



Scottish Information
Commissioner

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The Prescribed Persons (Report on Disclosure of Information) Regulations 2017

Report by the Scottish Information Commissioner 2022-23

The Scottish Information Commissioner (the Commissioner) is the independent public official responsible for promoting and enforcing Scotland's freedom of information law:

- The Freedom of Information (Scotland) Act 2002 - is an Act of the Scottish Parliament which gives everyone the right to ask for any information held by a Scottish public authority
- The Environmental Information (Scotland) Regulations 2004 - comes from a European Directive on access to environmental information. The EIRs give everyone the right to ask for environmental information held by a Scottish public authority (and some other bodies)
- The Commissioner can also receive applications about the view and discovery provisions of the INSPIRE (Scotland) Regulations 2009. These regulations also come from a European Directive, and create a right to discover and view spatial datasets (e.g. map data) held by Scottish public authorities.

The main functions of the Commissioner are: investigating appeals, promoting the public's right to know, promoting good practice to public authorities and intervening when public authority practice is not compliant with freedom of information law.

Under section 43F of the Employment Rights Act 1996, whistleblowers may qualify for employment protections if they disclose information to a "prescribed person". The Commissioner is a "prescribed person" and must report annually on the number of relevant workers' disclosures under The Prescribed Persons (Reports on Disclosure of Information) Regulations 2017 (the Regulations).

For the period 1 April 2022 – 31 March 2023 there were no relevant disclosures from workers falling within the Regulations.

Contact us

Scottish Information Commissioner

Kinburn Castle
Doubledykes Road
St Andrews, Fife
KY16 9DS

t 01334 464610
enquiries@itspublicknowledge.info

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