

FOI Practical Guidance Notes, Version 3 February 2005

Section 3.3:

3.3 With more complex requests that appear to be covered by an exemption, cases will need to be considered on an individual basis and cleared by your Branch Head. The FOI Unit should be advised about these cases as early as possible using the FOI e-form It may also be necessary to consult with senior staff and solicitors. Circumstances for each request will differ according to the size and make up of branches, but the general principal should be followed that the FOI Unit and senior staff should always be consulted, except where the request is routine. These include cases where the information requested is:

- Sensitive or occurs in sensitive circumstances
- Likely to be refused in whole or in part
- Will incur a fee, or involve such a significant amount of work as to exceed the upper fees limit of £600 – see section 8 on Fees
- Requested by the media

FOI Practical Guidance Notes, Version 4 January 2006

Section 3.3

3.3 With more complex requests where the information requested appears to be covered by an exemption from disclosure, cases will need to be considered on an individual basis and cleared by your Branch Head. The FOI Unit should be advised about these cases as early as possible using the FOI e-form It may also be necessary to consult with senior staff and solicitors. Circumstances for dealing with each request will differ according to the size and make up of branches, but the general principal should be followed that the FOI Unit and senior staff should always be consulted, except where the request is routine. Cases where advice should be sought include those where the information being considered to comply with the request:

- Is sensitive or the request occurs in sensitive circumstances, for example includes internal discussion or advice, or involves exchanges with other Government Departments;
- Is likely to be refused in whole or in part;
- Will incur a fee, or involve such a significant amount of work as to exceed the upper fees limit of £600 – see section 8 on Fees;
- Constitutes environmental information;
- Is requested by the media;
- Is requested by political parties (including MSPs, MPs, and their staff);
- Contains Ministerial submissions, MG or Cabinet papers;
- Contains personal information; or
- Has resulted in a request for a review or in an appeal being made to the Scottish Information Commissioner.