



Tay Road Bridge

FREEDOM OF INFORMATION POLICY

Prepared by:	A Hutchison
Reviewed by:	I Smail

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INTRODUCTION

The Tay Road Bridge Joint Board (“the Board”) is required by The Freedom of Information (Scotland) Act 2002 (“FOISA”) to provide the public with a legal right to access any recorded information held by the Board subject to certain exemptions. This policy is designed to provide the policy framework through which the Board can embrace a culture of openness and accountability in line with the provisions and requirements of FOISA.

SCOPE

Overall responsibility within the Board for ensuring adherence to the FOISA lies with the Bridge Manager, with support from the Clerk and other officers of the Board as required. The Bridge Manager monitors compliance with FOISA in capacity as Monitoring Officer. If the person who has issued the FOISA is unhappy with the Bridge Manager’s response, then they will be directed to contact the Clerk of the TRBJB for a Review. If the person is unhappy with the Clerk’s response, then they will be directed to the Scottish Information Commissioner to Appeal.

This Policy applies to all staff in relation to:

- the records they create (whether electronic or manual), receive or maintain on behalf of the Board
- all recorded information held by the Board regardless of format

POLICY STATEMENT

This Policy represents a statement of intent that will:

- Form the basis of the Board’s FOISA Strategy
- Define FOISA as a specific corporate function
- Describe the framework for the management of all FOISA requests throughout their lifecycle through their legal conclusion
- Provide all staff with clear guidelines and procedures to implement the FOISA Policy.

GOVERNANCE

This policy will demonstrate the Board's commitment to work within the spirit of FOISA, its related Regulations and Codes of Practice. This policy should be interpreted in conjunction with the Records Management, Data Protection, and ICT Security Policies that together provide the framework for governing recorded information. The Board will endeavour to:

- Ensure that, where appropriate, information will be published through its Publication Scheme and on its website;
- Handle all requests promptly and within the legal timeframe;
- Fairly apply the public interest test in cases where a qualified exemption applies;
- Make employees and contractors aware that it is an offence to prevent disclosure by altering, defacing, blocking, erasing, destroying or concealing any record.

Where valid exemptions apply to a FOISA request eg Data Protection, confidentiality, and protection of commercial interests, the Board will state the reasons why it has withheld all or part of the information.

The Bridge Manager will:

- Ensure that all FOISA procedures and guidance are adhered to and FOISA compliance is monitored;
- Address possible non-adherence to this Policy by Tay Road Bridge Joint Board staff.

STAFF

The Bridge Manager will ensure that they are aware of this Policy, and Procedures or guidance documents made under it.

TRAINING

The Bridge Manager will, in consultation with the TRBJB's DCC HR department partner, establish an effective FOISA Training Programme for all staff. This will include:

- General awareness training at Induction level and ensure all staff complete recognised E-Learning modules every three years or when legislation changes.
- Specialised tiered training for those involved in more complex FOISA requests

The FOISA procedures will complement and support the Records Management and Data Protection Policies and associated procedures.

APPROVAL OF POLICY

This policy will be reviewed every three years to take account of any subsequent changes in the law and procedure or immediately following any substantial legislative amendments, in the event of the Scottish Information Commissioner issuing further guidance or court decisions affecting FOISA legislation.