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### **Introduction**

The Freedom of Information (Amended)(Scotland) Act 2013 (“the Act”) now covers ‘arms length’ service providers which includes Renfrewshire Leisure.

The Act aims to increase openness and accountability across the public sector by ensuring that people have the right to access information held by Scottish public authorities. People will be able to see and question how Renfrewshire Leisure functions and how decisions are made.

This information and procedure is designed to help Renfrewshire Leisure managers and staff to deal with information requests from customers at the time of enquiry and assist Renfrewshire Leisure’s designated FOI officer and his/her depute, in dealing efficiently with requests which Renfrewshire Leisure receives both under FOI, and the Environmental Information (Scotland) Regulations 2004 (“the EIRs”).

### **Policy Statement**

Renfrewshire Leisure is obliged to provide to the public on request most of the information which we hold.

The Freedom of Information (Amendment) (Scotland) Act 2013 gives a right of access to information “held” by Renfrewshire Leisure, regardless of format

Anyone can request information. They need not say why they want it, and Renfrewshire Leisure has 20 working days in which to make a full response. There are a range of limited exemptions, such as for personal data or material which is held in confidence, but these are narrowly defined, and the presumption will always be in favour of openness.

Renfrewshire Leisure has developed a publication scheme. The scheme sets out what classes of information we already make or will make available, how this can be accessed and whether there is a fee. It is hoped that the scheme will make it easier for the public to access information, and that it will also make freedom of information (FOI) easier to deal with by Renfrewshire Leisure, as information listed in the publication scheme will not be subject to FOI requests. If someone wishes to access information from the publication scheme this will be provided in the usual way.

The Scheme was approved by Renfrewshire Leisure’s management committee at its meeting on 12 December 2013.



### Operating Procedure

#### **Who is responsible for dealing with FOI enquiries.**

All Renfrewshire Leisure employees who handle information or deal with the public should be aware of the implications of the Act's extension to cover Renfrewshire Leisure's activities.

Staff should be aware that many requests made for information under FOI can, and should, be dealt with at a centre level. Any and all information that isn't seen as business sensitive can be provided in response to requests without the requirement for the request to be escalated to the FOI Manager. Requests for non sensitive information can also be dealt with promptly; there is no requirement to take the full 20 days allowed to respond.

Requests for information that can be seen as business sensitive, cause concern or are unusual in their nature should be referred immediately to the FOI Manager. It is possible that they will then be returned to the centre for processing by the FOI Manager if appropriate. Alternatively they may be dealt with by the FOI Manager directly who will ensure the centre is aware of the progress of the request.

If a request for information can be handled as "business as usual" by staff and dealt with speedily, then it would be impractical to treat this as a formal FOI request and take up to 20 working days to respond.

Staff cannot pass information of a personal nature which is covered by a separate access request under RL's Data Protection Policy. See the Personnel Policy Folder of Section 3 on the QMS website.

If any employee is unsure in dealing with an information enquiry then they should either seek advice from their line manager or as a last resort refer the applicant to Renfrewshire Leisure's FOI manager.

The Strategic Finance and Administration Manager is the designated FOI Manager for Renfrewshire Leisure.

In his or her absence, formal requests should be directed to the Strategic Business and Development Manager as the FOI managers depute.

#### **Dealing with Formal FOI requests**

All FOI enquiries should be put in permanent form eg writing etc and sent for the attention of the FOI Manager who will log the requests as soon as they are delivered to ensure compliance with the 20 working day time limit.

#### **Records Management**

Good records management practices will be crucial to compliance with the Act. If records are easy to locate, then requests can be dealt with quickly. Renfrewshire Leisure has a retention schedule for document.

Guidance on records management is available from Renfrewshire Council's Information Management Guidelines or from the Strategic Finance and Administration Manager.

#### **How do we handle a request?**

Renfrewshire Leisure will be obliged to offer assistance to anyone who wants to make a request for information. All requests should be dealt with promptly and in any case within 20 working days.

Date: June 2015

Lead Officer: D Gillespie



If a member of staff is approached for information and is unsure how to deal with this, they should refer the request in the first instance to the FOI manager.

### **Review**

This procedure should be reviewed in line with changing legislation.

### **Sources of Information**

#### **Where do I find out more?**

There are various reference documents in the source manual which can give you more details:

- Freedom of Information Policy
- Procedures for dealing with Freedom of Information enquiries
- Renfrewshire Leisure's Publication Scheme

In addition, the websites of:

- the Scottish Information Commissioner:

[www.itspublicknowledge.com](http://www.itspublicknowledge.com)

and

- The Scottish Executive's FOI unit:

<http://www.scotland.gov.uk/Topics/?pageID=198>

are both full of useful advice, and have links to all the relevant pieces of legislation, codes of practice, etc.

### **Training Required:**

- SMT
- FOI Manager and Deputy
- ROMs
- SFDM/FDM
- Support Staff