

REPORT TO: TAYSIDE VALUATION JOINT BOARD – 22 AUGUST 2016

REPORT ON: FREEDOM OF INFORMATION / DATA PROTECTION / ENVIRONMENTAL INFORMATION / RE-USE OF PUBLIC SECTOR INFORMATION

REPORT BY: ASSESSOR

REPORT NO: TVJB 17-2016

1 PURPOSE OF REPORT

1.1 To present to the Board current statistical data and relevant background information in relation to matters arising in respect of Freedom of Information and Data Protection issues and to seek approval of the updated Model Publication Schemes, Guides to Information and Policy and Procedure.

2 RECOMMENDATIONS

2.1 The Board is asked to note the content of this report and to approve the updated Model Publication Schemes, Guides to Information and Policy and Procedure.

3 FINANCIAL IMPLICATIONS

3.1 None.

4 POLICY IMPLICATIONS

4.1 This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

5 BACKGROUND

5.1 The Freedom of Information (Scotland) Act 2002 gives a general right of access to recorded information held by public authorities, sets out exemptions from that general right, and places a number of related obligations on public authorities including the requirement to create and maintain a Publication Scheme, a Guide to Information and a Records Management Plan. The Act applies to any records held by the authority no matter when they were created.

5.2 The Board and the Assessor are separately listed as a public authority within Schedule 1 of the Freedom of Information (Scotland) Act 2002. Any person who makes a request to either the Board or the Assessor for recorded information must be informed whether the Board or the Assessor holds that information and, subject to any exemptions, must be supplied with that information.

5.3 Individuals also have the right to request information about themselves under the Data Protection Act 1998. As far as public authorities are concerned, the Freedom of Information (Scotland) Act extends this right of access to non-personal information.

5.4 The Board and the Assessor are each required to adopt and maintain a Publication Scheme and a Guide setting out the classes of information that are available, the manner in which they intend to publish the information and whether a charge will be made for the information. The purpose of the Publication Scheme is to ensure that a significant amount of information is available without the need for a specific request.

5.5 Scottish Ministers, in consultation with the Scottish Information Commissioner, have prepared an updated “Code of Practice on the discharge of functions by Scottish Public Authorities under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004”. This code of practice was published on 10 December 2014 and regard must be taken of this guidance in dealing with requests.

5.6 In addition to the above, in terms of the Environmental Information (Scotland) Regulations 2004, both the Board and the Assessor are required to make certain environmental information available on request. Further, the Re-Use of Public Sector Information Regulations 2015 impose certain requirements on the Board and the Assessor to publish information that is available for re-use. Each of these requirements have been reflected in the latest Model Publication Scheme prepared by the Scottish Information Commissioner and the schemes, guides and policy and procedure attached to this report are designed to incorporate these requirements.

6 MODEL PUBLICATION SCHEMES, GUIDES TO INFORMATION AND POLICY & PROCEDURE

6.1 At its meeting on 28 January 2013 the Board noted that the Scottish Information Commissioner’s Model Publication Scheme 2013 and Guide to Information would be adopted by the Board and the Assessor. In March 2016 the Commissioner issued a revised Model Scheme and Guide to Information.

6.2 In the light of the revised guidance from the Commissioner, the Model Publication Schemes for the Board and the Assessor, together with the relevant Guides to Information have been updated and draft copies of these are attached as Appendices 2 – 5. In addition, reflecting the recent changes made to the Scheme, the Board’s Policy and Procedure has been updated, a draft of which is attached as Appendix 6.

6.3 If approved by the Board the draft Publication Schemes, Guides to Information and Policy and Procedure will be published on the Board’s web-site.

7 INFORMATION REQUESTS

7.1 The Assessor continues to receive requests for information on a regular basis, with these requests frequently being made by applicants without reference to the Freedom of Information Act. Very few information requests are made to the Board.

7.2 In all instances requests for information will be considered and, where possible, information is normally provided on a “business as usual” basis without the necessity of formal recourse to the Act.

7.3 Where information is not otherwise available, any request must be responded to in terms of the Freedom of Information legislation, having regard to, amongst others, exemptions, time limits and review procedures.

7.4 A summary of the number of specific requests received by the Board and Assessor during the period 1 April 2015 to 31 March 2016 is contained in Appendix 1. It can be seen that relatively few formal requests for information in terms of the legislation have been received. It is considered that the extent of information made available routinely as “business as usual” has reduced the necessity for stakeholders to submit formal requests.

7.5 Since April 2013 an online quarterly return of these statistics has been made to the Scottish Information Commissioner.

8.0 MONITORING OF FOI REQUESTS AND RELATED ISSUES

- 8.1 The Depute Assessor has been appointed by the Assessor as the officer responsible for the Board's Freedom of Information and Data Protection administration on a day to day basis. The Depute Assessor is also Secretary to the Scottish Assessors' Association Governance Committee which considers Freedom of Information and Data Protection matters as they affect Assessors on a Scotland wide basis. The Depute Assessor continues to monitor Freedom of Information and Data Protection issues on a national basis to ensure that the Board's requirements in relation to these matters are properly represented.
- 8.2 The Assessor's in-house Governance Group, of which the Depute Assessor is a member, remains responsible for dealing with routine Freedom of Information and Data Protection issues on behalf of the Assessor. The Group meets regularly and its proceedings are formally minuted, with minutes presented at meetings of the Assessor's Policy & Strategy Management Group for consideration as appropriate.
- 8.3 The Assessor will continue to report regularly to the Board on any issues arising in respect of Freedom of Information or Data Protection, and will provide regular statistical information in relation to these items.

9 CONSULTATION

- 9.1 The Clerk and Treasurer to the Board have been consulted on this report.

10 BACKGROUND PAPERS

- 10.1 None.

ALASTAIR KIRKWOOD
Assessor

August 2016

TAYSIDE VALUATION JOINT BOARD
Freedom of Information
Statistical Information
1 April 2015 to 31 March 2016

Division	No. of Requests Received	No. where information provided		No. Refused	No. where information not held	No. of Reviews Requested	No. of Appeals to FOI Commissioner
		Full	In Part				
Angus	-	-	-	-	-	-	-
Dundee	-	-	-	-	-	-	-
Perth & Kinross	-	-	-	-	-	-	-
Tayside	4*	3	-	-	1	-	-
Total	4*	3	-	-	1	-	-

* Please note the same information was requested in each Divisional Office.

TAYSIDE VALUATION JOINT BOARD



Assessor for Tayside Valuation Joint Board

MODEL PUBLICATION SCHEME 2016

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INTRODUCTION

- 1 The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to adopt and maintain a publication scheme. Authorities are under a legal obligation to:
 - (i) publish the classes of information that they make routinely available
 - (ii) tell the public how to access the information they publish and whether information is available free of charge or on payment.
- 2 The Act also allows for the development of model publication schemes which can be adopted by more than one authority. The Commissioner's Model Publication Scheme was approved on 29 March 2016.
- 3 The Commissioner has issued a Guide for Scottish Public Authorities to accompany the model scheme. This is essential reading for authorities adopting the model scheme as it explains the requirements of the scheme in detail and provides lists of types of information the Commissioner expects authorities to publish.

DEFINITION OF "PUBLISHED" INFORMATION

- 4 For the purposes of this Model Publication Scheme, to be "published", information must be:
 - (i) already produced and prepared and
 - (ii) available to anyone to access easily without having to make a request for it
- 5 Research and information services which involve the commissioning of new information are not "publications".

ADOPTING THIS MODEL SCHEME

- 6 It is expected that the model scheme will be adopted by any authority which is subject to the Freedom of Information (Scotland) Act 2002. For more information about which bodies this applies to, please visit <http://www.itspublicknowledge.info/YourRights/Whocanlask.aspx>
- 7 Adoption commits an authority to:
 - (i) adopting the model scheme, and any updates to it, without amendment
 - (ii) publishing the information, including environmental information, that it holds and which falls within the classes of information below.
 - (iii) ensuring that the way it publishes its information meets the Model Publication Scheme Principles.
 - (iv) producing a Guide to Information which sets out the information the authority publishes through the model scheme, how to access it, whether there is a charge for it and how to get help to access information.
 - (v) notifying the Scottish Information Commissioner that it has adopted the model scheme.

- 8 Where an authority fails to meet the above commitments, it cannot be considered to have adopted the Commissioner's model scheme and may be failing with the duty to adopt and maintain a publication scheme in line with section 23(1) of the Act.

NOTIFYING THE COMMISSIONER

- 9 Authorities adopting the model publication scheme for the first time must notify the Commissioner that they have done so. Thereafter no further notification is required unless the Commissioner has revoked approval (because the authority is not complying with the scheme).
- 10 The Commissioner will regularly review the model scheme and will consult authorities before making any substantive changes. The Commissioner will notify authorities of any changes.
- 11 The Commissioner will continue to monitor the effectiveness of authorities' application of the model publication scheme. As required, she may contact individual authorities about practice issues, in line with her Enforcement Policy.

MODEL PUBLICATION SCHEME PRINCIPLES

Principle One: Availability and formats

- 12 Information published through this model scheme should, wherever possible, be made available on the authority's website.
- 13 There must be an alternative arrangement for people who do not wish to, or who cannot, access the information either online or by inspection at the authority's premises. An authority may e.g., arrange to send out information in paper copy on request (although there may be a charge for doing so).

Principle Two: Exempt information

- 14 If information described by the classes cannot be published and is exempt under Scotland's freedom of information laws e.g., sensitive personal data or a trade secret, the authority may withhold the information or provide a redacted version for publication, but it must explain why it has done so.

Principle Three: Copyright and re-use

- 15 The authority's Guide to Information must include a copyright statement which is consistent with the fair dealing provisions of the Copyright, Designs and Patents Act 1988. Where the authority does not hold the copyright in information it publishes, this should be made clear.
- 16 Any conditions applied to the re-use of published information must be consistent with the Re-Use of Public Sector Information Regulations 2015.
- 17 The Commissioner recommends that authorities adopt the Open Government Licence and/or the non-commercial Government Licence, produced by The National Archives for their published information.

Principle Four: Charges

- 18 The Guide to Information must contain a charging schedule, explaining any charges and how they will be calculated.
- 19 No charge may be made to view information on the authority's website or at its premises, except where there is a fee set by other legislation e.g., for access to some registers.
- 20 The authority may charge for computer discs, photocopying, postage and packing and other costs associated with supplying information. The charge must be no more than these elements actually cost the authority e.g. cost per photocopy or postage. There may be no further charges for information in Classes 1 – 7 below. An exception is made for commercial publications (see Class 8 below) where pricing may be based on market value.

Principle Five: Contact details

- 21 The authority must provide contact details for enquiries about any aspect of the adoption of the model scheme, the authority's Guide to Information and to ask for copies of the authority's published information.
- 22 The Act requires authorities¹ to provide reasonable advice and assistance to anyone who wants to request information which is not published. The authority's Guide to Information must provide contact details to access this help.

Principle Six: Duration

- 23 Once published through the Guide to Information, the information should be available for the current and previous two financial years. Where information has been updated or superseded, only the current version need be available (previous versions may be requested from the authority).

¹ Section 15 of the Freedom of Information (Scotland) Act 2002 and regulation 9 of the Environmental Information (Scotland) Regulations 2004

THE CLASSES OF INFORMATION

	Class	Description
1	About the authority	Information about the authority, who we are, where to find us, how to contact us, how we are managed and our external relations
2	How we delivery our functions and services	Information about our work, our strategies and policies for delivering functions and services and information for our service users
3	How we take decisions and what we have decided	Information about the decisions we take, how we make decisions and how we involve others
4	What we spend and how we spend it	Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent)
5	How we manage our human, physical and information resources	Information about how we manage the human, physical and information resources of the authority.
6	How we procure goods and services from external providers	Information about how we procure goods and services and our contracts with external providers
7	How we are performing	Information about how we perform as an organisation and how well we deliver our functions and services
8	Our commercial publications	Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g., bookshop, museum or research journal.
9	Our open data	Open data made available by the authority as described by the Scottish Government's Open Data Strategy and Resource Pack, available under an open licence.

TAYSIDE VALUATION JOINT BOARD



Assessor for Tayside Valuation Joint Board

**GUIDE TO INFORMATION
AVAILABLE THROUGH THE
MODEL PUBLICATION SCHEME 2016**

Guide to information available through the Model Publication Scheme 2016

The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to produce and maintain a publication scheme. Authorities are under a legal obligation to:

- publish the classes of information that they make routinely available
- tell the public how to access the information and what it might cost.

The Assessor for Tayside Valuation Joint Board has adopted the **Model Publication Scheme 2016** produced by the Scottish Information Commissioner on 29 March 2016. The scheme has the Commissioner's ongoing approval provided this guide is kept up to date.

You can see this scheme on our website at www.tayside-vjb.gov.uk or by contacting us at the address below.

The purpose of this Guide to Information is to:

- allow you to see what information is available (and what is not available) in relation to each class.
- state what charges may be applied.
- explain how you can find the information easily.
- provide contact details for enquiries and to get help with accessing the information.
- explain how to request information we hold that has not been published.

Availability and formats

The information we publish through the model scheme is, wherever possible, available on our website. We offer alternative arrangements for people who do not want to, or cannot, access the information online or by inspection at our premises. For example, we can usually arrange to send information to you in paper copy (although there may be a charge for this).

Exempt information

We will publish the information we hold that falls within the classes of information below. If a document contains information that is exempt under Scotland's freedom of information laws (for example sensitive personal information or a trade secret), we may remove or redact the information before publication but we will explain why.

Copyright

Where The Assessor for Tayside Valuation Joint Board holds the copyright in its published information, the information may be copied or reproduced without formal permission, provided that:

- it is copied or reproduced accurately
- it is not used in a misleading context, and
- the source of the material is identified

Where The Assessor for Tayside Valuation Joint Board does not hold the copyright in information we publish, we will make this clear.

Charges

This section explains when we may make a charge for our publications and how any charge will be calculated.

Unless otherwise stated, all information contained within our scheme is available from us free of charge where it can be downloaded from our website.

We reserve the right to impose charges for providing information in paper copy or on computer disc. Charges will reflect the actual costs of reproduction and postage to the authority, as set out below. In the event that a charge is to be levied, you will be advised of the charge and how it has been calculated. Information will not be provided to you until payment has been received.

Reproduction costs:

Where charges are applied, photocopied information will be charged at a standard rate of 10p per A4 side of paper (black and white copy) and 30p per A4 side of paper (colour copy). Computer discs will be charged at the rate of £1.00 per CD-Rom.

Postage cost:

We will pass on postage charges to the requester at the cost to the authority of sending the information by first class post.

For the avoidance of doubt these costs relate to the delivering of information which is otherwise free.

Fixed Charge Publications:

There are a small number of pre-printed publications for which the Tayside Assessor makes a charge. These documents include the Valuation Roll, Council Tax List and Electoral Register.

The costs for these documents are detailed below:

Valuation Rolls

Definition:

“List of non-domestic properties for the Valuation Area with appropriate Rateable Valuations as a basis for rates bills.”

Availability:

Website (www.saa.gov.uk)

Paper copies can be inspected at Local Offices and main Libraries

Cost:

£10 per Electoral Ward (minimum order)

Complete Angus Council Area - £ 50

Complete Dundee City Council Area - £ 60

Complete Perth & Kinross Council Area - £ 80

Complete Joint Board Area - £180

Council Tax Valuation Lists

Definition:

“List of domestic properties within the Valuation Area with appropriate Bands

Availability:

Website (www.saa.gov.uk)

Paper copies can be inspected at Local Offices and main Libraries.

Cost:

£10 per 1,000 subjects (or part thereof)

Complete Angus Council Area - £ 560

Complete Dundee City Council Area - £ 770

Complete Perth & Kinross Council Area - £ 720

Complete Joint Board Area - £2,000

Extract certificates from the Council Tax Valuation List or Valuation Roll do not fall within any class of this publication scheme, but we do provide extract certificates and photocopies from the Valuation Roll and Council Tax Valuation List.

The cost for this additional service can be obtained by contacting our Administration Section on 01382 315602 or e-mail at admin@tayside-vjb.gov.uk

Electoral Register (Edited)

Definition:

“Edited version of the Register of Electors. This version does not include the names of those electors whose names appear in the Full version of the Register but who have taken advantage of the Representation of the People Legislation and chosen to have their names excluded from the Edited version of the Register, which can be sold to anyone.”

Availability:

Paper copies can be inspected at Local offices, or public libraries.

Cost:

As prescribed by the Representation of the People (Scotland) Regulations 2001.

If in Data Format

The fee for purchasing a copy of the register in data format is at the rate of £20 per Constituency plus £1.50 for each 1,000 entries (or remaining entries) in it.

Or if Printed

The fee for purchasing a copy of the register in the printed form, is at the rate of £10 plus £5 for each 1,000 entries (or remaining part of 1,000 entries) in it.

We do not pass any other costs on to you in relation to our published information.

Contact us

You can contact us for assistance with any aspect of this publication scheme:

Administration Section
Tayside Valuation Joint Board
Whitehall House
35 Yeaman Shore
DUNDEE
DD1 4BU

Tel: 01382 221177

Fax: 01382 315600

assessor@tayside-vjb.gov.uk

We will also be pleased to advise you how to ask for information that we do not publish, or how to complain if you are dissatisfied with any aspect of this publication scheme.

The classes of information that we publish

We publish information that we hold within the following classes. Once information is published under a class we will continue to make it available for the current and previous two financial years.

Where information has been updated or superseded, only the current version will be available. If you would like to see previous versions, you may make a request to us for that information.

Notes:

The Assessor for Tayside Valuation Joint Board is required to publish the information he holds which fall within the classes of the Model Publication Scheme 2016. If we do not hold information within a class, this is indicated under the class description below.

CLASS 1: ABOUT THE ASSESSOR FOR TAYSIDE VALUATION JOINT BOARD
Class description: Information about The Assessor for Tayside Valuation Joint Board, who we are, where to find us, how to contact us, how we are managed and our external relations

The information we publish under this class	How to access it
General Information	www.tayside-vjb.gov.uk
Addresses and contact details	www.tayside-vjb.gov.uk
The Assessor and his Department	www.tayside-vjb.gov.uk
Complaints Procedure	www.tayside-vjb.gov.uk
Publication Scheme and Guide to Information	www.tayside-vjb.gov.uk
Freedom of Information policy	www.tayside-vjb.gov.uk
Other Assessors	www.saa.gov.uk
Business continuity plan and risk register	www.tayside-vjb.gov.uk

CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES

Class description:

Information about our work, our strategy and policies for delivering functions and services and information for our service users.

The information we publish under this class	How to access it
Valuation Roll	www.saa.gov.uk , inspection, purchase
Valuation Practice Notes	www.tayside-vjb.gov.uk , www.saa.gov.uk
Council Tax Valuation List	www.saa.gov.uk , inspection, purchase
Appeal procedures	www.tayside-vjb.gov.uk
Appeal hearing Schedules	www.tayside-vjb.gov.uk
Electoral Registration information	www.tayside-vjb.gov.uk , Electoral Commission website
Electoral Register	Inspection, purchase of edited register.

CLASS 3: HOW WE TAKE DECISIONS AND WHAT WE HAVE DECIDED

Class description:

Information about the decisions we take, how we make decisions and how we involve others.

The information we publish under this class	How to access it
Board agendas and minutes of meetings	www.tayside-vjb.gov.uk
Reports to the Board	www.tayside-vjb.gov.uk

CLASS 4: WHAT WE SPEND AND HOW WE SPEND IT

Class description:

Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent).

The information we publish under this class	How to access it
Financial regulations	www.tayside-vjb.gov.uk
Audited Accounts	www.tayside-vjb.gov.uk
Budget Reports	www.tayside-vjb.gov.uk
Tender Procedures	www.tayside-vjb.gov.uk

CLASS 5: HOW WE MANAGE OUR HUMAN, PHYSICAL AND INFORMATION RESOURCES

Class description:
Information about how we manage the human, physical and information resources of Tayside Valuation Joint Board and the Assessor for Tayside Valuation Joint Board.

The information we publish under this class

Records management policy

How to access it

www.tayside-vjb.gov.uk

CLASS 6: HOW WE PROCURE GOODS AND SERVICES FROM EXTERNAL PROVIDERS

Class description:
Information about how we procure goods and services, and our contracts with external providers.

The information we publish under this class

Tender procedures

How to access it

www.tayside-vjb.gov.uk

CLASS 7: HOW WE ARE PERFORMING

Class description:
Information about how we perform as an organisation, and how well we deliver our functions and services

The information we publish under this class

Best Value Key Performance Indicators

Annual Public Performance Reports

Customer Satisfaction Surveys

How to access it

www.tayside-vjb.gov.uk

www.tayside-vjb.gov.uk

www.tayside-vjb.gov.uk

CLASS 8: OUR COMMERCIAL PUBLICATIONS

Class description:
Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g. bookshop, museum or research journal.

The information we publish under this class

NONE

How to access it

CLASS 9: OUR OPEN DATA

Class description:
Open data made available by the authority as described by the Scottish Government's Open Data Strategy and Resource Pack, available under an open licence.

The information we publish under this class

NONE

How to access it

HOW TO ACCESS INFORMATION WHICH IS NOT AVAILABLE UNDER THIS SCHEME

If the information you are seeking is not available under this publication scheme, then you may wish to request it from us. The Freedom of Information (Scotland) Act 2002 (FOISA) provides you with a right of access to the information we hold, subject to certain exemptions. The Environmental Information (Scotland) Regulations 2004 (EIRs) separately provide a right of access to the environmental information we hold, while the Data Protection Act 1998 (DPA) provides a right of access to any personal information about you that we hold. Again, these rights are subject to certain exceptions or exemptions.

Should you wish to request a copy of any information that we hold that is not available under this scheme, please write to

Alastair Kirkwood BSc MRICS (Dip Rating), IRRV (Hons), AEA
Assessor
Tayside Valuation Joint Board
Whitehall House
35 Yeaman Shore
DUNDEE
DD1 4BU

alastair.kirkwood@tayside-vjb.gov.uk

Alternatively, an information request form is available from our website –
www.tayside-vjb.gov.uk

Charges for information which is not available under the scheme:

The charges for information which *is* available under this scheme are set out under the section on *Charges* above. If you submit a request to us for information which *is not* available under the scheme the charges will be based on the following calculations:

General information requests:

- There will be no charge for information requests which cost us £100 or less to process.
- Where information costs between £100 and £600 to provide you may be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.
- We are not obliged to respond to requests which will cost us over £600 to process.
- In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.
- We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.
- In the event that we decide to impose a charge we will issue you with notification of the charge (a fees notice) and how it has been calculated. You will have three months from the date of issue of the fees notice in which to decide whether to pay the charge. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Charges for environmental information:

We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.

In the event that we decide to impose a charge we will issue you with notification of the charge and how it has been calculated. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Charges are calculated on the basis of the actual cost to the authority of providing the information.

- Photocopying is charged at 10p per A4 sheet for black and white copying, 30p per A4 sheet for colour copying.
- Postage is charged at actual rate for first class mail.
- Staff time is calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.

The first £100 worth of information will be provided to you without charge. Where information costs between £100 and £600 to provide, you will be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.

Where it would cost more than £600 to provide the information to you, however, we will ask you to pay the full cost of providing the information, with no waiver for any portion of the cost.

Requests for your own personal data:

You are entitled to request your personal data from Tayside Assessor who reserves the right to charge £10 for requests for an individual's own personal data.

TAYSIDE VALUATION JOINT BOARD



Tayside Valuation Joint Board

MODEL PUBLICATION SCHEME 2016

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- 8 Where an authority fails to meet the above commitments, it cannot be considered to have adopted the Commissioner's model scheme and may be failing with the duty to adopt and maintain a publication scheme in line with section 23(1) of the Act.

NOTIFYING THE COMMISSIONER

- 9 Authorities adopting the model publication scheme for the first time must notify the Commissioner that they have done so. Thereafter no further notification is required unless the Commissioner has revoked approval (because the authority is not complying with the scheme).
- 10 The Commissioner will regularly review the model scheme and will consult authorities before making any substantive changes. The Commissioner will notify authorities of any changes.
- 11 The Commissioner will continue to monitor the effectiveness of authorities' application of the model publication scheme. As required, she may contact individual authorities about practice issues, in line with her Enforcement Policy.

MODEL PUBLICATION SCHEME PRINCIPLES

Principle One: Availability and formats

- 12 Information published through this model scheme should, wherever possible, be made available on the authority's website.
- 13 There must be an alternative arrangement for people who do not wish to, or who cannot, access the information either online or by inspection at the authority's premises. An authority may e.g., arrange to send out information in paper copy on request (although there may be a charge for doing so).

Principle Two: Exempt information

- 14 If information described by the classes cannot be published and is exempt under Scotland's freedom of information laws e.g., sensitive personal data or a trade secret, the authority may withhold the information or provide a redacted version for publication, but it must explain why it has done so.

Principle Three: Copyright and re-use

- 15 The authority's Guide to Information must include a copyright statement which is consistent with the fair dealing provisions of the Copyright, Designs and Patents Act 1988. Where the authority does not hold the copyright in information it publishes, this should be made clear.
- 16 Any conditions applied to the re-use of published information must be consistent with the Re-Use of Public Sector Information Regulations 2015.
- 17 The Commissioner recommends that authorities adopt the Open Government Licence and/or the non-commercial Government Licence, produced by The National Archives for their published information.

Principle Four: Charges

- 18 The Guide to Information must contain a charging schedule, explaining any charges and how they will be calculated.
- 19 No charge may be made to view information on the authority's website or at its premises, except where there is a fee set by other legislation e.g., for access to some registers.
- 20 The authority may charge for computer discs, photocopying, postage and packing and other costs associated with supplying information. The charge must be no more than these elements actually cost the authority e.g. cost per photocopy or postage. There may be no further charges for information in Classes 1 – 7 below. An exception is made for commercial publications (see Class 8 below) where pricing may be based on market value.

Principle Five: Contact details

- 21 The authority must provide contact details for enquiries about any aspect of the adoption of the model scheme, the authority's Guide to Information and to ask for copies of the authority's published information.
- 22 The Act requires authorities¹ to provide reasonable advice and assistance to anyone who wants to request information which is not published. The authority's Guide to Information must provide contact details to access this help.

Principle Six: Duration

- 23 Once published through the Guide to Information, the information should be available for the current and previous two financial years. Where information has been updated or superseded, only the current version need be available (previous versions may be requested from the authority).

¹ Section 15 of the Freedom of Information (Scotland) Act 2002 and regulation 9 of the Environmental Information (Scotland) Regulations 2004

THE CLASSES OF INFORMATION

	Class	Description
1	About the authority	Information about the authority, who we are, where to find us, how to contact us, how we are managed and our external relations
2	How we delivery our functions and services	Information about our work, our strategies and policies for delivering functions and services and information for our service users
3	How we take decisions and what we have decided	Information about the decisions we take, how we make decisions and how we involve others
4	What we spend and how we spend it	Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent)
5	How we manage our human, physical and information resources	Information about how we manage the human, physical and information resources of the authority.
6	How we procure goods and services from external providers	Information about how we procure goods and services and our contracts with external providers
7	How we are performing	Information about how we perform as an organisation and how well we deliver our functions and services
8	Our commercial publications	Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g., bookshop, museum or research journal.
9	Our open data	Open data made available by the authority as described by the Scottish Government's Open Data Strategy and Resource Pack, available under an open licence.

TAYSIDE VALUATION JOINT BOARD



Tayside Valuation Joint Board

**GUIDE TO INFORMATION
AVAILABLE THROUGH THE
MODEL PUBLICATION SCHEME 2016**

Guide to information available through the Model Publication Scheme 2016

The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to produce and maintain a publication scheme. Authorities are under a legal obligation to:

- publish the classes of information that they make routinely available
- tell the public how to access the information and what it might cost.

Tayside Valuation Joint Board has adopted the **Model Publication Scheme 2016** produced by the Scottish Information Commissioner on 29 March 2016. The scheme has the Commissioner's ongoing approval provided this guide to information is kept up to date.

You can see this scheme on our website at www.tayside-vjb.gov.uk or by contacting us at the address below.

The purpose of this Guide to Information is to:

- allow you to see what information is available (and what is not available) in relation to each class.
- state what charges may be applied.
- explain how you can find the information easily.
- provide contact details for enquiries and to get help with accessing the information.
- explain how to request information we hold that has not been published.

Availability and formats

The information we publish through the model scheme is, wherever possible, available on our website. We offer alternative arrangements for people who do not want to, or cannot, access the information online or by inspection at our premises. For example, we can usually arrange to send information to you in paper copy (although there may be a charge for this).

Exempt information

We will publish the information we hold that falls within the classes of information below. If a document contains information that is exempt under Scotland's freedom of information laws (for example sensitive personal information or a trade secret), we may remove or redact the information before publication but we will explain why.

Copyright

Where Tayside Valuation Joint Board holds the copyright in its published information, the information may be copied or reproduced without formal permission, provided that:

- it is copied or reproduced accurately
- it is not used in a misleading context, and
- the source of the material is identified

Where Tayside Valuation Joint Board does not hold the copyright in information we publish, we will make this clear.

Charges

This section explains when we may make a charge for our publications and how any charge will be calculated.

Unless otherwise stated, all information contained within our scheme is available from us free of charge where it can be downloaded from our website.

We reserve the right to impose charges for providing information in paper copy or on computer disc. Charges will reflect the actual costs of reproduction and postage to the authority, as set out below. In the event that a charge is to be levied, you will be advised of the charge and how it has been calculated. Information will not be provided to you until payment has been received.

Reproduction costs:

Where charges are applied, photocopied information will be charged at a standard rate of 10p per A4 side of paper (black and white copy) and 30p per A4 side of paper (colour copy). Computer discs will be charged at the rate of £1.00 per CD-Rom.

Postage cost:

We will pass on postage charges to the requester at the cost to the authority of sending the information by first class post.

For the avoidance of doubt these costs relate to the delivering of information which is otherwise free.

Fixed Charge Publications:

Tayside Valuation Joint Board does not currently publish any documents to which charges apply.

Contact us

You can contact us for assistance with any aspect of this publication scheme:

Administration Section
Tayside Valuation Joint Board
Whitehall House
35 Yeaman Shore
DUNDEE
DD1 4BU

Tel: 01382 221177

Fax: 01382 315600

Assessor@tayside-vjb.gov.uk

We will also be pleased to advise you how to ask for information that we do not publish, or how to complain if you are dissatisfied with any aspect of this publication scheme.

The classes of information that we publish

We publish information that we hold within the following classes. Once information is published under a class we will continue to make it available for the current and previous two financial years.

Where information has been updated or superseded, only the current version will be available. If you would like to see previous versions, you may make a request to us for that information.

Notes:

Tayside Valuation Joint Board is required to publish the information it holds which fall within the classes of the Model Publication Scheme 2016. If we do not hold information within a class, this is indicated under the class description below.

CLASS 1: ABOUT TAYSIDE VALUATION JOINT BOARD

Class description:

Information about Tayside Valuation Joint Board , who we are, where to find us, how to contact us, how we are managed and our external relations

The information we publish under this class	How to access it
General Information	www.tayside-vjb.gov.uk
Standing Orders	www.tayside-vjb.gov.uk
Addresses and contact details	www.tayside-vjb.gov.uk
The Assessor and his Department	www.tayside-vjb.gov.uk
Complaints Procedure	www.tayside-vjb.gov.uk
Publication Scheme and Guide to Information	www.tayside-vjb.gov.uk
Freedom of Information policy	www.tayside-vjb.gov.uk
Data Protection	www.tayside-vjb.gov.uk
Equalities	www.tayside-vjb.gov.uk
Other Assessors	www.saa.gov.uk
The Board	www.tayside-vjb.gov.uk
Membership	www.tayside-vjb.gov.uk
Governance policies	www.tayside-vjb.gov.uk
Business continuity plan and risk register	www.tayside-vjb.gov.uk

CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES

Class description:

Information about our work, our strategy and policies for delivering functions and services and information for our service users.

The information we publish under this class	How to access it
Service plan	www.tayside-vjb.gov.uk
Corporate Plan	www.tayside-vjb.gov.uk

CLASS 3: HOW WE TAKE DECISIONS AND WHAT WE HAVE DECIDED

Class description:
Information about the decisions we take, how we make decisions and how we involve others.

The information we publish under this class	How to access it
Board agendas and minutes of meetings	www.tayside-vjb.gov.uk
Reports to the Board	www.tayside-vjb.gov.uk

CLASS 4: WHAT WE SPEND AND HOW WE SPEND IT

Class description:
Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent).

The information we publish under this class	How to access it
Financial regulations	www.tayside-vjb.gov.uk
Audited Accounts	www.tayside-vjb.gov.uk
Budget Reports	www.tayside-vjb.gov.uk
Tender Procedures	www.tayside-vjb.gov.uk

CLASS 5: HOW WE MANAGE OUR HUMAN, PHYSICAL AND INFORMATION RESOURCES

Class description:
Information about how we manage the human, physical and information resources of Tayside Valuation Joint Board and the Assessor for Tayside Valuation Joint Board.

The information we publish under this class	How to access it
Records management policy	www.tayside-vjb.gov.uk
Disclosure of Information	www.tayside-vjb.gov.uk
Health & Safety	www.tayside-vjb.gov.uk

CLASS 6: HOW WE PROCURE GOODS AND SERVICES FROM EXTERNAL PROVIDERS

Class description:
Information about how we procure goods and services, and our contracts with external providers.

The information we publish under this class	How to access it
Tender procedures	www.tayside-vjb.gov.uk

CLASS 7: HOW WE ARE PERFORMING

Class description:

Information about how we perform as an organisation, and how well we deliver our functions and services

The information we publish under this class	How to access it
Best Value Key Performance Indicators	www.tayside-vjb.gov.uk
Annual Public Performance Reports	www.tayside-vjb.gov.uk
Customer Satisfaction Surveys	www.tayside-vjb.gov.uk

CLASS 8: OUR COMMERCIAL PUBLICATIONS

Class description:

Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g. bookshop, museum or research journal.

The information we publish under this class	How to access it
NONE	

CLASS 9: OUR OPEN DATA

Class description:

Open data made available by the authority as described by the Scottish Government's Open Data Strategy and Resource Pack, available under an open licence.

The information we publish under this class	How to access it
NONE	

HOW TO ACCESS INFORMATION WHICH IS NOT AVAILABLE UNDER THIS SCHEME

If the information you are seeking is not available under this publication scheme, then you may wish to request it from us. The Freedom of Information (Scotland) Act 2002 (FOISA) provides you with a right of access to the information we hold, subject to certain exemptions. The Environmental Information (Scotland) Regulations 2004 (EIRs) separately provide a right of access to the environmental information we hold, while the Data Protection Act 1998 (DPA) provides a right of access to any personal information about you that we hold. Again, these rights are subject to certain exceptions or exemptions.

Should you wish to request a copy of any information that we hold that is not available under this scheme, please write to

Alastair Kirkwood BSc MRICS (Dip Rating), IRRV (Hons), AEA
Assessor
Tayside Valuation Joint Board
Whitehall House
35 Yeaman Shore
DUNDEE
DD1 4BU

alastair.kirkwood@tayside-vjb.gov.uk

Alternatively, an information request form is available from our website.

Charges for information which is not available under the scheme:

The charges for information which *is* available under this scheme are set out under the section on *Charges* above. If you submit a request to us for information which *is not* available under the scheme the charges will be based on the following calculations:

General information requests:

- There will be no charge for information requests which cost us £100 or less to process.
- Where information costs between £100 and £600 to provide you may be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.
- We are not obliged to respond to requests which will cost us over £600 to process.
- In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.
- We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.
- In the event that we decide to impose a charge we will issue you with notification of the charge (a fees notice) and how it has been calculated. You will have three months from the date of issue of the fees notice in which to decide whether to pay the charge. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Charges for environmental information:

We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.

In the event that we decide to impose a charge we will issue you with notification of the charge and how it has been calculated. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Charges are calculated on the basis of the actual cost to the authority of providing the information.

- Photocopying is charged at 10p per A4 sheet for black and white copying, 30p per A4 sheet for colour copying.
- Postage is charged at actual rate for first class mail.
- Staff time is calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.

The first £100 worth of information will be provided to you without charge. Where information costs between £100 and £600 to provide, you will be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.

Where it would cost more than £600 to provide the information to you, however, we will ask you to pay the full cost of providing the information, with no waiver for any portion of the cost.

Requests for your own personal data:

You are entitled to request your personal data from Tayside Assessor who reserves the right to charge £10 for requests for an individual's own personal data.

Tayside Valuation Joint Board



**Assessor for Tayside Valuation Joint Board and
Tayside Valuation Joint Board**

**POLICY AND PROCEDURE FOR DEALING WITH
REQUESTS FOR INFORMATION UNDER THE
FREEDOM OF INFORMATION (SCOTLAND) ACT 2002
AND THE ENVIRONMENTAL INFORMATION
(SCOTLAND) REGULATIONS 2004**

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PROCUREMENT RELATED CONTRACTS**

SECTION E: FURTHER ADVICE AND GUIDANCE

SECTION A: INTRODUCTION AND OVERVIEW

1 Introduction

The Freedom of Information (Scotland) Act 2002 (the Act) and the Environmental Information (Scotland) Regulations 2004 (the EIRs) (together, the FOI regime) provide the public with a general statutory right of access to information held by the Assessor, subject only to certain conditions and exemptions. The aim of the FOI regime is to increase openness and accountability in government and across the public sector by ensuring that people have the right to access information held by Scottish public authorities. The legislation enables people to see and question how the Assessor and Tayside Valuation Joint Board functions and how decisions are made. As a result, any member of staff who deals with information or with the public should be aware of its implications. This Policy is designed to inform staff about the Act and the EIRs, their responsibilities under the legislation, and the practical steps that need to be taken to ensure compliance.

2 The Assessor and Tayside Valuation Joint Board

Schedule 1 (Part 3) of the Freedom of Information (Scotland) Act 2002, lists those bodies and office holders which are, for the purposes of the Act, regarded as Scottish Public Authorities.

The Assessor is appointed under Section 27(2) of the Local Government Etc. (Scotland) Act 1994 and is listed in Schedule 1 (Part 3) of the Freedom of Information Scotland Act, 2002. The Assessor is therefore a separate and distinct Scottish Public Authority. The statutory duties of the Assessor are the maintenance of the non-domestic Valuation Roll and the Council Tax Valuation List and to carry out the periodic General Revaluation of non-domestic lands and heritages.

Tayside Valuation Joint Board is a Joint Board within the meaning of Section 235(1) of the Local Government (Scotland) Act 1973 and is also listed in Schedule 1 (Part 3) of the Freedom of Information (Scotland) Act 2002. Tayside Valuation Joint Board is therefore also a separate and distinct Scottish Public Authority. Tayside Valuation Joint Board provides the administrative framework within which the Assessor's Department operates, providing governance and financial management through the Assessor, the Clerk to the Board or the Treasurer as appropriate.

All staff should therefore be aware that when dealing with a request for information there are two separate and distinct Public Authorities within the one office. It is therefore essential that when giving advice to a potential requestor of information that you understand the distinction and correctly advise the requestor which Public Authority holds the information they require.

For convenience throughout the remainder of this Policy, where appropriate, any reference to the Assessor should also be deemed to apply equally to Tayside Valuation Joint Board.

If any member of staff is in any doubt as to the distinction between the Assessor and Tayside Valuation Joint Board you should immediately speak to the FOI Officer.

3 Responsibility for Freedom of Information

Henry Gray, Depute Assessor, is the FOI Officer for the Assessor. The FOI Officer provides advice within the Assessor's Office; co-ordinates and monitors all FOI requests and responses, and supports the mechanisms for exemption decisions and reviews.

Any applicant who is unhappy with the way in which the Assessor has dealt with his/her enquiry has the right to request a review. Alastair Kirkwood, Assessor and Electoral Registration Officer will, under normal circumstances, be responsible for dealing with any requests for a review. In his absence another member of the Assessor's Management Team, not already involved in the original request, will undertake any review. The Assessor and Electoral Registration Officer has responsibility for reviewing decisions and for any future decisions and actions if a complaint is escalated by way of a referral by an applicant to the Scottish Information Commissioner.

4 What do FOISA and the EIRs mean for the Assessor?

Under the legislation, the Assessor has to develop and maintain a Publication Scheme. The Assessor has adopted the Scottish Information Commissioner's Model Publication Scheme (MPS) and publishes a Guide to Information available through the MPS so that anyone can see what sort of information is publicly available. The MPS and the Guide to Information are published on the web <http://www.tayside-vjb.gov.uk> and are available at any of the Board's Divisional Offices and at public libraries. Where information is not proactively made available through the Publication Scheme, the Assessor has to respond to specific requests for information within 20 working days. An individual or organisation, anywhere in the world, has the right to request information from the Assessor. It does not matter how old the information is, why it was created, or in what format, if the Assessor holds the information then he will have to provide it, unless an exemption applies. This includes information provided to the Assessor by other organisations or by individuals.

Section B provides further information on the Assessor's Publication Scheme and details procedures for the effective maintenance of the scheme. **Section C** outlines staff responsibilities in relation to handling requests.

4.1 Environmental Information (Scotland) Regulations 2002

The EIRs give members of the public a right of access to information relating to the environment. Such requests can be made in any format, including verbal requests. There is guidance available on how to recognise requests for environmental information and how to deal with such requests.

5 How is an FOI request made?

Requests must be in writing or in another permanent form, such as e-mail, social media (e.g. Twitter, Facebook), fax, audio or video format. Applicants must state their name and address and describe what information they require. There is no need to cite the Act or the EIRs or to explain why information is being sought. In the case of requests for environmental information, a request can be made verbally - a written record should be kept for reference.

6 Can information always be accessed?

There are categories of information that are exempt from disclosure and these fall into two types: absolute and qualified exemptions.

If an absolute exemption applies, the Assessor will not have to release the information. Absolute exemptions include, among others, information otherwise accessible (for example, already published) and personal information.

Qualified exemptions include, for example, commercially sensitive information and information intended for future publication. Where the Assessor considers that a qualified exemption is appropriate, a "public interest test" must then be applied to establish whether the information should be released. This means considering whether it is in the public interest to disclose or withhold the information.

Further information on exemptions, including exemptions from the EIRs, is available.

7 What will it cost?

The Assessor will charge for handling a request under the Fee Regulations. The Fee Regulations state that requests that cost the Assessor less than £100 to deal with will be free of charge; and that 10% of costs may be recovered up to a prescribed limit of £600. Above that prescribed limit the Assessor may wish to charge for full cost recovery. However, staff time for dealing with an enquiry has been set at a maximum rate of £15 per hour. Generally the vast majority of information requests will be free of charge. Further information on fee charging is available.

8 Handling requests

The Assessor is obliged to provide anyone who makes a request for information with advice and assistance. All requests have to be answered within 20 working days. The Assessor can ask for more details in order to identify the information requested. The Assessor is not obliged to comply with a request if: an exemption applies; if the cost of doing so would exceed the amount set by the Fees Regulations; or if the Assessor does not hold the information. If any of these instances apply, the applicant must be notified. Should an applicant be dissatisfied with the way their request has been dealt with, they can ask the Assessor for a formal review. If, following that review, the applicant remains dissatisfied they may apply to the Scottish Information Commissioner [see Paragraph 10.].

9 Freedom of Information and other legislation

The Act does not override existing statutory prohibitions on disclosure, nor repeal arrangements such as those found in the Data Protection Act 1998. In other words, access arrangements under different pieces of legislation will continue to apply, but the Act enables a statutory right of access to a far greater range of information than was previously available.

There are new statutory provisions regarding the re-use of public sector information. See Guidance Note No. 10 – Re-use of Public Sector Information – Procedure and Asset List for further information.

10 The Scottish Information Commissioner

The Scottish Information Commissioner is a fully independent public official with a number of responsibilities that include dealing with complaints, promoting good practice, informing the public about the Act and enforcing the Act. The duties and legal powers of the Commissioner should ensure that people get the information from the Assessor to which they are entitled. [See Paragraph 14. for Web-link.]

11 What happens if the Assessor does not provide information?

The Commissioner has a wide variety of powers under the Act to ensure compliance. If the Assessor is not complying with his duties under the Act, the Commissioner can issue an enforcement notice, informing the Assessor with which part of the Act he is failing to comply and what corrective actions he needs to take. The Assessor could be found in contempt of court if he fails to comply with the notice issued by the Commissioner.

Although the Information Commissioner is primarily responsible for overseeing the Act, there is a small number of occasions when the courts may become involved. It is a criminal offence for the Assessor or his employees to destroy or erase information after a request has been received. Such cases will be dealt with in the Sheriff Court and the offence carries a fine of up to £5000.

12 Records Management

Complying with FOI is only possible if all staff know what information they have, where it is, who is responsible for it, or how long they have to keep it. To be able to deliver on FOI, there needs to be recognition that information is a corporate asset that has to be managed effectively. Further information on records management and record-keeping issues can be found in the Tayside Valuation Joint Board Directory.

All staff should also be aware that a Model Records Management Plan has been prepared in conjunction with the Keeper of the Records of Scotland. All staff will be kept advised of any updates to the existing Policy and Procedure on Record Management and the Introduction of the new Model Records Management Plan.

13 FOI Awareness and Training

As intimated, any member of staff who deals with the public or looks after information may have to deal with an FOI request and must be aware of the issues surrounding FOI compliance. While the members of staff nominated have been briefed about the FOI regime, additional training sessions can be arranged upon request to the FOI Officer.

Useful links:

Scottish Information Commissioner website

<http://itspublicknowledge.info/>

The Freedom of Information (Scotland) Act 2002

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/acts2002/20020013.htm>

The Scottish Executive Freedom of Information web page

<http://www.scotland.gov.uk/government/foi/>

Campaign for the Freedom of Information

<http://www.cfoi.org.uk>

SECTION B: THE ASSESSOR'S PUBLICATION SCHEME

1 About the Scheme

Under Section 23 of the Act, the Assessor has a duty to adopt and maintain a scheme relating to the publication of information. The purpose of the Publication Scheme is to make it easier for the public to locate and access information published by the Assessor. The scheme informs individuals what classes of information the Assessor routinely makes available, where it can be accessed and whether they have to pay for it.

The duty under Section 23 is met by the adoption of the Scottish Information Commissioner's Model Publication Scheme (MPS) and the publication of a Guide to Information published under the MPS.

2 Awareness

The current MPS came into effect on 15 April 2016 and replaced the previous scheme. From this date, any information contained in the scheme must be made available in the manner indicated. It is important, therefore, that all staff are aware of the existence of the scheme and its contents.

3 Structure

The information available under the MPS is divided into 9 classes:

- Class 1: About the authority
- Class 2: How we deliver our functions and services
- Class 3: How we take decisions and what we have decided
- Class 4: What we spend and how we spend it
- Class 5: How we manage our human, physical and information resources
- Class 6: How we procure goods and services from external providers
- Class 7: How we are performing
- Class 8: Our commercial publications
- Class 9: Our open data

A "class" is a group of documents relating to the same subject matter. Each class describes the type of information, the format in which it is available, an indication of any charge that may apply, contact details and a web address [if applicable]. The term "publication" is not limited to information contained in a bound or printed form, but can relate to information in any format, such as web-based information or a video cassette.

4 Availability

Hard copies of the MPS and associated Guide to Information are available on request. The electronic versions are available on the Assessor's web site at:

www.tayside-vjb.gov.uk

5 Charges

The majority of information in the scheme is available free of charge. Some publications may involve a charge. The Guide to Information provides details of these. In addition, where information is printed off or copied to meet an enquiry, the scheme indicates that the Assessor reserves the right to make a copying and postal charge. In such cases, individuals should be told at the time of request about any possible charges.

6 Publication Scheme

The scheme is an important document for the Assessor. It is a pro-active and public commitment to making information available. In addition, the scheme is of practical benefit to the Assessor in that it will ease the administrative burden of dealing with direct information requests under the legislation. If the Assessor does not make information available through the scheme, he could be subject to direct requests for information under the Act.

7 Other Publication Schemes

As indicated previously, the Assessor and Tayside Valuation Joint Board are two separate and distinct Public Authorities within the meaning of the Freedom of Information (Scotland) Act 2002.

Both the Assessor and the Board have adopted the Model Publication Scheme. Guides to Information for both the Assessor and the Board have been published.

SECTION C: HANDLING REQUESTS

1 Handling “routine” enquiries under Freedom of Information – “Business as Usual”

The Act and the EIRs do not affect normal daily work enquiries which are classed as "business as usual". Information routinely provided should therefore continue as usual. It is one of the routine activities of the Assessor to disseminate and provide information upon request.

However, all enquiries, routine or otherwise, received in a permanent format [letters, e-mails, via social media, video cassettes, audio tapes etc.] will be subject to the Act, even if they do not cite or mention the Act. As a result, it is important that staff answer such enquiries efficiently and fully.

In addition, it is important that all staff use out-of-office reply functions for e-mails during absences from the office to ensure that all enquires can be actioned and dealt with promptly.

Enquiries for environmental information received either in a permanent format or by way of verbal requests, will be subject to the EIRs and the 20 working day timescale will apply.

Staff should be aware that if, whilst dealing with an otherwise routine request for information, it becomes apparent that some or all of the information requested will not be provided, or that the applicant will be otherwise dissatisfied with the response, the request should be referred without delay to the FOI Officer.

For full details on handling requests please refer to Guidance Note No.1 - Handling Requests

Other information regimes

Within the overall Freedom of Information regime, a request for information may fall within either the Act or the EIRs and a decision requires to be made as to whether an information request will be dealt with under the Act or the EIRs. As well as the Freedom of Information regime, information can also be accessed under other legislation, most notably the Data Protection Act 1998 [DPA] or the Re-Use of Public Sector Information Regulations 2016 (RUPSI). The decision as to which piece of legislation would be appropriate for answering an enquiry will be the responsibility of the FOI Officer, the Data Protection Officer, and other appropriate staff, after obtaining legal advice where required. In cases of difficulty, the Assessor will determine which access regime applies. If staff receives an enquiry, written or verbal, that relates to DPA, EIRs and is one which they are unable routinely to deal with in the course of your normal duties, please inform the FOI Officer in the first instance. Do not delay in contacting the FOI Officer, to ensure that statutory time-limits are not exceeded.

SECTION D: INCLUSION OF DISCLOSURE PROVISIONS IN PROCUREMENT RELATED CONTRACTS

The FOI Commissioner recommends that the terms and conditions of a procurement related contract should contain disclosure information provisions.

The Assessor has therefore developed a standard disclosure clause for insertion into procurement related contracts.

The clause makes clear the statutory obligation on the Assessor to disclose information unless the information is exempt under the FOI legislation.

For more information on disclosure provisions in procurement related contracts you should refer to the Staff Guidance Note No. 6, Freedom of Information and Public Section Contracts, which has been prepared on this subject *which also includes a copy of the standard disclosure clauses.*

SECTION E: FURTHER ADVICE AND GUIDANCE

1 General

The Assessor and the Board are committed to the principles of openness and transparency and therefore take very seriously their obligations under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004.

They also recognise that their obligations under the Act and the Regulations require a commitment from all staff to adopt and embrace the principles of openness and transparency.

To assist all staff in meeting these commitments Staff Guidance Notes have been prepared. A summary is provided below and they can be found on the Tayside Valuation Joint Board website

2 Summary of FOI and EIR Staff Guidance Notes

Guidance Notes
No.1 – Handling Requests
No. 2 – Exemptions under the Freedom of Information (Scotland) Act 2002
No. 3– Freedom of Information Review Procedures
No. 4 – FOI and EIR - Applying the Substantial Prejudice and Public Interest Test
No. 5 – Freedom of Information Costing Enquiries and Proforma
No. 6 – Freedom of Information and Public Sector Contracts
No. 7 - How to Recognise Environmental Information
No. 8 – Exemptions under the Environmental Information (Scotland) Regulations 2004
No. 9 – Environmental Information Internal Review Procedures
No. 10 – Re-Use of Public Sector Information: Procedures and Asset List

TAYSIDE VALUATION JOINT BOARD
Freedom of Information
Statistical Information
1 April 2015 to 31 March 2016

Division	No. of Requests Received	No. where information provided		No. Refused	No. where information not held	No. of Reviews Requested	No. of Appeals to FOI Commissioner
		Full	In Part				
Angus	-	-	-	-	-	-	-
Dundee	-	-	-	-	-	-	-
Perth & Kinross	-	-	-	-	-	-	-
Tayside	4*	3	-	-	1	-	-
Total	4*	3	-	-	1	-	-

* Please note the same information was requested in each Divisional Office.

TAYSIDE VALUATION JOINT BOARD



Assessor for Tayside Valuation Joint Board

MODEL PUBLICATION SCHEME 2016

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INTRODUCTION

- 1 The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to adopt and maintain a publication scheme. Authorities are under a legal obligation to:
 - (i) publish the classes of information that they make routinely available
 - (ii) tell the public how to access the information they publish and whether information is available free of charge or on payment.
- 2 The Act also allows for the development of model publication schemes which can be adopted by more than one authority. The Commissioner's Model Publication Scheme was approved on 29 March 2016.
- 3 The Commissioner has issued a Guide for Scottish Public Authorities to accompany the model scheme. This is essential reading for authorities adopting the model scheme as it explains the requirements of the scheme in detail and provides lists of types of information the Commissioner expects authorities to publish.

DEFINITION OF "PUBLISHED" INFORMATION

- 4 For the purposes of this Model Publication Scheme, to be "published", information must be:
 - (i) already produced and prepared and
 - (ii) available to anyone to access easily without having to make a request for it
- 5 Research and information services which involve the commissioning of new information are not "publications".

ADOPTING THIS MODEL SCHEME

- 6 It is expected that the model scheme will be adopted by any authority which is subject to the Freedom of Information (Scotland) Act 2002. For more information about which bodies this applies to, please visit <http://www.itspublicknowledge.info/YourRights/Whocanlask.aspx>
- 7 Adoption commits an authority to:
 - (i) adopting the model scheme, and any updates to it, without amendment
 - (ii) publishing the information, including environmental information, that it holds and which falls within the classes of information below.
 - (iii) ensuring that the way it publishes its information meets the Model Publication Scheme Principles.
 - (iv) producing a Guide to Information which sets out the information the authority publishes through the model scheme, how to access it, whether there is a charge for it and how to get help to access information.
 - (v) notifying the Scottish Information Commissioner that it has adopted the model scheme.

- 8 Where an authority fails to meet the above commitments, it cannot be considered to have adopted the Commissioner's model scheme and may be failing with the duty to adopt and maintain a publication scheme in line with section 23(1) of the Act.

NOTIFYING THE COMMISSIONER

- 9 Authorities adopting the model publication scheme for the first time must notify the Commissioner that they have done so. Thereafter no further notification is required unless the Commissioner has revoked approval (because the authority is not complying with the scheme).
- 10 The Commissioner will regularly review the model scheme and will consult authorities before making any substantive changes. The Commissioner will notify authorities of any changes.
- 11 The Commissioner will continue to monitor the effectiveness of authorities' application of the model publication scheme. As required, she may contact individual authorities about practice issues, in line with her Enforcement Policy.

MODEL PUBLICATION SCHEME PRINCIPLES

Principle One: Availability and formats

- 12 Information published through this model scheme should, wherever possible, be made available on the authority's website.
- 13 There must be an alternative arrangement for people who do not wish to, or who cannot, access the information either online or by inspection at the authority's premises. An authority may e.g., arrange to send out information in paper copy on request (although there may be a charge for doing so).

Principle Two: Exempt information

- 14 If information described by the classes cannot be published and is exempt under Scotland's freedom of information laws e.g., sensitive personal data or a trade secret, the authority may withhold the information or provide a redacted version for publication, but it must explain why it has done so.

Principle Three: Copyright and re-use

- 15 The authority's Guide to Information must include a copyright statement which is consistent with the fair dealing provisions of the Copyright, Designs and Patents Act 1988. Where the authority does not hold the copyright in information it publishes, this should be made clear.
- 16 Any conditions applied to the re-use of published information must be consistent with the Re-Use of Public Sector Information Regulations 2015.
- 17 The Commissioner recommends that authorities adopt the Open Government Licence and/or the non-commercial Government Licence, produced by The National Archives for their published information.

Principle Four: Charges

- 18 The Guide to Information must contain a charging schedule, explaining any charges and how they will be calculated.
- 19 No charge may be made to view information on the authority's website or at its premises, except where there is a fee set by other legislation e.g., for access to some registers.
- 20 The authority may charge for computer discs, photocopying, postage and packing and other costs associated with supplying information. The charge must be no more than these elements actually cost the authority e.g. cost per photocopy or postage. There may be no further charges for information in Classes 1 – 7 below. An exception is made for commercial publications (see Class 8 below) where pricing may be based on market value.

Principle Five: Contact details

- 21 The authority must provide contact details for enquiries about any aspect of the adoption of the model scheme, the authority's Guide to Information and to ask for copies of the authority's published information.
- 22 The Act requires authorities¹ to provide reasonable advice and assistance to anyone who wants to request information which is not published. The authority's Guide to Information must provide contact details to access this help.

Principle Six: Duration

- 23 Once published through the Guide to Information, the information should be available for the current and previous two financial years. Where information has been updated or superseded, only the current version need be available (previous versions may be requested from the authority).

¹ Section 15 of the Freedom of Information (Scotland) Act 2002 and regulation 9 of the Environmental Information (Scotland) Regulations 2004

THE CLASSES OF INFORMATION

	Class	Description
1	About the authority	Information about the authority, who we are, where to find us, how to contact us, how we are managed and our external relations
2	How we delivery our functions and services	Information about our work, our strategies and policies for delivering functions and services and information for our service users
3	How we take decisions and what we have decided	Information about the decisions we take, how we make decisions and how we involve others
4	What we spend and how we spend it	Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent)
5	How we manage our human, physical and information resources	Information about how we manage the human, physical and information resources of the authority.
6	How we procure goods and services from external providers	Information about how we procure goods and services and our contracts with external providers
7	How we are performing	Information about how we perform as an organisation and how well we deliver our functions and services
8	Our commercial publications	Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g., bookshop, museum or research journal.
9	Our open data	Open data made available by the authority as described by the Scottish Government's Open Data Strategy and Resource Pack, available under an open licence.

TAYSIDE VALUATION JOINT BOARD



Assessor for Tayside Valuation Joint Board

**GUIDE TO INFORMATION
AVAILABLE THROUGH THE
MODEL PUBLICATION SCHEME 2016**

Guide to information available through the Model Publication Scheme 2016

The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to produce and maintain a publication scheme. Authorities are under a legal obligation to:

- publish the classes of information that they make routinely available
- tell the public how to access the information and what it might cost.

The Assessor for Tayside Valuation Joint Board has adopted the **Model Publication Scheme 2016** produced by the Scottish Information Commissioner on 29 March 2016. The scheme has the Commissioner's ongoing approval provided this guide is kept up to date.

You can see this scheme on our website at www.tayside-vjb.gov.uk or by contacting us at the address below.

The purpose of this Guide to Information is to:

- allow you to see what information is available (and what is not available) in relation to each class.
- state what charges may be applied.
- explain how you can find the information easily.
- provide contact details for enquiries and to get help with accessing the information.
- explain how to request information we hold that has not been published.

Availability and formats

The information we publish through the model scheme is, wherever possible, available on our website. We offer alternative arrangements for people who do not want to, or cannot, access the information online or by inspection at our premises. For example, we can usually arrange to send information to you in paper copy (although there may be a charge for this).

Exempt information

We will publish the information we hold that falls within the classes of information below. If a document contains information that is exempt under Scotland's freedom of information laws (for example sensitive personal information or a trade secret), we may remove or redact the information before publication but we will explain why.

Copyright

Where The Assessor for Tayside Valuation Joint Board holds the copyright in its published information, the information may be copied or reproduced without formal permission, provided that:

- it is copied or reproduced accurately
- it is not used in a misleading context, and
- the source of the material is identified

Where The Assessor for Tayside Valuation Joint Board does not hold the copyright in information we publish, we will make this clear.

Charges

This section explains when we may make a charge for our publications and how any charge will be calculated.

Unless otherwise stated, all information contained within our scheme is available from us free of charge where it can be downloaded from our website.

We reserve the right to impose charges for providing information in paper copy or on computer disc. Charges will reflect the actual costs of reproduction and postage to the authority, as set out below. In the event that a charge is to be levied, you will be advised of the charge and how it has been calculated. Information will not be provided to you until payment has been received.

Reproduction costs:

Where charges are applied, photocopied information will be charged at a standard rate of 10p per A4 side of paper (black and white copy) and 30p per A4 side of paper (colour copy). Computer discs will be charged at the rate of £1.00 per CD-Rom.

Postage cost:

We will pass on postage charges to the requester at the cost to the authority of sending the information by first class post.

For the avoidance of doubt these costs relate to the delivering of information which is otherwise free.

Fixed Charge Publications:

There are a small number of pre-printed publications for which the Tayside Assessor makes a charge. These documents include the Valuation Roll, Council Tax List and Electoral Register.

The costs for these documents are detailed below:

Valuation Rolls

Definition:

“List of non-domestic properties for the Valuation Area with appropriate Rateable Valuations as a basis for rates bills.”

Availability:

Website (www.saa.gov.uk)

Paper copies can be inspected at Local Offices and main Libraries

Cost:

£10 per Electoral Ward (minimum order)

Complete Angus Council Area - £ 50

Complete Dundee City Council Area - £ 60

Complete Perth & Kinross Council Area - £ 80

Complete Joint Board Area - £180

Council Tax Valuation Lists

Definition:

“List of domestic properties within the Valuation Area with appropriate Bands

Availability:

Website (www.saa.gov.uk)

Paper copies can be inspected at Local Offices and main Libraries.

Cost:

£10 per 1,000 subjects (or part thereof)

Complete Angus Council Area - £ 560

Complete Dundee City Council Area - £ 770

Complete Perth & Kinross Council Area - £ 720

Complete Joint Board Area - £2,000

Extract certificates from the Council Tax Valuation List or Valuation Roll do not fall within any class of this publication scheme, but we do provide extract certificates and photocopies from the Valuation Roll and Council Tax Valuation List.

The cost for this additional service can be obtained by contacting our Administration Section on 01382 315602 or e-mail at admin@tayside-vjb.gov.uk

Electoral Register (Edited)

Definition:

“Edited version of the Register of Electors. This version does not include the names of those electors whose names appear in the Full version of the Register but who have taken advantage of the Representation of the People Legislation and chosen to have their names excluded from the Edited version of the Register, which can be sold to anyone.”

Availability:

Paper copies can be inspected at Local offices, or public libraries.

Cost:

As prescribed by the Representation of the People (Scotland) Regulations 2001.

If in Data Format

The fee for purchasing a copy of the register in data format is at the rate of £20 per Constituency plus £1.50 for each 1,000 entries (or remaining entries) in it.

Or if Printed

The fee for purchasing a copy of the register in the printed form, is at the rate of £10 plus £5 for each 1,000 entries (or remaining part of 1,000 entries) in it.

We do not pass any other costs on to you in relation to our published information.

Contact us

You can contact us for assistance with any aspect of this publication scheme:

Administration Section
Tayside Valuation Joint Board
Whitehall House
35 Yeaman Shore
DUNDEE
DD1 4BU

Tel: 01382 221177

Fax: 01382 315600

assessor@tayside-vjb.gov.uk

We will also be pleased to advise you how to ask for information that we do not publish, or how to complain if you are dissatisfied with any aspect of this publication scheme.

The classes of information that we publish

We publish information that we hold within the following classes. Once information is published under a class we will continue to make it available for the current and previous two financial years.

Where information has been updated or superseded, only the current version will be available. If you would like to see previous versions, you may make a request to us for that information.

Notes:

The Assessor for Tayside Valuation Joint Board is required to publish the information he holds which fall within the classes of the Model Publication Scheme 2016. If we do not hold information within a class, this is indicated under the class description below.

CLASS 1: ABOUT THE ASSESSOR FOR TAYSIDE VALUATION JOINT BOARD
Class description: Information about The Assessor for Tayside Valuation Joint Board, who we are, where to find us, how to contact us, how we are managed and our external relations

The information we publish under this class	How to access it
General Information	www.tayside-vjb.gov.uk
Addresses and contact details	www.tayside-vjb.gov.uk
The Assessor and his Department	www.tayside-vjb.gov.uk
Complaints Procedure	www.tayside-vjb.gov.uk
Publication Scheme and Guide to Information	www.tayside-vjb.gov.uk
Freedom of Information policy	www.tayside-vjb.gov.uk
Other Assessors	www.saa.gov.uk
Business continuity plan and risk register	www.tayside-vjb.gov.uk

CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES

Class description:

Information about our work, our strategy and policies for delivering functions and services and information for our service users.

The information we publish under this class	How to access it
Valuation Roll	www.saa.gov.uk , inspection, purchase
Valuation Practice Notes	www.tayside-vjb.gov.uk , www.saa.gov.uk
Council Tax Valuation List	www.saa.gov.uk , inspection, purchase
Appeal procedures	www.tayside-vjb.gov.uk
Appeal hearing Schedules	www.tayside-vjb.gov.uk
Electoral Registration information	www.tayside-vjb.gov.uk , Electoral Commission website
Electoral Register	Inspection, purchase of edited register.

CLASS 3: HOW WE TAKE DECISIONS AND WHAT WE HAVE DECIDED

Class description:

Information about the decisions we take, how we make decisions and how we involve others.

The information we publish under this class	How to access it
Board agendas and minutes of meetings	www.tayside-vjb.gov.uk
Reports to the Board	www.tayside-vjb.gov.uk

CLASS 4: WHAT WE SPEND AND HOW WE SPEND IT

Class description:

Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent).

The information we publish under this class	How to access it
Financial regulations	www.tayside-vjb.gov.uk
Audited Accounts	www.tayside-vjb.gov.uk
Budget Reports	www.tayside-vjb.gov.uk
Tender Procedures	www.tayside-vjb.gov.uk

CLASS 5: HOW WE MANAGE OUR HUMAN, PHYSICAL AND INFORMATION RESOURCES

Class description:
Information about how we manage the human, physical and information resources of Tayside Valuation Joint Board and the Assessor for Tayside Valuation Joint Board.

The information we publish under this class

Records management policy

How to access it

www.tayside-vjb.gov.uk

CLASS 6: HOW WE PROCURE GOODS AND SERVICES FROM EXTERNAL PROVIDERS

Class description:
Information about how we procure goods and services, and our contracts with external providers.

The information we publish under this class

Tender procedures

How to access it

www.tayside-vjb.gov.uk

CLASS 7: HOW WE ARE PERFORMING

Class description:
Information about how we perform as an organisation, and how well we deliver our functions and services

The information we publish under this class

Best Value Key Performance Indicators

Annual Public Performance Reports

Customer Satisfaction Surveys

How to access it

www.tayside-vjb.gov.uk

www.tayside-vjb.gov.uk

www.tayside-vjb.gov.uk

CLASS 8: OUR COMMERCIAL PUBLICATIONS

Class description:
Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g. bookshop, museum or research journal.

The information we publish under this class

NONE

How to access it

CLASS 9: OUR OPEN DATA

Class description:
Open data made available by the authority as described by the Scottish Government's Open Data Strategy and Resource Pack, available under an open licence.

The information we publish under this class

NONE

How to access it

HOW TO ACCESS INFORMATION WHICH IS NOT AVAILABLE UNDER THIS SCHEME

If the information you are seeking is not available under this publication scheme, then you may wish to request it from us. The Freedom of Information (Scotland) Act 2002 (FOISA) provides you with a right of access to the information we hold, subject to certain exemptions. The Environmental Information (Scotland) Regulations 2004 (EIRs) separately provide a right of access to the environmental information we hold, while the Data Protection Act 1998 (DPA) provides a right of access to any personal information about you that we hold. Again, these rights are subject to certain exceptions or exemptions.

Should you wish to request a copy of any information that we hold that is not available under this scheme, please write to

Alastair Kirkwood BSc MRICS (Dip Rating), IRRV (Hons), AEA
Assessor
Tayside Valuation Joint Board
Whitehall House
35 Yeaman Shore
DUNDEE
DD1 4BU

alastair.kirkwood@tayside-vjb.gov.uk

Alternatively, an information request form is available from our website –
www.tayside-vjb.gov.uk

Charges for information which is not available under the scheme:

The charges for information which *is* available under this scheme are set out under the section on *Charges* above. If you submit a request to us for information which *is not* available under the scheme the charges will be based on the following calculations:

General information requests:

- There will be no charge for information requests which cost us £100 or less to process.
- Where information costs between £100 and £600 to provide you may be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.
- We are not obliged to respond to requests which will cost us over £600 to process.
- In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.
- We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.
- In the event that we decide to impose a charge we will issue you with notification of the charge (a fees notice) and how it has been calculated. You will have three months from the date of issue of the fees notice in which to decide whether to pay the charge. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Charges for environmental information:

We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.

In the event that we decide to impose a charge we will issue you with notification of the charge and how it has been calculated. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Charges are calculated on the basis of the actual cost to the authority of providing the information.

- Photocopying is charged at 10p per A4 sheet for black and white copying, 30p per A4 sheet for colour copying.
- Postage is charged at actual rate for first class mail.
- Staff time is calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.

The first £100 worth of information will be provided to you without charge. Where information costs between £100 and £600 to provide, you will be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.

Where it would cost more than £600 to provide the information to you, however, we will ask you to pay the full cost of providing the information, with no waiver for any portion of the cost.

Requests for your own personal data:

You are entitled to request your personal data from Tayside Assessor who reserves the right to charge £10 for requests for an individual's own personal data.

TAYSIDE VALUATION JOINT BOARD



Tayside Valuation Joint Board

MODEL PUBLICATION SCHEME 2016

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INTRODUCTION

- 1 The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to adopt and maintain a publication scheme. Authorities are under a legal obligation to:
 - (i) publish the classes of information that they make routinely available
 - (ii) tell the public how to access the information they publish and whether information is available free of charge or on payment.
- 2 The Act also allows for the development of model publication schemes which can be adopted by more than one authority. The Commissioner's Model Publication Scheme was approved on 29 March 2016.
- 3 The Commissioner has issued a Guide for Scottish Public Authorities to accompany the model scheme. This is essential reading for authorities adopting the model scheme as it explains the requirements of the scheme in detail and provides lists of types of information the Commissioner expects authorities to publish.

DEFINITION OF "PUBLISHED" INFORMATION

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- 7 Adoption commits an authority to:
 - (i) adopting the model scheme, and any updates to it, without amendment
 - (ii) publishing the information, including environmental information, that it holds and which falls within the classes of information below.
 - (iii) ensuring that the way it publishes its information meets the Model Publication Scheme Principles.
 - (iv) producing a Guide to Information which sets out the information the authority publishes through the model scheme, how to access it, whether there is a charge for it and how to get help to access information.
 - (v) notifying the Scottish Information Commissioner that it has adopted the model scheme.

- 8 Where an authority fails to meet the above commitments, it cannot be considered to have adopted the Commissioner's model scheme and may be failing with the duty to adopt and maintain a publication scheme in line with section 23(1) of the Act.

NOTIFYING THE COMMISSIONER

- 9 Authorities adopting the model publication scheme for the first time must notify the Commissioner that they have done so. Thereafter no further notification is required unless the Commissioner has revoked approval (because the authority is not complying with the scheme).
- 10 The Commissioner will regularly review the model scheme and will consult authorities before making any substantive changes. The Commissioner will notify authorities of any changes.
- 11 The Commissioner will continue to monitor the effectiveness of authorities' application of the model publication scheme. As required, she may contact individual authorities about practice issues, in line with her Enforcement Policy.

MODEL PUBLICATION SCHEME PRINCIPLES

Principle One: Availability and formats

- 12 Information published through this model scheme should, wherever possible, be made available on the authority's website.
- 13 There must be an alternative arrangement for people who do not wish to, or who cannot, access the information either online or by inspection at the authority's premises. An authority may e.g., arrange to send out information in paper copy on request (although there may be a charge for doing so).

Principle Two: Exempt information

- 14 If information described by the classes cannot be published and is exempt under Scotland's freedom of information laws e.g., sensitive personal data or a trade secret, the authority may withhold the information or provide a redacted version for publication, but it must explain why it has done so.

Principle Three: Copyright and re-use

- 15 The authority's Guide to Information must include a copyright statement which is consistent with the fair dealing provisions of the Copyright, Designs and Patents Act 1988. Where the authority does not hold the copyright in information it publishes, this should be made clear.
- 16 Any conditions applied to the re-use of published information must be consistent with the Re-Use of Public Sector Information Regulations 2015.
- 17 The Commissioner recommends that authorities adopt the Open Government Licence and/or the non-commercial Government Licence, produced by The National Archives for their published information.

Principle Four: Charges

- 18 The Guide to Information must contain a charging schedule, explaining any charges and how they will be calculated.
- 19 No charge may be made to view information on the authority's website or at its premises, except where there is a fee set by other legislation e.g., for access to some registers.
- 20 The authority may charge for computer discs, photocopying, postage and packing and other costs associated with supplying information. The charge must be no more than these elements actually cost the authority e.g. cost per photocopy or postage. There may be no further charges for information in Classes 1 – 7 below. An exception is made for commercial publications (see Class 8 below) where pricing may be based on market value.

Principle Five: Contact details

- 21 The authority must provide contact details for enquiries about any aspect of the adoption of the model scheme, the authority's Guide to Information and to ask for copies of the authority's published information.
- 22 The Act requires authorities¹ to provide reasonable advice and assistance to anyone who wants to request information which is not published. The authority's Guide to Information must provide contact details to access this help.

Principle Six: Duration

- 23 Once published through the Guide to Information, the information should be available for the current and previous two financial years. Where information has been updated or superseded, only the current version need be available (previous versions may be requested from the authority).

¹ Section 15 of the Freedom of Information (Scotland) Act 2002 and regulation 9 of the Environmental Information (Scotland) Regulations 2004

THE CLASSES OF INFORMATION

	Class	Description
1	About the authority	Information about the authority, who we are, where to find us, how to contact us, how we are managed and our external relations
2	How we delivery our functions and services	Information about our work, our strategies and policies for delivering functions and services and information for our service users
3	How we take decisions and what we have decided	Information about the decisions we take, how we make decisions and how we involve others
4	What we spend and how we spend it	Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent)
5	How we manage our human, physical and information resources	Information about how we manage the human, physical and information resources of the authority.
6	How we procure goods and services from external providers	Information about how we procure goods and services and our contracts with external providers
7	How we are performing	Information about how we perform as an organisation and how well we deliver our functions and services
8	Our commercial publications	Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g., bookshop, museum or research journal.
9	Our open data	Open data made available by the authority as described by the Scottish Government's Open Data Strategy and Resource Pack, available under an open licence.

TAYSIDE VALUATION JOINT BOARD



Tayside Valuation Joint Board

**GUIDE TO INFORMATION
AVAILABLE THROUGH THE
MODEL PUBLICATION SCHEME 2016**

Guide to information available through the Model Publication Scheme 2016

The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to produce and maintain a publication scheme. Authorities are under a legal obligation to:

- publish the classes of information that they make routinely available
- tell the public how to access the information and what it might cost.

Tayside Valuation Joint Board has adopted the **Model Publication Scheme 2016** produced by the Scottish Information Commissioner on 29 March 2016. The scheme has the Commissioner's ongoing approval provided this guide to information is kept up to date.

You can see this scheme on our website at www.tayside-vjb.gov.uk or by contacting us at the address below.

The purpose of this Guide to Information is to:

- allow you to see what information is available (and what is not available) in relation to each class.
- state what charges may be applied.
- explain how you can find the information easily.
- provide contact details for enquiries and to get help with accessing the information.
- explain how to request information we hold that has not been published.

Availability and formats

The information we publish through the model scheme is, wherever possible, available on our website. We offer alternative arrangements for people who do not want to, or cannot, access the information online or by inspection at our premises. For example, we can usually arrange to send information to you in paper copy (although there may be a charge for this).

Exempt information

We will publish the information we hold that falls within the classes of information below. If a document contains information that is exempt under Scotland's freedom of information laws (for example sensitive personal information or a trade secret), we may remove or redact the information before publication but we will explain why.

Copyright

Where Tayside Valuation Joint Board holds the copyright in its published information, the information may be copied or reproduced without formal permission, provided that:

- it is copied or reproduced accurately
- it is not used in a misleading context, and
- the source of the material is identified

Where Tayside Valuation Joint Board does not hold the copyright in information we publish, we will make this clear.

Charges

This section explains when we may make a charge for our publications and how any charge will be calculated.

Unless otherwise stated, all information contained within our scheme is available from us free of charge where it can be downloaded from our website.

We reserve the right to impose charges for providing information in paper copy or on computer disc. Charges will reflect the actual costs of reproduction and postage to the authority, as set out below. In the event that a charge is to be levied, you will be advised of the charge and how it has been calculated. Information will not be provided to you until payment has been received.

Reproduction costs:

Where charges are applied, photocopied information will be charged at a standard rate of 10p per A4 side of paper (black and white copy) and 30p per A4 side of paper (colour copy). Computer discs will be charged at the rate of £1.00 per CD-Rom.

Postage cost:

We will pass on postage charges to the requester at the cost to the authority of sending the information by first class post.

For the avoidance of doubt these costs relate to the delivering of information which is otherwise free.

Fixed Charge Publications:

Tayside Valuation Joint Board does not currently publish any documents to which charges apply.

Contact us

You can contact us for assistance with any aspect of this publication scheme:

Administration Section
Tayside Valuation Joint Board
Whitehall House
35 Yeaman Shore
DUNDEE
DD1 4BU

Tel: 01382 221177

Fax: 01382 315600

Assessor@tayside-vjb.gov.uk

We will also be pleased to advise you how to ask for information that we do not publish, or how to complain if you are dissatisfied with any aspect of this publication scheme.

The classes of information that we publish

We publish information that we hold within the following classes. Once information is published under a class we will continue to make it available for the current and previous two financial years.

Where information has been updated or superseded, only the current version will be available. If you would like to see previous versions, you may make a request to us for that information.

Notes:

Tayside Valuation Joint Board is required to publish the information it holds which fall within the classes of the Model Publication Scheme 2016. If we do not hold information within a class, this is indicated under the class description below.

CLASS 1: ABOUT TAYSIDE VALUATION JOINT BOARD

Class description:

Information about Tayside Valuation Joint Board , who we are, where to find us, how to contact us, how we are managed and our external relations

The information we publish under this class	How to access it
General Information	www.tayside-vjb.gov.uk
Standing Orders	www.tayside-vjb.gov.uk
Addresses and contact details	www.tayside-vjb.gov.uk
The Assessor and his Department	www.tayside-vjb.gov.uk
Complaints Procedure	www.tayside-vjb.gov.uk
Publication Scheme and Guide to Information	www.tayside-vjb.gov.uk
Freedom of Information policy	www.tayside-vjb.gov.uk
Data Protection	www.tayside-vjb.gov.uk
Equalities	www.tayside-vjb.gov.uk
Other Assessors	www.saa.gov.uk
The Board	www.tayside-vjb.gov.uk
Membership	www.tayside-vjb.gov.uk
Governance policies	www.tayside-vjb.gov.uk
Business continuity plan and risk register	www.tayside-vjb.gov.uk

CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES

Class description:

Information about our work, our strategy and policies for delivering functions and services and information for our service users.

The information we publish under this class	How to access it
Service plan	www.tayside-vjb.gov.uk
Corporate Plan	www.tayside-vjb.gov.uk

CLASS 3: HOW WE TAKE DECISIONS AND WHAT WE HAVE DECIDED

Class description:
Information about the decisions we take, how we make decisions and how we involve others.

The information we publish under this class	How to access it
Board agendas and minutes of meetings	www.tayside-vjb.gov.uk
Reports to the Board	www.tayside-vjb.gov.uk

CLASS 4: WHAT WE SPEND AND HOW WE SPEND IT

Class description:
Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent).

The information we publish under this class	How to access it
Financial regulations	www.tayside-vjb.gov.uk
Audited Accounts	www.tayside-vjb.gov.uk
Budget Reports	www.tayside-vjb.gov.uk
Tender Procedures	www.tayside-vjb.gov.uk

CLASS 5: HOW WE MANAGE OUR HUMAN, PHYSICAL AND INFORMATION RESOURCES

Class description:
Information about how we manage the human, physical and information resources of Tayside Valuation Joint Board and the Assessor for Tayside Valuation Joint Board.

The information we publish under this class	How to access it
Records management policy	www.tayside-vjb.gov.uk
Disclosure of Information	www.tayside-vjb.gov.uk
Health & Safety	www.tayside-vjb.gov.uk

CLASS 6: HOW WE PROCURE GOODS AND SERVICES FROM EXTERNAL PROVIDERS

Class description:
Information about how we procure goods and services, and our contracts with external providers.

The information we publish under this class	How to access it
Tender procedures	www.tayside-vjb.gov.uk

CLASS 7: HOW WE ARE PERFORMING

Class description:

Information about how we perform as an organisation, and how well we deliver our functions and services

The information we publish under this class	How to access it
Best Value Key Performance Indicators	www.tayside-vjb.gov.uk
Annual Public Performance Reports	www.tayside-vjb.gov.uk
Customer Satisfaction Surveys	www.tayside-vjb.gov.uk

CLASS 8: OUR COMMERCIAL PUBLICATIONS

Class description:

Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g. bookshop, museum or research journal.

The information we publish under this class	How to access it
NONE	

CLASS 9: OUR OPEN DATA

Class description:

Open data made available by the authority as described by the Scottish Government's Open Data Strategy and Resource Pack, available under an open licence.

The information we publish under this class	How to access it
NONE	

HOW TO ACCESS INFORMATION WHICH IS NOT AVAILABLE UNDER THIS SCHEME

If the information you are seeking is not available under this publication scheme, then you may wish to request it from us. The Freedom of Information (Scotland) Act 2002 (FOISA) provides you with a right of access to the information we hold, subject to certain exemptions. The Environmental Information (Scotland) Regulations 2004 (EIRs) separately provide a right of access to the environmental information we hold, while the Data Protection Act 1998 (DPA) provides a right of access to any personal information about you that we hold. Again, these rights are subject to certain exceptions or exemptions.

Should you wish to request a copy of any information that we hold that is not available under this scheme, please write to

Alastair Kirkwood BSc MRICS (Dip Rating), IRRV (Hons), AEA
Assessor
Tayside Valuation Joint Board
Whitehall House
35 Yeaman Shore
DUNDEE
DD1 4BU

alastair.kirkwood@tayside-vjb.gov.uk

Alternatively, an information request form is available from our website.

Charges for information which is not available under the scheme:

The charges for information which *is* available under this scheme are set out under the section on *Charges* above. If you submit a request to us for information which *is not* available under the scheme the charges will be based on the following calculations:

General information requests:

- There will be no charge for information requests which cost us £100 or less to process.
- Where information costs between £100 and £600 to provide you may be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.
- We are not obliged to respond to requests which will cost us over £600 to process.
- In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.
- We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.
- In the event that we decide to impose a charge we will issue you with notification of the charge (a fees notice) and how it has been calculated. You will have three months from the date of issue of the fees notice in which to decide whether to pay the charge. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Charges for environmental information:

We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.

In the event that we decide to impose a charge we will issue you with notification of the charge and how it has been calculated. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Charges are calculated on the basis of the actual cost to the authority of providing the information.

- Photocopying is charged at 10p per A4 sheet for black and white copying, 30p per A4 sheet for colour copying.
- Postage is charged at actual rate for first class mail.
- Staff time is calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.

The first £100 worth of information will be provided to you without charge. Where information costs between £100 and £600 to provide, you will be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.

Where it would cost more than £600 to provide the information to you, however, we will ask you to pay the full cost of providing the information, with no waiver for any portion of the cost.

Requests for your own personal data:

You are entitled to request your personal data from Tayside Assessor who reserves the right to charge £10 for requests for an individual's own personal data.

Tayside Valuation Joint Board



**Assessor for Tayside Valuation Joint Board and
Tayside Valuation Joint Board**

**POLICY AND PROCEDURE FOR DEALING WITH
REQUESTS FOR INFORMATION UNDER THE
FREEDOM OF INFORMATION (SCOTLAND) ACT 2002
AND THE ENVIRONMENTAL INFORMATION
(SCOTLAND) REGULATIONS 2004**

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PROCUREMENT RELATED CONTRACTS**

SECTION E: FURTHER ADVICE AND GUIDANCE

SECTION A: INTRODUCTION AND OVERVIEW

1 Introduction

The Freedom of Information (Scotland) Act 2002 (the Act) and the Environmental Information (Scotland) Regulations 2004 (the EIRs) (together, the FOI regime) provide the public with a general statutory right of access to information held by the Assessor, subject only to certain conditions and exemptions. The aim of the FOI regime is to increase openness and accountability in government and across the public sector by ensuring that people have the right to access information held by Scottish public authorities. The legislation enables people to see and question how the Assessor and Tayside Valuation Joint Board functions and how decisions are made. As a result, any member of staff who deals with information or with the public should be aware of its implications. This Policy is designed to inform staff about the Act and the EIRs, their responsibilities under the legislation, and the practical steps that need to be taken to ensure compliance.

2 The Assessor and Tayside Valuation Joint Board

Schedule 1 (Part 3) of the Freedom of Information (Scotland) Act 2002, lists those bodies and office holders which are, for the purposes of the Act, regarded as Scottish Public Authorities.

The Assessor is appointed under Section 27(2) of the Local Government Etc. (Scotland) Act 1994 and is listed in Schedule 1 (Part 3) of the Freedom of Information Scotland Act, 2002. The Assessor is therefore a separate and distinct Scottish Public Authority. The statutory duties of the Assessor are the maintenance of the non-domestic Valuation Roll and the Council Tax Valuation List and to carry out the periodic General Revaluation of non-domestic lands and heritages.

Tayside Valuation Joint Board is a Joint Board within the meaning of Section 235(1) of the Local Government (Scotland) Act 1973 and is also listed in Schedule 1 (Part 3) of the Freedom of Information (Scotland) Act 2002. Tayside Valuation Joint Board is therefore also a separate and distinct Scottish Public Authority. Tayside Valuation Joint Board provides the administrative framework within which the Assessor's Department operates, providing governance and financial management through the Assessor, the Clerk to the Board or the Treasurer as appropriate.

All staff should therefore be aware that when dealing with a request for information there are two separate and distinct Public Authorities within the one office. It is therefore essential that when giving advice to a potential requestor of information that you understand the distinction and correctly advise the requestor which Public Authority holds the information they require.

For convenience throughout the remainder of this Policy, where appropriate, any reference to the Assessor should also be deemed to apply equally to Tayside Valuation Joint Board.

If any member of staff is in any doubt as to the distinction between the Assessor and Tayside Valuation Joint Board you should immediately speak to the FOI Officer.

3 Responsibility for Freedom of Information

Henry Gray, Depute Assessor, is the FOI Officer for the Assessor. The FOI Officer provides advice within the Assessor's Office; co-ordinates and monitors all FOI requests and responses, and supports the mechanisms for exemption decisions and reviews.

Any applicant who is unhappy with the way in which the Assessor has dealt with his/her enquiry has the right to request a review. Alastair Kirkwood, Assessor and Electoral Registration Officer will, under normal circumstances, be responsible for dealing with any requests for a review. In his absence another member of the Assessor's Management Team, not already involved in the original request, will undertake any review. The Assessor and Electoral Registration Officer has responsibility for reviewing decisions and for any future decisions and actions if a complaint is escalated by way of a referral by an applicant to the Scottish Information Commissioner.

4 What do FOISA and the EIRs mean for the Assessor?

Under the legislation, the Assessor has to develop and maintain a Publication Scheme. The Assessor has adopted the Scottish Information Commissioner's Model Publication Scheme (MPS) and publishes a Guide to Information available through the MPS so that anyone can see what sort of information is publicly available. The MPS and the Guide to Information are published on the web <http://www.tayside-vjb.gov.uk> and are available at any of the Board's Divisional Offices and at public libraries. Where information is not proactively made available through the Publication Scheme, the Assessor has to respond to specific requests for information within 20 working days. An individual or organisation, anywhere in the world, has the right to request information from the Assessor. It does not matter how old the information is, why it was created, or in what format, if the Assessor holds the information then he will have to provide it, unless an exemption applies. This includes information provided to the Assessor by other organisations or by individuals.

Section B provides further information on the Assessor's Publication Scheme and details procedures for the effective maintenance of the scheme. **Section C** outlines staff responsibilities in relation to handling requests.

4.1 Environmental Information (Scotland) Regulations 2002

The EIRs give members of the public a right of access to information relating to the environment. Such requests can be made in any format, including verbal requests. There is guidance available on how to recognise requests for environmental information and how to deal with such requests.

5 How is an FOI request made?

Requests must be in writing or in another permanent form, such as e-mail, social media (e.g. Twitter, Facebook), fax, audio or video format. Applicants must state their name and address and describe what information they require. There is no need to cite the Act or the EIRs or to explain why information is being sought. In the case of requests for environmental information, a request can be made verbally - a written record should be kept for reference.

6 Can information always be accessed?

There are categories of information that are exempt from disclosure and these fall into two types: absolute and qualified exemptions.

If an absolute exemption applies, the Assessor will not have to release the information. Absolute exemptions include, among others, information otherwise accessible (for example, already published) and personal information.

Qualified exemptions include, for example, commercially sensitive information and information intended for future publication. Where the Assessor considers that a qualified exemption is appropriate, a "public interest test" must then be applied to establish whether the information should be released. This means considering whether it is in the public interest to disclose or withhold the information.

Further information on exemptions, including exemptions from the EIRs, is available.

7 What will it cost?

The Assessor will charge for handling a request under the Fee Regulations. The Fee Regulations state that requests that cost the Assessor less than £100 to deal with will be free of charge; and that 10% of costs may be recovered up to a prescribed limit of £600. Above that prescribed limit the Assessor may wish to charge for full cost recovery. However, staff time for dealing with an enquiry has been set at a maximum rate of £15 per hour. Generally the vast majority of information requests will be free of charge. Further information on fee charging is available.

8 Handling requests

The Assessor is obliged to provide anyone who makes a request for information with advice and assistance. All requests have to be answered within 20 working days. The Assessor can ask for more details in order to identify the information requested. The Assessor is not obliged to comply with a request if: an exemption applies; if the cost of doing so would exceed the amount set by the Fees Regulations; or if the Assessor does not hold the information. If any of these instances apply, the applicant must be notified. Should an applicant be dissatisfied with the way their request has been dealt with, they can ask the Assessor for a formal review. If, following that review, the applicant remains dissatisfied they may apply to the Scottish Information Commissioner [see Paragraph 10.].

9 Freedom of Information and other legislation

The Act does not override existing statutory prohibitions on disclosure, nor repeal arrangements such as those found in the Data Protection Act 1998. In other words, access arrangements under different pieces of legislation will continue to apply, but the Act enables a statutory right of access to a far greater range of information than was previously available.

There are new statutory provisions regarding the re-use of public sector information. See Guidance Note No. 10 – Re-use of Public Sector Information – Procedure and Asset List for further information.

10 The Scottish Information Commissioner

The Scottish Information Commissioner is a fully independent public official with a number of responsibilities that include dealing with complaints, promoting good practice, informing the public about the Act and enforcing the Act. The duties and legal powers of the Commissioner should ensure that people get the information from the Assessor to which they are entitled. [See Paragraph 14. for Web-link.]

11 What happens if the Assessor does not provide information?

The Commissioner has a wide variety of powers under the Act to ensure compliance. If the Assessor is not complying with his duties under the Act, the Commissioner can issue an enforcement notice, informing the Assessor with which part of the Act he is failing to comply and what corrective actions he needs to take. The Assessor could be found in contempt of court if he fails to comply with the notice issued by the Commissioner.

Although the Information Commissioner is primarily responsible for overseeing the Act, there is a small number of occasions when the courts may become involved. It is a criminal offence for the Assessor or his employees to destroy or erase information after a request has been received. Such cases will be dealt with in the Sheriff Court and the offence carries a fine of up to £5000.

12 Records Management

Complying with FOI is only possible if all staff know what information they have, where it is, who is responsible for it, or how long they have to keep it. To be able to deliver on FOI, there needs to be recognition that information is a corporate asset that has to be managed effectively. Further information on records management and record-keeping issues can be found in the Tayside Valuation Joint Board Directory.

All staff should also be aware that a Model Records Management Plan has been prepared in conjunction with the Keeper of the Records of Scotland. All staff will be kept advised of any updates to the existing Policy and Procedure on Record Management and the Introduction of the new Model Records Management Plan.

13 FOI Awareness and Training

As intimated, any member of staff who deals with the public or looks after information may have to deal with an FOI request and must be aware of the issues surrounding FOI compliance. While the members of staff nominated have been briefed about the FOI regime, additional training sessions can be arranged upon request to the FOI Officer.

Useful links:

Scottish Information Commissioner website

<http://itspublicknowledge.info/>

The Freedom of Information (Scotland) Act 2002

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/acts2002/20020013.htm>

The Scottish Executive Freedom of Information web page

<http://www.scotland.gov.uk/government/foi/>

Campaign for the Freedom of Information

<http://www.cfoi.org.uk>

SECTION B: THE ASSESSOR'S PUBLICATION SCHEME

1 About the Scheme

Under Section 23 of the Act, the Assessor has a duty to adopt and maintain a scheme relating to the publication of information. The purpose of the Publication Scheme is to make it easier for the public to locate and access information published by the Assessor. The scheme informs individuals what classes of information the Assessor routinely makes available, where it can be accessed and whether they have to pay for it.

The duty under Section 23 is met by the adoption of the Scottish Information Commissioner's Model Publication Scheme (MPS) and the publication of a Guide to Information published under the MPS.

2 Awareness

The current MPS came into effect on 15 April 2016 and replaced the previous scheme. From this date, any information contained in the scheme must be made available in the manner indicated. It is important, therefore, that all staff are aware of the existence of the scheme and its contents.

3 Structure

The information available under the MPS is divided into 9 classes:

- Class 1: About the authority
- Class 2: How we deliver our functions and services
- Class 3: How we take decisions and what we have decided
- Class 4: What we spend and how we spend it
- Class 5: How we manage our human, physical and information resources
- Class 6: How we procure goods and services from external providers
- Class 7: How we are performing
- Class 8: Our commercial publications
- Class 9: Our open data

A "class" is a group of documents relating to the same subject matter. Each class describes the type of information, the format in which it is available, an indication of any charge that may apply, contact details and a web address [if applicable]. The term "publication" is not limited to information contained in a bound or printed form, but can relate to information in any format, such as web-based information or a video cassette.

4 Availability

Hard copies of the MPS and associated Guide to Information are available on request. The electronic versions are available on the Assessor's web site at:

www.tayside-vjb.gov.uk

5 Charges

The majority of information in the scheme is available free of charge. Some publications may involve a charge. The Guide to Information provides details of these. In addition, where information is printed off or copied to meet an enquiry, the scheme indicates that the Assessor reserves the right to make a copying and postal charge. In such cases, individuals should be told at the time of request about any possible charges.

6 Publication Scheme

The scheme is an important document for the Assessor. It is a pro-active and public commitment to making information available. In addition, the scheme is of practical benefit to the Assessor in that it will ease the administrative burden of dealing with direct information requests under the legislation. If the Assessor does not make information available through the scheme, he could be subject to direct requests for information under the Act.

7 Other Publication Schemes

As indicated previously, the Assessor and Tayside Valuation Joint Board are two separate and distinct Public Authorities within the meaning of the Freedom of Information (Scotland) Act 2002.

Both the Assessor and the Board have adopted the Model Publication Scheme. Guides to Information for both the Assessor and the Board have been published.

SECTION C: HANDLING REQUESTS

1 Handling “routine” enquiries under Freedom of Information – “Business as Usual”

The Act and the EIRs do not affect normal daily work enquiries which are classed as "business as usual". Information routinely provided should therefore continue as usual. It is one of the routine activities of the Assessor to disseminate and provide information upon request.

However, all enquiries, routine or otherwise, received in a permanent format [letters, e-mails, via social media, video cassettes, audio tapes etc.] will be subject to the Act, even if they do not cite or mention the Act. As a result, it is important that staff answer such enquiries efficiently and fully.

In addition, it is important that all staff use out-of-office reply functions for e-mails during absences from the office to ensure that all enquires can be actioned and dealt with promptly.

Enquiries for environmental information received either in a permanent format or by way of verbal requests, will be subject to the EIRs and the 20 working day timescale will apply.

Staff should be aware that if, whilst dealing with an otherwise routine request for information, it becomes apparent that some or all of the information requested will not be provided, or that the applicant will be otherwise dissatisfied with the response, the request should be referred without delay to the FOI Officer.

For full details on handling requests please refer to Guidance Note No.1 - Handling Requests

Other information regimes

Within the overall Freedom of Information regime, a request for information may fall within either the Act or the EIRS and a decision requires to be made as to whether an information request will be dealt with under the Act or the EIRs. As well as the Freedom of Information regime, information can also be accessed under other legislation, most notably the Data Protection Act 1998 [DPA] or the Re-Use of Public Sector Information Regulations 2016 (RUPSI). The decision as to which piece of legislation would be appropriate for answering an enquiry will be the responsibility of the FOI Officer, the Data Protection Officer, and other appropriate staff, after obtaining legal advice where required. In cases of difficulty, the Assessor will determine which access regime applies. If staff receives an enquiry, written or verbal, that relates to DPA, EIRs and is one which they are unable routinely to deal with in the course of your normal duties, please inform the FOI Officer in the first instance. Do not delay in contacting the FOI Officer, to ensure that statutory time-limits are not exceeded.

SECTION D: INCLUSION OF DISCLOSURE PROVISIONS IN PROCUREMENT RELATED CONTRACTS

The FOI Commissioner recommends that the terms and conditions of a procurement related contract should contain disclosure information provisions.

The Assessor has therefore developed a standard disclosure clause for insertion into procurement related contracts.

The clause makes clear the statutory obligation on the Assessor to disclose information unless the information is exempt under the FOI legislation.

For more information on disclosure provisions in procurement related contracts you should refer to the Staff Guidance Note No. 6, Freedom of Information and Public Section Contracts, which has been prepared on this subject *which also includes a copy of the standard disclosure clauses.*

SECTION E: FURTHER ADVICE AND GUIDANCE

1 General

The Assessor and the Board are committed to the principles of openness and transparency and therefore take very seriously their obligations under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004.

They also recognise that their obligations under the Act and the Regulations require a commitment from all staff to adopt and embrace the principles of openness and transparency.

To assist all staff in meeting these commitments Staff Guidance Notes have been prepared. A summary is provided below and they can be found on the Tayside Valuation Joint Board website

2 Summary of FOI and EIR Staff Guidance Notes

Guidance Notes
No.1 – Handling Requests
No. 2 – Exemptions under the Freedom of Information (Scotland) Act 2002
No. 3– Freedom of Information Review Procedures
No. 4 – FOI and EIR - Applying the Substantial Prejudice and Public Interest Test
No. 5 – Freedom of Information Costing Enquiries and Proforma
No. 6 – Freedom of Information and Public Sector Contracts
No. 7 - How to Recognise Environmental Information
No. 8 – Exemptions under the Environmental Information (Scotland) Regulations 2004
No. 9 – Environmental Information Internal Review Procedures
No. 10 – Re-Use of Public Sector Information: Procedures and Asset List