



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

Ref: FOI 2026-009  
Date: 23 April 2026

Dear XXX

## **REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

Thank you for your request for access to information held by the National Park Authority. Your request has been processed under the Freedom of Information (Scotland) Act 2002.

### **Your Request**

*I refer to correspondence attached acknowledged by the Park Authority on 18 December 2018 regarding allegations of mismanagement of grant funding, which was confirmed as being reviewed under the Authority's Fraud, Bribery and Corruption Policy.*

*Please provide:*

- 1. Confirmation as to whether an investigation was carried out in relation to this matter*
- 2. Any records, reports or findings produced as a result of that investigation*
- 3. Any correspondence or internal communications relating to the handling and outcome of this matter*
- 4. Confirmation as to whether the matter was formally concluded, and if so, when*

### **Our Response**

The National Park Authority does hold the information you have requested. We have responded to the four parts of your request, in turn, below.

1. The Authority carried an investigation in relation to this matter in line with our Fraud, Bribery and Anti-Corruption Policy.

2. Please find attached a report, detailing the result of this investigation, which was presented to our Audit and Risk Committee on 10 September 2019.
3. We hold correspondence and internal communications that relate to the investigation that was conducted into this matter. However, we are withholding this information from disclosure for the following reasons:

### **Section 36(1) confidentiality of communications / legal professional privilege**

Some of the information is being withheld under the exemption detailed in section 36(1) of FOISA. This exemption applies to information in respect of which a claim to confidentiality of communications could be maintained in legal proceedings. This includes communications protected by legal professional privilege.

In this case, the withheld communications are between Authority staff and the Authority's in house and external legal advisers, in which legal advice was sought and provided. Factoring in the passage of time, the Authority considers this information to remain sensitive as it relates to alleged fraud.

This exemption is subject to the public interest test. The Authority recognises the public interest in openness and transparency, particularly where the handling of public funds is concerned. This interest is met to a significant extent by disclosure of the investigation report and confirmation of the outcome and conclusion of this matter.

There is also a strong public interest in maintaining the confidentiality of communications between a public authority and its legal advisers. Public authorities must be able to obtain full and frank legal advice in confidence in the same way as any other person or organisation. Disclosure of such communications would undermine that confidentiality and would be likely to inhibit the seeking and giving of candid legal advice in future. On balance, the Authority considers that the public interest in maintaining the exemption outweighs the public interest in disclosure.

### **Section 30(c) – prejudice to the effective conduct of public affairs**

This exemption applies where disclosure would, or would be likely to, prejudice substantially the effective conduct of public affairs.

The information we are withholding comprises sensitive correspondence and communications that were generated while considering and investigating allegations regarding the use of public funds. In our view, disclosure of that material into the public domain would be likely to prejudice substantially the Authority's ability to carry out similar investigations effectively in the future.

This exemption is subject to the public interest test. We recognise the public interest in transparency and accountability. This interest is met to a significant extent by disclosure of the investigation report and confirmation of the outcome and conclusion of this matter. In this case, we consider that there is a greater public interest in maintaining the exemption. It is important that complainants, community representatives and other third parties can communicate information candidly with the Authority, in circumstances where they have confidence that such communications will not automatically be made public. Disclosure of the withheld material would be likely to deter full and frank engagement in future cases, reduce the candour of those providing information, and impair the Authority's ability to establish the facts and reach

sound decisions where concerns are raised about the use of public money.

4. This matter was concluded on 15 November 2021, when our Communities Team confirmed that the Trust in question had completed the required actions that had resulted from the investigation.

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 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](mailto: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](http://www.itspublicknowledge.info)  
E-mail: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)

## Investigation - alleged mismanagement of grant funds

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### *Confidential - Paper for noting*

#### 1. Introduction

The purpose of this paper is to update the Audit and Risk Committee in relation to an allegation by a member of the public that a grant award made under the National Park Grant Scheme 2017/18 to Blairmore Village Trust was mismanaged.

The allegation has been investigated in accordance with the Fraud, Bribery and Corruption Policy which provides that a confidential report should be provided to the Audit and Risk Committee which details key facts and recommendations.

#### 2. Recommendation

Members are asked to:

1. **note** the contents of this report;
2. **consider** whether the organisation has any lessons to learn in terms of the handling of cases investigated under the Fraud, Bribery and Corruption Policy; and
3. **approve** a review of the Fraud, Bribery and Corruption Policy by Legal to ensure that it is suitable for the investigation of allegations relating to use of grants/contributions by external organisations.

#### 3. Background

The Park Authority received a letter December 2018 expressing concern that a £11,600 grant award (made by the Park Authority to the Trust in March 2019 as part of the National Park Grant Scheme 2017/18) may not have been used as intended by the grant award letter.

As the concerns related to the alleged misuse of funds, this matter was investigated in accordance with the Fraud, Bribery and Corruption policy. On receipt of the complaint, Jaki Carnegie was appointed as the Fraud Response Coordinator and Stuart Mearns took over this role on Jaki's departure from the organisation.

To mitigate any risk to the Park Authority whilst the investigation was ongoing, the Park Authority requested repayment of the unspent sum of £4400 of the grant award, which remains in the Park Authority's bank account.

Having fully investigated the matter, it appears that the grant funds were mismanaged by the Trust. Part of the grant fund appears to have been used for another purpose, which resulted in a cash flow issue and a breach of our grant conditions.

# National Park Authority Audit & Risk Committee

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## Investigation - alleged mismanagement of grant funds

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It appears that the cash flow issue was not intentional and arose because the decision to use the funds for another purpose – although working towards the same overall project outcome - was made on the basis of an outdated bank statement.

It is clearly a duty of the Directors of the Trust to ensure that they have sufficiently up to date information when making such financial decisions. This has been acknowledged by the Trust and steps have been taken by the Trust to ensure that this does not happen again. As part of the investigation, the Fraud Response Coordinator attended a Board Meeting of the Trust. A meeting with the full Board of the Trust was also held to discuss the allegations and the Park Authority has received reassurance by the Trust in relation to financial management.

The outcome of the investigation was that the Park Authority will continue to support the project, based on various conditions which will be included in a new grant agreement with the Trust. Our monitoring officer will now work with the Trust to ensure that the new grant conditions are complied with. The complainer has been advised that the investigation has concluded and the matter is now closed.

Internal and external legal advice has been received regarding the handling of this matter.

#### 4. Lessons Learned

The investigation has provided reassurance in relation to the way in which the grant awards are carried out and monitored. It has been established that the issue in this case, was the way in which the Trust took financial decisions, rather than any failing of the Park Authority. It is worth noting that the Grant Scheme was reviewed internally in 2018 and in 2019 internal audit concluded that no recommendations were necessary.

The investigation has highlighted that our Fraud, Bribery and Corruption Policy has been written on the basis of allegations being made against staff and not external organisations. It is recommended that the policy be reviewed internally to ensure that it covers allegations regarding the use of public money by external organisations.

#### 5. Conclusion

The allegations have been fully investigated and the matter has now been concluded. The conclusion of the investigation was that the issue was not one of fraud, but mismanagement of the grant. The Park Authority will continue to support the project, based on various conditions.

**Author/Executive Sponsor:** Stuart Mearns, Director of Rural Development and Planning