

# **Freedom of Information Support for RSLs: Resources and Guidance**

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# What Support will be Available?

1. **Templates and Guidance Documents**
2. **Training Sessions**
3. **FOI Legal Advice Helpline**

# Templates and Guidance Documents

## Template FOI/EIR Response Letters

- From 11/11/19 you will need to respond to information requests
- Responses will need to meet the requirements of FOI and EIR legislation
- Suite of Template Letters and Guidance Documents will assist you in complying with FOI/EIR legislation

# Template Letters and Guidance

Will cover range of circumstances such as:

- Advising on whether under FOI/ EIR or GDPR (subject access request)
- Request for Clarification;
- Why all/ some information not being released including where relates to RSL/ RSL subsidiary function not covered by Order
- Applicant has requested Review

# Templates and Guidance Documents

## FOI/ EIR Policy Statement

- Scottish Ministers Guidance recommends “*overarching policy statement*”
- Clearly define roles and responsibilities
- Framework to ensure most effective procedures and practices established
- Identify person with strategic control and how compliance monitored

# Templates and Guidance Documents

- Further Guidance on most relevant exemptions for sector including where
  - disclosure substantially prejudices commercial interests
  - disclosure would breach GDPR
  - information relates to a function not covered by the Order

# Procurement and Contract Documentation

- You may need to disclose info about 3<sup>rd</sup> party contracts in response to requests
- Template wording circulated intended to make it quicker and easier to deal with future requests
- Follows s.60 Code of Practice Guidance
- To be used in tender documents and contracts
- Places onus on Contractor at tender stage
- Short Form / Long Form

# Templates and Guidance

## FOI/EIR Request Process Guide

- Example from Edinburgh Leisure circulated
- Likely to consolidate FOI/ EIR/ SAR
- Staged process to log; clarify; assess; assign and consult; locate and consider; initial response; check/ clear ( where required); send

SFHA EIR Guidance from 2015 – being updated



# Templates and Guidance Documents

**All template documentation will be accompanied by set of ‘User Guides’ - in order to assist you in complying with your FOI and EIR duties.**

# FOI/EIR Training

Quarterly legal update sessions will be provided and will cover:

- Overview of FOI basics;
- Update on key takeaways from the last quarter
- Case study on relevant decisions/cases or closer review of particular area of FOI law

Training sessions will also be available online.

# Legal Advice Helpline

- Provision of legal advice on all aspects of FOI and EIR compliance
- 20 minute advice service intended to cover:
  - ad-hoc assistance with straightforward queries; and
  - triage services for complex matters identifying key considerations and issues to be aware of

**Access to further advice / support easily available**

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