.

Please address any enquiries to:

Richard Hunter
City Archivist
City Chambers
High Street
Edinburgh
EH1 1YJ

Tel: 0131 529 4291

Fax: 0131 529 4957

Email: richard.hunter@edinburgh.gov.uk

SECTION 9: FEEDBACK

FOISA requires that we review our publication scheme from time to time. As a result, we welcome feedback on how we can develop our scheme further. If you would like to comment on any aspect of this publication scheme, then please contact us. You may, for example wish to tell us about:

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

Please send any comments or suggestions to:

Office of the Chief Executive and Clerk
Lothian and Borders Police Board
City Chambers
High Street
Edinburgh
EH1 1YJ

Tel: 0131 529 4240

Fax: 0131 529 7607

Email: policeboard@edinburgh.gov.uk

SECTION 10: COMPLAINTS

Our aim is to make our publication scheme 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 publication scheme, however, then please contact us, and we will try and resolve your complaint as quickly as possible. You can contact:

Office of the Chief Executive and Clerk
Lothian and Borders Police Board
City Chambers
High Street
Edinburgh
EH1 1YJ

Tel: 0131 529 4240
Fax: 0131 529 7607
Email: policeboard@edinburgh.gov.uk

Any complaint will be acknowledged within five working days of receipt and we will respond in full within twenty working days.

You have legal rights to access information under this scheme 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 writing* or another recordable format. If you are unhappy with our responses 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.

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

*verbal requests for environmental information carry similar rights.

SECTION 11: HOW TO ACCESS INFORMATION WHICH IS NOT AVAILABLE UNDER THIS SCHEME

If the information you are seeking is not available under this publication scheme, then you may wish to request it from us. The Freedom of Information (Scotland) Act 2002 (FOISA) provides you with a right of access to the information we hold, subject to certain exemptions.

The Environmental Information (Scotland) Regulations 2004 (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 this scheme, please write to:

Office of the Chief Executive and Clerk
Lothian and Borders Police Board
City Chambers
High Street
Edinburgh
EH1 1YJ
Email: policeboard@edinburgh.gov.uk

Charges for information which is not available under the scheme:

The charges for information which is available under this scheme are set out under section 6 – Our Charging Policy. If you submit a request to us for information which is not available under the scheme the charges will be based on the following calculations:

General information requests:

While FOISA does allow us to charge a fee for the provision of information that is not available under the terms of the Publication Scheme, Lothian and Borders Police Board has chosen not to do so. Lothian and Borders Police Board will therefore not levy any charge for information which costs us £600 or less to process. Information requests that cost us more than £600 to process will generally be refused.

Charges for environmental information:

We do not charge for the time to determine whether we hold the information requested, nor 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 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 Lothian and Borders Police Board of providing the information. However, as with requests for information processed under FOISA, requests for environmental information costing us £600 or less to process, based on a maximum hourly rate of £15 will be provided without cost.

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.

Requests for your own personal data:

You are entitled to request your personal data from Lothian and Borders Police Board under the Subject Access provisions contained in Section 7 of the Data Protection Act 1998. Lothian and Borders Police Board does not charge a fee for the processing of subject access requests.

SECTION 12: CLASSES OF INFORMATION

Master Information Class		WHO WE ARE	
Section Title	Information Items	Description	Refresh and Retention Details
Board's current membership	Details of membership of the Board and its Sub-Committees	Names and photographs of Board members www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs

Master Information Class		WHAT WE DO	
Section Title	Information Items	Description	Refresh and Retention Details
Role and Responsibilities	Lothian and Borders Police Board's role and statutory responsibilities	Summary outlining the role of the Board and its statutory responsibilities www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs

Master Information Class		HOW WE WORK	
Section Title	Information Items	Description	Refresh and Retention Details
Meetings	Calendar of meetings for Lothian and Borders Police Board and its Sub-Committee	Timetable of meetings for the Board and its Sub-Committee containing dates, times and locations www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs

Section Title	Information Items	Description	Refresh and Retention Details
	Agendas and Reports	Copies of agendas and reports of business considered by the Board and its Sub-Committees (except for reports which are confidential or exempt under the provisions of the Local Government (Scotland) Act 1973 www.lothianandborderspoliceboard.co.uk	Electronic copies of agendas and reports will be retained on the publication scheme for the current and previous years back to 2003
	Minutes	Copies of the minutes of the business considered by the Board and its Sub-Committees www.lothianandborderspoliceboard.co.uk	Minutes will be published 10 working days after the Board meeting. Electronic copies of the minutes will be retained on the publication scheme for the current and previous years back to 2003
	Committee structure and terms of reference	Details of the structure, remit and membership of the Board and its Sub-Committees www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs
	Standing Orders and Financial Regulations	The Joint Board's Standing Orders and Financial Regulations govern how the administration of the Board is conducted www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs

Section Title	Information Items	Description	Refresh and Retention Details
Rules as to how members carry out their responsibilities	Members' Code of Conduct	Code setting out how members are required to conduct themselves in undertaking their duties in public office www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs
	Members' Register of Interests	Details of interests declared by members as being relevant to the business of the Board	Current information from date of appointment Update when change occurs

Master Information Class	POLICIES AND SCHEMES
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Section Title	Information Items	Description	Refresh and Retention Details
Policies	Policy Documents	Copies of the Board's formally approved policies which set out the broad principles of the Board's approach to making decisions or dealing with particular issues or aspects of its work www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs
	Standing Orders and Financial Regulations	The Board's Standing Orders and Financial Regulations govern how the administration of the Board is conducted www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs

Section Title	Information Items	Description	Refresh and Retention Details
Equality Schemes	Race Equality Scheme	The Board is required to maintain a Race Equality Scheme in terms of the Equalities legislation www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs
	Disability Equality Scheme	The Board is required to maintain a Disability Equality Scheme in terms of the Equalities legislation www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs
	Gender Equality Scheme	The Board is required to maintain a Gender Equality Scheme in terms of the Equalities legislation www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs

Master Information Class	PERFORMANCE AND MONITORING
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Section Title	Information Items	Description	Refresh and Retention Details
Finance	Reports	Copies of reports published by the Board in relation to its financial administration including Statement of Accounts, Financial Plan, Annual Capital Budget, Annual Revenue Budget and Treasury Management Annual Reports www.lothianandborderspoliceboard.co.uk	

Section Title	Information Items	Description	Refresh and Retention Details
Audit	Reports	Copies of reports published by the Board in relation to the audit of its administration including internal audit and annual assurance statements, External Auditor annual report and best value reviews www.lothianandborderspoliceboard.co.uk	Electronic copies will be retained on the publication scheme for the current and previous years back to 2003

Section Title	Information Items	Description	Refresh and Retention Details
Procurement Information	Procurement policies and procedures	The Board's Standing Orders and Financial Regulations govern the procurement and tendering processes www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs

Master Information Class	INDEPENDENT CUSTODY VISITING SCHEME
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Section Title	Information Items	Description	Refresh and Retention Details
Independent Custody Visiting Scheme	Independent Custody Visiting Scheme Guidelines	Guidelines for the Independent Custody Visiting Scheme setting out the purpose of the Scheme and how it operates www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs

Section Title	Information Items	Description	Refresh and Retention Details
	Applicant information	General information about the process for becoming an Independent Custody Visitor, application form and person specification www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs
	Vacancies	Details of how to apply www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs

Master Information Class	DIVERSITY LAY ADVISERS SCHEME
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Section Title	Information Items	Description	Refresh and Retention Details
Diversity Lay Advisers Scheme	General information	General information about the work undertaken by Diversity Lay Advisers who are independent volunteers who look at police and community relations, the police investigation of hate crime and diversity and equality issues www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs
	Code of practice for Diversity Lay Advisers	General Code outlining the protocols and standards applicable to members and to give guidance for new members www.lothianandborderspoliceboard.co.uk	Current information Update when change occurs