

Freedom of Information/Environmental Information Policy



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Approved: Executive Team

Freedom of Information/Environmental Information Policy

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1. Purpose and Scope

- 1.1 The Freedom of Information (Scotland) Act 2002 (FOSIA) and the Environmental Information (Scotland) Regulations 2004 (EIRs) provide the general public with the right of access to recorded information held by public authorities.
- 1.2 Requests for environmental information must be dealt with under Environmental Information Regulations. The definition of environmental information can be found in Regulation 2 of the Environmental Information (Scotland) Regulations 2004 (the EIRs).
- 1.3 The National Park Authority is committed to full compliance and recognises the rights and obligations established by this legislation. This policy sets the framework by which we meet our obligations.

2. How can I obtain information?

- 2.1 You may find that that we already list the information you are looking for in our publication scheme. Our publication scheme is available on our website at:

[Freedom of information - #LetsDoNetZero -Loch Lomond & The Trossachs National Park \(lochlomond-trossachs.org\)](https://www.lochlomond-trossachs.org/foi)
- 2.2 A request for information must be made in writing (email is acceptable) and give your full name. Send your request to us using the address info@lopchlomond-trossachs.org. You do not have to say why you want the information. It will however speed up the process if you are as clear and specific as possible about the information you want.
- 2.3 You do not need to quote the legislation when making your information request. We will decide whether the Freedom of Information (Scotland) Act or the Environmental Information (Scotland) Regulations apply, this depends on the type of information that you are looking for.
- 2.4 We are required to respond to requests within 20 working days, although in some cases we can legitimately extend this to 40 working days if an Environmental Information request is complex and voluminous. Our response will confirm whether the information you requested is held. We will either provide the information or explain why it has not been provided, quoting one or more of the exemptions from the relevant legislation that apply. If you make a request for information, please remember the following points:
 - Describe the information you need as clearly as possible – if your request is too broad or unclear, we may need to ask you to be more specific
 - You must include your full name in your request
 - FOI law does not give a right of access to personal information about you or any other individual. If you wish to make a request for your personal information, please find details of how to do this on our website:

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<http://www.lochlomond-trossachs.org/park-authority/freedom-of-information/accessing-personal-information/>

- We will aim to respond to your request within the legal timeframe of 20 working days (or 40 as mentioned above).
- You might not always receive the information you request. There can be valid reasons why some kinds of information will be withheld, such as if its release would damage a third party's commercial interests. When this is the case, we will explain our reasons for withholding information.

3. Providing Advice and Assistance

We have a duty to advise and assist anyone making a request for information. This may include, for example, helping you to focus your request more clearly so that you can obtain the information they want. We may send you a letter of clarification if we need further information from you to help us to find what you are asking for. We may also direct you to other organisations if we do not hold the information you have asked for, and we believe you can obtain it elsewhere.

4. What will it cost?

We will not normally make any charges for providing information to you. If we think that it may be necessary to charge you, in cases where you have requested a large amount of information, we will first send you a fees notice. We will also, where appropriate, suggest how you may narrow your request so that we do not have to charge you. Details of our charging regime can be found in our publication scheme, which is on our website:

[How to make a Freedom of Information request - #LetsDoNetZero -Loch Lomond & The Trossachs National Park \(lochlomond-trossachs.org\)](http://www.lochlomond-trossachs.org/park-authority/freedom-of-information/accessing-personal-information/)

5. What can I do if I am not happy with your response to my request?

5.1 If you are dissatisfied with the way in which we have dealt with your request, you are entitled to ask us to review our response. Please note that in order for a review to take place you are required to:

- Send your request for review in writing, setting out in full the reasons why you are requesting a review
- Submit your review request within 40 working days of either the date on which you received a response from us or the date by which you should have received a response under the terms of the Freedom of Information (Scotland) Act 2002, whichever is the later
- Send your review request to:

Information Manager
Loch Lomond & The Trossachs National Park Authority
National Park Headquarters
Carrochan
Carrochan Road
Balloch

Freedom of Information/Environmental Information Policy

G83 8EG

E-mail: info@lochlomond-trossachs.org

The review will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days.

- 5.2 If you are not satisfied with the response to your request for review, you can contact the Scottish Information Commissioner, the independent body which oversees the Freedom of Information (Scotland) Act 2002, at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

Tel: 01334 464610

Website: www.itspublicknowledge.info

E-mail: enquiries@itspublicknowledge.info

Online appeal portal: www.itspublicknowledge.info/Appeal

Should either the requester or the Park Authority subsequently wish to appeal against a final decision by the Scottish Information Commissioner, they have the right to appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of intimation of the Commissioner's decision.

6. Policy Review

This Policy will be reviewed on a regular basis by the Information Manager to make sure that its aims are being achieved.

7. Equality and Diversity Impact Assessment

An equality and diversity impact assessment was carried out and no discriminatory effects were identified for any particular group. This will be monitored on an ongoing basis.

8. Best Value

The policy meets the best value criteria, specifically in terms of governance and accountability. As a public authority we are required to comply with our statutory obligations under the legislation, with appropriate policies and processes in place to provide information on request.

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Document Control Sheet

Appendix A

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|----------------------------|--|
| Prepared By | Information Officer |
| Date Effective From | December 2017 |
| Review Frequency | On a regular basis to ensure compliance with legislation |
| Contact | Information Manager |

Revision History:

| Version: | Date: | Summary of Changes: | Name: |
|-----------------|--------------|----------------------------|---------------------|
| 0_2 | October 2017 | New policy document | Information Officer |
| V3_0 | June 2022 | Minor text updates | Information Manager |

Approvals: This document requires the following signed approvals.

| Name/Title | Date | Version |
|--------------------------------|-----------------|----------------|
| Executive Team | 9 December 2017 | 2_0 |
| Director of Corporate Services | 6 June 2022 | 3_0 |

Distribution: This document has been distributed to

| Name: | Title/Division: | Date of Issue: | Version: |
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| All Staff | | December 2017 | 2_0 |
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