



Scottish Information
Commissioner

Our Ref: 202501540:

Thomas Glen
Chief Executive
Perth and Kinross Council

By email: foi@pkc.gov.uk

10 September 2025

Dear Mr Glen

FOI Intervention – Investigation of the recording of information about the removal of the post of Director of Economy, Place and Learning

I am writing to formally advise that a Level 2 intervention has been opened regarding Perth and Kinross Council's compliance with Scotland's freedom of information (FOI) law.

As part of my duty to promote and enforce FOI law, my office carries out interventions in cases where it appears a Scottish public authority has failed to fulfil its statutory obligations or to follow good practice in the discharge of those functions (including the good practice set out in the Section 60 and 61 Codes). You can find more details in our Intervention Procedures, which are available via www.foi.scot/Interventions.

The primary aim in undertaking interventions is not to penalise authorities for poor practice, but to support them in improving performance by identifying and resolving issues of concern.

Level 2 interventions aim to remedy substantial practice failures.

During investigation of the matters discussed in [Decision Notice 165/2025](#), it has come to our attention that only verbal discussions took place regarding the removal of the post of Director of Economy, Place and Learning and there was no recorded information documenting the decision making process.

Under section 43(1)(b) of the Freedom of Information (Scotland) Act 2002 (FOISA), the Scottish Information Commissioner has duties and powers to promote the following of good practice by public authorities. This includes promoting observance of the code of practice issued under section 61 of [The Scottish Ministers' Code of Practice on Records Management by Scottish Public Authorities](#).

The aim of this intervention is to establish whether Perth and Kinross Council has complied with the Section 61 Code of Practice in respect of the recording of information about the removal of the post of Director of Economy, Place and Learning. If not, it will also seek to improve the Authority's performance with regard to recording information including by identifying and resolving or overcoming any internal issues that are impacted on this. I will consult with the Keeper of the Records of Scotland prior to issuing any practice recommendations in relation to the Section 61 code.

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The objective of the intervention is for Perth and Kinross Council to ensure that information is recorded in accordance with the Section 61 code and its records management plan.

Action required

As a first step to achieving this outcome, I have issued an Information Notice requiring the provision of information to my office. The information you are required to provide, in writing **no later than 27 October 2025** is:

- A copy of the Council's records management plan that was extant in January to September 2024
- A copy of the Council's current records management plan (if different to above)
- Any information held concerning the recording of decisions relating to the removal of the post of Director of Economy, Place and Learning.

After we have received and reviewed this information, we will be in touch to agree the next steps in our intervention, which will be taken forward with your authority's lead FOI officer.

Please be aware that the Commissioner publishes details of current or recent interventions, including quarterly activity reports available via www.foi.scot/interventions-activity. A copy of this letter will be published. Interventions may also be referenced in other publications such as the Commissioner's Annual Report and Accounts and any Special Reports, as well as in articles and speeches.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Hamilton', with a stylized flourish at the end.

David Hamilton
Scottish Information Commissioner