

— THE OFFICE OF THE —

# SCOTTISH ROAD WORKS COMMISSIONER

## INFORMATION REQUEST HANDLING POLICY

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### POLICY BACKGROUND

The Scottish Road Works Commissioner (SRWC) is required by the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIRs) to provide the public with the legal right to access recorded information held by the Office of The Scottish Road Works Commissioner (OSRWC), subject to certain exemptions.

The SRWC has a Publication Scheme by which relevant documents are published on the OSRWC webpage when they are available. The publication scheme can be downloaded from the website at the following link –

<http://www.roadworksscotland.gov.uk/Publications/FOI.aspx>

The OSRWC receives a number of information requests annually. This policy has been created to ensure the Commissioner and the staff of the OSRWC meet the requirements of FOISA and the EIRs, and that all requests are handled fairly, efficiently and timeously.

### HANDLING PROCEDURE

This handling procedure ensures that all requests received by the OSRWC are processed efficiently and ensures that the enquiry is considered and dealt with by the correct person and in the correct manner.

The OSRWC has adopted the Scottish Government's approach to this procedure. This includes an 8 stage handling procedure and standard letters for response. In summary:

- An acknowledgment of receipt of the information request should be sent.
- The 8 Stage Procedure should be followed on receipt of information requests. The procedure is contained in Appendix 1.
- A search log must be completed for each case.
- OSRWC templates are available for commonly used letters on the OSRWC server.
- The OSRWC process map details the procedure for dealing with FOISA requests is contained in Appendix 2.

## AUTHORITY

The Commissioner has overall responsibility for observance of FOISA and the EIRs; however authority for handing and responding to requests for information has been delegated as follows:

- All information requests are received by Business Manager/Business Assistant and logged in the FOISA/EIRs Tracker.
- After initial logging, authority for letter issue is detailed in Table 1.
- The member of staff responsible for collating the response has the authority to ask other members of staff in the OSRWC for information pertaining to the request and to give a strict time scale.

Stage	Preparation	Checking and Review	Issue
<b>Acknowledgement</b>	Any member of Staff in the OSRWC	Another Member of Staff in the OSRWC*	Member of staff who undertook preparation.
<b>Clarification Letter</b>	Any member of Staff in the OSRWC	Senior Team Member*	Member of staff who undertook preparation.
<b>Response Letter</b>	Any member of Staff in the OSRWC assisted by Policy Manager/SRWR Manager	Senior Team Member*	Member of staff who undertook preparation.
<b>Review Letter</b>	SRWC or Head of Operations**	The SRWC or Head of Operations**	SRWC

**Table 1** Handling Responsibility for FOISA Letter Issue

\* Member of staff must not have been involved in preparation. \*\* Dependant on initial involvement in request.

## GOVERNANCE

This policy demonstrates the OSRWC's commitment to information management and allows a clear escalation process. This policy should be read in connection with the following documents:

- SRWC's Publication Scheme
- SRWC's Guide to Information
- SRWC's Charging Policy (contained in guide to information)

#### BUSINESS IMPACT ASSESSMENT

The impact on business will be dependent on the enquiries received. However, this handling procedure ensures compliance with the required timescales and streamlines the process of dealing with such enquiries.

In circumstances where the business impact is significant, where the value is in excess of £600, the charging policy will be implemented.


#### STAFF

All staff of the OSRWC should be made aware of this policy and of their responsibilities under FOISA. Acknowledgement will be recorded. New staff will be informed as part of their induction.

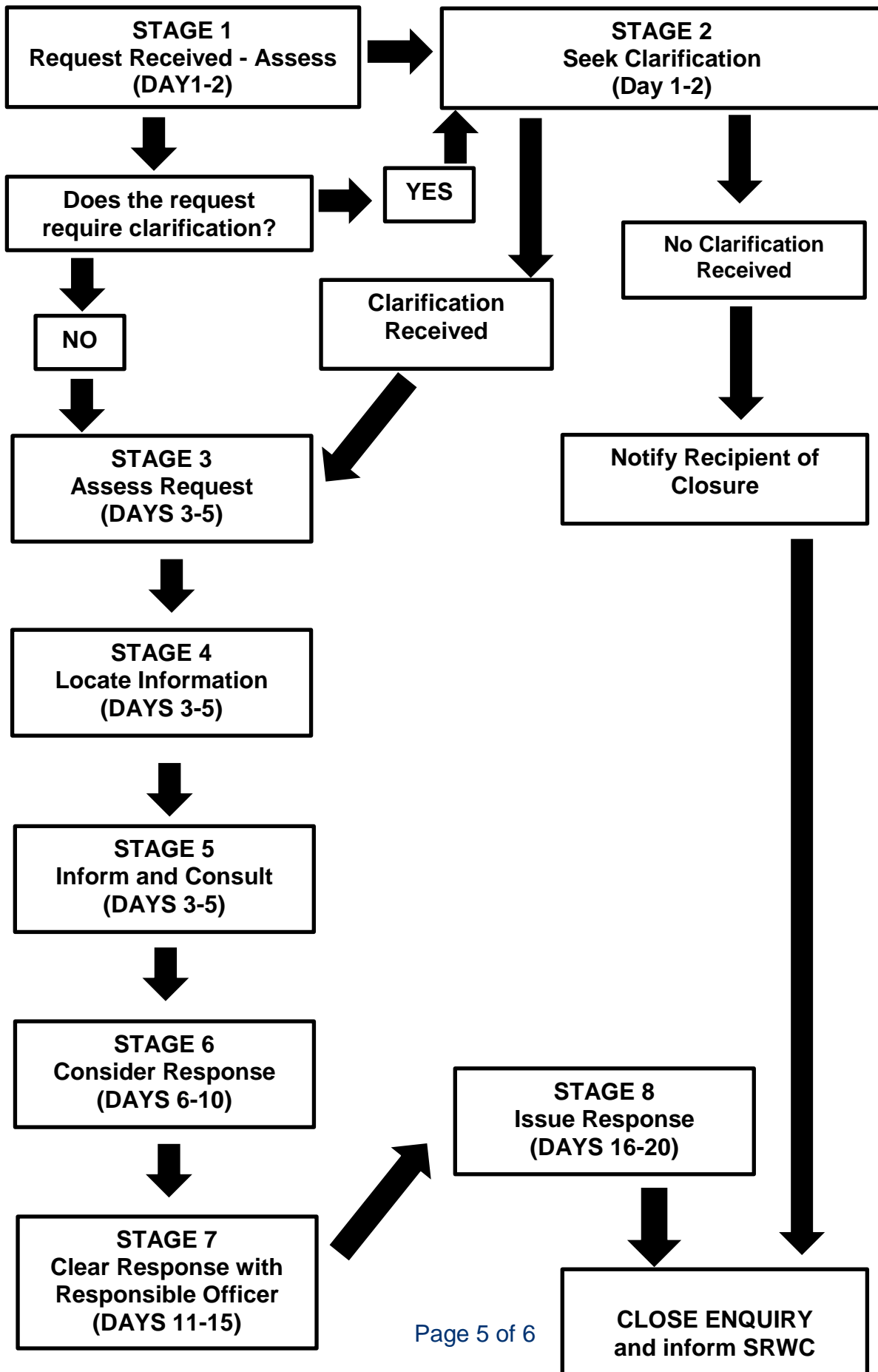
#### REVIEW

Document Owner	Version	Date	Review
PM	1.0	20 Jul 2015	July 2016

## APPENDIX 1 EIGHT STAGE HANDLING PROCEDURE – STAGE DETAILS

Stage No	Stage	Working Days (max)	Purpose of Stage	Search Log Action
1	Request Received	1-2	<p>Identify who the request is for, make relevant parties aware and ensure programme is in place to meet time scale. Time clock starts.</p> <ul style="list-style-type: none"> <li>• Log details on FOISA/EIRs tracker</li> <li>• Check request is valid, decide if there is a need deal with the request under EIRs</li> <li>• Send acknowledgement/conversion to EIRs</li> <li>• Plan work required to respond within 20 working days.</li> <li>• Prepare FOISA/EIRs Search Log (audit trail)</li> <li>• Make the Commissioner SRWC aware of request</li> </ul>	<b>CREATE</b>
2	Clarify Request (if necessary)	1-2	<p>If the FOISA request is not clear, this stage allows clarification. Time clock stops.</p> <ul style="list-style-type: none"> <li>• Seek clarification</li> <li>• Send reminder if no clarification is received within 20 working days from clarification contact/correspondence</li> <li>• If <u>no</u> clarification is received within 60 working days close request.                             <ul style="list-style-type: none"> <li>○ Update FOISA/EIRs tracker</li> <li>○ Notify COMMISSIONER</li> </ul> </li> <li>• If clarification is received within 60 working days, original time clock starts, proceed to stage 3</li> </ul>	<p><b>POPULATE SEARCH LOG AT ALL STAGES AS REQUIRED</b></p> 
3	Assess Request	3-5	<p>Carry out general checks on request to determine response type:</p> <ul style="list-style-type: none"> <li>• Does the OSRWC hold the information?</li> <li>• Would a charge be required?</li> <li>• Is the information already accessible to the applicant?</li> <li>• Is the information due for publication within 12 weeks?</li> <li>• Is the request vexatious</li> <li>• Is the request a repeat of a previous request by the same applicant?</li> </ul>	
4	Locate Information	3-5	Obtain relevant recorded information from all the OSRWC sources ( <i>follow SRWR procedure if required</i> )	
5	Inform/ Consult	3-5	Undertake any consultation necessary.	
6	Consider Response	6-10	Review content and apply relevant exemptions / redact etc.	
7	Clear Response	11-15	Response to be cleared by appropriate officer. Please refer to SRWC policy on handling authority.	
8	Issue Response	16-20 days	<p>Prepare information for issue:</p> <ul style="list-style-type: none"> <li>• Redact if appropriate</li> <li>• Ensure information is provided in the format request by applicant, if appropriate.</li> <li>• If posting pack scan a copy of the information issued and store in appropriate case file.</li> <li>• Close File, save search log and advise SRWC</li> </ul>	

**APPENDIX 2 FOISA/EIRs HANDLING PROCEDURE (TO BE READ WITH STAGE DETAILS)**



**APPENDIX 3 FOISA/EIR SEARCH LOG**

<b>Requester:</b>	
<b>Case Reference:</b>	
<b>Request Details:</b>	
<b>Review Details:</b>	
<b>Searches Completed By:</b>	

**FOISA/EIRs Request – Data Search**

Provide data for each entry below.

<b>System/Location</b>	<b>Yes</b>	<b>No</b>	<b>If no, give reasons</b>	<b>Notes/Comments</b>
<b>Paper Files, Notebooks and Diaries</b>				
<b>Network/PC Drive Space of All Relevant Staff</b>				
<b>Portable media (CDs, USB disk drives)</b>				
<b>OSRWC G:Drive</b>				
<b>Email Accounts of all relevant staff</b>				
<b>Scottish Road Works Register</b>				