



Loch Lomond & The Trossachs National Park Authority
Carrochan
Carrochan Road
Balloch
G83 8EG

FOI 2023-023

Dear

REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

We refer to your request for information, received by email on 8th November 2023. Your specific requests and the Park Authority's response are provided below.

"I would like to request the following information under the Freedom of Information Scotland Act 2002 (FOISA):

- 1) The current Risk Register you hold."**

The National Park Authority's current risk register is attached in Appendix A. Some information in this document has been withheld from release under S30(c) of FOISA as it is considered that the release of this information would otherwise prejudice substantially, or be likely to prejudice substantially, the effective conduct of public affairs.

Application of public interest test

In respect of the withheld information under Section 30(c) of FOISA, we have considered the public interest test, i.e. the public interest in favour of disclosure balanced against the public interest in maintaining the exemption. In considering the public interest, we have considered matters that are of serious concern or benefit to the public and not merely someone's individual interest.

Public interest in disclosure

We recognise that there is a public interest in relation to transparency of decision-making procedures on matters such as the one to which this information request relates. There is a public interest in individuals being able to exercise their rights under FOISA in order to enhance their understanding of the work of a public authority and ensure openness and accountability in relation to the management of public assets.

Public interest against disclosure

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34'24"W Lat: 56°00'12"N

t: 01389 722600 f: 01389 722633 e: info@lochlomond-trossachs.org w: lochlomond-trossachs.org

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The National Park Authority's risk register contains details of identified risks and mitigating actions, to help it manage risk. Headline risks are recorded in our annual report, however the information in the risk registers is more detailed and includes an evaluation of identified risks as well as mitigation action to be taken.

We are mindful of the importance in taking a proportionate approach to the application of any exemptions under FOISA and have considered each of the risks recorded in the register, to look at the likely harm to be caused by the disclosure of details in relation to each risk. The risk name and description of all but one risk have been disclosed. The only risk which has been completely withheld from release relates to current legal proceedings as it is considered that release would have a detrimental impact on these proceedings.

The categories for which some mitigation actions have been withheld are as follows:

- Business continuity and cyber security
- Health and safety
- Legal risk
- Medium term budget

For a risk register to be effective, it must be based on an honest assessment of the challenges faced by an organisation and how they can be overcome. It is considered by the National Park Authority that any disclosure which has the effect of undermining the effective operation of the National Park Authority, which includes the consideration of risks would also be likely to prejudice substantially the effective conduct of public affairs for the purposes of section 30(c).

It is considered that the public interest in the release of the mitigation actions associated with the above categories is outweighed by the greater public interest in the National Park Authority effectively managing financial, legal and infrastructure risks as part of its responsibilities as a non-departmental public body.

Yours sincerely

Information Management Loch Lomond and the Trossachs National Park Authority

Review Procedure

If you are dissatisfied with this decision, or the way in which the Authority has dealt with your request, you are entitled to require the Authority to review its decision. 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

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received a response from the Authority 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.

- address your review request to:

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

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