



Argyll and Bute Council

Guide to information available through the Scottish Information Commissioner's Model Publication Scheme

Version

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ARGYLL AND BUTE COUNCIL

GUIDE TO INFORMATION AVAILABLE THROUGH THE MODEL PUBLICATION SCHEME 2013

INTRODUCTION

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

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

Argyll and Bute Council has adopted the **Model Publication Scheme 2018** produced by the Scottish Information Commissioner.

You can see this scheme on our website: [Freedom of Information | Argyll and Bute Council](#)

or by contacting us at the address below (*see section 2, "Contact us"*).

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.

Protective marking

We may adopt a protective marking scheme, in which case, documents will be marked appropriately to their level of sensitivity. A protective marking scheme can provide a guide to information which is likely to be able to be made available under FOISA, but is not an absolute - a judgement will require to be made with regard to whether certain documents / information can be made available in each specific case.

GENERAL INFORMATION AND KEY CONTACT DETAILS

Our aim is to make our publication scheme as user-friendly as possible, and we hope that you can access all the information we publish with ease. If you do have any issues with any aspect of the publication scheme, then please contact us, and we will try and resolve your query as quickly as possible. You can contact the Governance Unit (*see below*) in the first instance.

Contact us

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

Compliance & Regulatory Team, Legal & Regulatory Services, Argyll and Bute Council, Kilmory, Lochgilphead, Argyll, PA31 8RT

Tel: 01546 605522 (*main enquiry line*)

e-mail: foi@argyll-bute.gov.uk

COPYRIGHT

Argyll and Bute Council holds the copyright for the vast majority of information in this publication scheme. All of this information can be copied or reproduced (but not re-used - see below) without our formal permission, provided it is copied or reproduced accurately, is not used in a misleading context, and provided that the source of the material is identified.

The publication scheme may however contain information where the copyright holder is not Argyll and Bute Council. In most cases the copyright holder will be obvious from the documents. In cases where the copyright is unclear, however, it is the responsibility of the person accessing the information to locate and seek the permission of the copyright holder before reproducing the material or in any other way breaching the rights of the copyright holder.

Information about Crown copyright material is available on the website of the [Kings Printer for Scotland](#). We can provide you with a copy of this information if you do not have internet access.

Re-Use of Public Sector Information

Access to information does not mean that copyright has been waived, nor does it give the recipient the right to re-use the information for a commercial purpose. If you intend to re-use information obtained from the scheme, and you are unsure whether you have the right to do so, you are advised to make a request to Argyll and Bute Council to re-use the information. Your request will be considered under the Re-Use of Public Sector Information Regulations 2005 (RPSIs) for which a charge may be imposed. In the event that a charge is payable, you will be advised what this is and how it has been calculated. If you would like more information on the re-use of information, please see the “*Contact us*” section above.

Guidance on the RPSI regulations can also be found on the National Archives website

- [Re-using public sector information - The National Archives](#)
- [The Re-use of Public Sector Information Regulations 2005](#)

We can provide you with a copy of this information if you do not have internet access.

CHARGING INFORMATION

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

There is no charge to view information on our website or at our premises, except where there is a statutory fee, for example, for access to registers. You can see a list of our [statutory fees](#).

We may charge for providing information to you e.g., photocopying and postage, but we will charge you no more than it actually costs us to do so. We will always tell you what the cost is before providing the information to you.

View our [current photocopying charge per sheet of paper](#).

Postage costs will be recharged at the rate we pay to send the information to you.

When providing copies of pre-printed publications, we will charge no more than the cost per copy of the total print run.

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

INFORMATION NOT AVAILABLE FROM THE PUBLICATION SCHEME

‘Added Value’ information

This covers information which is held by the Council but has to be analysed or packaged in some way in response to a specific enquiry for it. Requests for this information should be sent to the relevant services (*details can be found under section 6, class 2*).

Here are a few examples of value added information:

- **Property Enquiry Certificates (PECs):**
While some of the ‘raw’ information required to compile PECs is held in publicly available registers, and is therefore published, an individual PEC requires the extraction of, analysis and packaging of data in response to a specific request. Information about PECs can be found in Section 6, Class 2.
- **Analysis of the contents of public registers**
Details of how to access public registers are available from this scheme (see Section 6, Class 2). If you require any information which cannot be accessed from this scheme, you can request this from the relevant service, or by contacting the FOI Officer (*see “Contact Us” above*).
- **Archives, Museums and Libraries**
The contents of archives, museums and libraries are mostly available to the public, however, these are not available through the publication scheme, or by requesting the information from us through FOI / EIR or Data Protection. You can visit these places to access the information directly, please note that charges may apply.

Details of locations, opening times, contact information etc. can be found on our website as follows:

- [Library and Archives information](#)
- [Museum, halls and theatres](#)

Local information

Local community groups* often send details of events, activities, consultations etc to the Council – these are published on our website under [News, What's on, and Consultations on the homepage](#).

**Please note that Argyll and Bute Council is not responsible for the content of external websites, or for any information provided via the Council by third parties.*

Information published by External Partners

Some of our services are required to provide information to external partners, who then publish this information. Examples of this information include:

- Education data (including pupil census, teacher census, attendance and absence, school meals etc.) - [Scottish Government website](#)
- Condition and suitability of Schools – [Scottish Government website](#)

Freedom of Information Requests

If the information you are seeking is not available from this publication scheme, then you may wish to request it from us. The Freedom of Information (Scotland) Act 2002 (FOISA) provides you with a general right of access to the information we hold, subject to certain exemptions.

The Environmental Information (Scotland) Regulations 2004 (EIRs) provide a right of access to the environmental information we hold, and the Data Protection Act 2018 (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.

Together these three pieces of legislation provide rights of access to most information held by the Council. However, there are other acts or regulations which provide a right of access to specific types of information held by local authorities, or which require registers to be publicly available. This includes information held on school pupils and social work client files. More information on this can be found on the Information Commissioner's website at:

- [Pupil information](#)
- [Social work records](#)

Asking for a review

You have a legal right to access information, and a right of appeal to the Scottish Information Commissioner if you are dissatisfied with our response. These rights will only apply to requests made in writing* or another recordable format. If you are unhappy with our responses to your request you can ask us to review it, and if you are still unhappy, you can make an appeal to the Scottish Information Commissioner.

If you have asked us for information that is not available under this scheme, and are dissatisfied with the way in which your request for information has been dealt with, you are entitled to request a review by writing to:

Executive Director, Legal & Regulatory Services, Argyll and Bute Council, Kilmory, Lochgilphead, Argyll, PA31 8RT

Email: foi@argyll-bute.gov.uk

Your request for review must state your name and address for correspondence, specify the request for information to which your request for review relates, and why you are dissatisfied with the response.

You must make your request for review not later than 40 working days after the expiry of the 20 working day period for response to your initial request by the Council, or not later than 40 working days after the receipt by you of the information provided, any fees notice issued or any notification of refusal or partial refusal.

If you make an application for review and remain dissatisfied with the way in which the review has been dealt with you are entitled to make an application to the Scottish Information Commissioner for a further review.

The Commissioner's website has a guide to this process, and an enquiry service operates on Monday to Friday from 9:00am to 5:00pm. The Scottish Information Commissioner's office can be contacted as follows:

Scottish Information Commissioner

Kinburn Castle

Doubledykes Road

St Andrews

Fife

KY16 9DS

Tel: 01334 464610

Email: enquiries@foi.scot

Website: www.itspublicknowledge.info

*verbal requests for environmental information carry similar rights.

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 "Charges" section 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 under FOISA

- 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, redacting 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 under the EIRs:

In responding to requests for information under the Environmental Information (Scotland) Regulations 2004 (EIRS), the Council is entitled to charge a reasonable amount towards making the information available. This includes information which may have been requested under the Freedom of Information (Scotland) Act 2002 (FOISA).

- If a charge is to be made, this will not exceed the actual costs of providing the information to you.
- In order to calculate a “reasonable charge”, the Council may use the FOISA charging regime as a guide (see above) except that there is no limit over which we can refuse to provide the information.
- In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate and is not capped at the maximum allowed of £15 per person per hour in terms of the FOISA charging regime.
- 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.

Requests for your own personal data under the Data Protection Act 2018 (DPA)

The council does not charge a fee for subject access requests.

General Notes

Access to education records can initially be made to the relevant school, and access to Social work records may be sought via the Social Work area teams. In some cases they will seek specialist advice, however, there is no cost to the applicant if this is done.

It is worth noting that Argyll and Bute Council do not hold Housing tenant files, these were all transferred to ACHA (<http://www.acha.co.uk/>) at the time of Housing Stock Transfer in 2006.

CLASSES OF INFORMATION

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.

CLASS 1: ABOUT ARGYLL AND BUTE COUNCIL

Class description:

Information about Argyll and Bute Council - who we are, where to find us, how to contact us, how we are managed and our external relations

Notes:

How to access the information we publish under this class:

- [How to contact Argyll and Bute Council](#)
- [Where to find us](#)
- [About Argyll and Bute Council](#)
- [Council structure](#)
- [Argyll and Bute information / key functions and services](#)
- [Argyll and Bute Councillors](#)
- [Argyll and Bute information](#)
 - o facts and figures
 - o population
 - o economy
- [Community Planning Partnership](#)
- [Complaints procedure](#)
- [Community Councils](#)
- [Latest News and Press Releases](#)

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.

Notes:

How to access the information we publish under this class:

General

- [Corporate Plan](#)
- [Community Planning and Argyll and Bute Outcomes Improvement Plan 2024-2034](#)
- [Council Constitution](#)
- [Scheme of administration and delegations](#)
- [Financial regulations](#)
- [Birth, marriage and death information](#)
- [Information about benefits and grants](#)
- [Non-domestic Rates](#)

Social Work

- [Social care and health](#)
 - o Argyll and Bute Health and Social Care Partnership
 - o Care home information
 - o Blue badge applications
 - o Concessionary travel pass applications
 - o Information about assistance for young people, older people, vulnerable adults
 - o Information about health and medical services available in the area
- [ICSP \(integrated children's service plan\)](#)

Commercial Services

- [Council property for sale and rent](#)
- [Climate Change](#)

Community and Culture

From 02 October 2017, the charitable company, Live Argyll, was established by Argyll and Bute Council to deliver a range of leisure services.

- [Sport and leisure](#)
- [Library and archives](#)

Housing

- [Housing strategy, consultation and research](#)
- [Homelessness](#)
 - o Questions and Answers
 - o Contact information
- [Private sector housing information](#)

- Tenant information and guidance
 - Grant assistance
 - Empty homes (figures and advice)
- [Private sector housing information](#)
 - Tenant information and guidance
 - Grant assistance
 - Empty homes (figures and advice)
- [Energy efficiency](#)
- [Advice for older and disabled people](#)
 - Grant assistance
 - House adaptations
- [Council tax](#)
 - How to pay
 - Exemption and discount information
 - Enquiry and application forms
 - Band information

Development and Economic Growth

- [Economic Development Action Plan](#)
- [Renewable Energy](#)
 - Renewable energy action plan
 - Interactive renewables map
 - Community benefits
 - Ali-energy
 - Argyll and Bute Renewables Alliance
- Regeneration and Development
 - [Growth and Development](#)
 - [Film in Argyll](#)
 - [Rural Growth Deal](#)
 - [Invest in Argyll](#)
- [Business Gateway Service](#)
 - Business advice within Argyll and Bute
- Social Enterprise
 - [Grants and funding information](#)
- [Walking and Cycling routes and information](#)
- [Road safety](#)
- [Ports and Harbours](#)

- Harbour dues
 - Fish landing dues
 - Operational ports and harbours
 - Ferry information
- [Tourism](#)
 - Strategic Tourism Partnership
 - Tourism Summit
- [Oban Airport](#)
 - Flight information and destinations
 - Landing and airfield charges

Roads, Amenity Services and Infrastructure Services

- [Winter Maintenance Policy \(Roads\)](#)
 - gritting routes and treatment plans
- [Car parks and parking fine information](#)
- [Roads and pavements](#)
 - current and planned roadworks (external site)
 - Street lighting
 - Adverse weather plans
 - List of public roads
 - Traffic regulations orders and movement of abnormal loads
 - [Roads capital programme](#)
- [Rubbish and Recycling](#)
 - Bin collection times
 - Order bins
 - Rubbish and recycling facilities
 - Commercial refuse
 - Large / bulky item collections
 - Hazardous waste information
- [Public Transport](#)

Planning and Regulatory Services

- [Planning and Building Standards](#)
 - Strategic and Local Development Plans
 - Marine and Coastal Development
 - Outdoor Countryside Access
 - Renewable Energy Information and location map
 - Planning register
 - Building Standards register

- Weekly list of planning applications
 - Planning and Building Standards advice
 - Building Standards Performance and Customer Care
 - Planning and Regulatory Services customer charter
- [Planning enforcement charter](#)
- [Planning Performance Framework](#)
- [Trading Standards](#)
 - Advice and support for businesses
- [Animal Welfare, Health, Regulations and Pest Control](#)
- Environmental Health
 - [Food safety](#)
 - Environmental protection
 - [Licences and public registers](#)
 - Public Health and Housing
- [Licence permits and permissions](#)
- [Property Enquiry Certificates](#) (how to request one)

Education

- [Education and Learning](#)
 - School information
 - School term / holiday dates
 - Additional Support Needs
 - School Policies and Plans
 - Education Maintenance Allowance
 - Childcare, school and education grants
 - Adult, youth and community education
- [School Transport Policy, guide, information and application forms](#)
- [School meal information](#)

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

Notes:

How to access the information we publish under this class:

- [Political structure](#)
- [Plans, policies and key documents](#)
 - o Council constitution
 - o Standing orders
 - o Scheme of administration and delegation
 - o *(Other key documents can also be found within this link)*
- [Common good fund](#)
- [Council decisions](#)
 - o Agendas, reports and minutes of meetings
- [Elections](#)
 - o Details of upcoming elections and ballots
 - o Voting information
 - o Results
- Community Engagement Strategy
 - o New strategy being developed, due to be published autumn 2024
- [Planning Documents and Decision Details](#)
- [School placement – decision process](#)
- [Privacy notices](#)

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.

Notes

How to access the information we publish under this class:

- [Budget and Financial information](#)
 - Current budget
 - [Fees and charges](#)
 - [Financial Statements](#)
 - Financial Regulations
 - [Constitution](#)
- [Spotlight on Spend](#)
 - The Annual Procurement Report publishes the council's previous financial year's expenditure broken down by contracted, small and medium enterprises and local.
 - The Procurement Strategy publishes the council's total procurement spend on supplies, services and works, broken down by Category and in more detail by Business Sector classification.
- [Councillors Expenses](#)
- [Quarterly Performance Reports](#)
- [Funding & Support note](#)

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 Argyll and Bute Council

Notes:

How to access the information we publish under this class:

- [Working for Argyll and Bute Council](#)
 - Employee code of conduct
 - Customer Service charter
 - Flexible working hours policy
 - Alternative ways of working policy
 - Travel and subsistence rates
 - Relocation package information
- [Salary scales](#)
- [Recruitment](#)
 - Vacancies
 - Relocation information
 - Disclosure policy and information
 - Politically restricted posts
- [Asset Management Strategies and Plans](#) (published in budget pack)
- [Information resources](#)
 - Records Management Plan / Policy
 - Data Protection
 - FOI

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

Notes

Argyll and Bute Council uses a standard template for tender documents.

If you request a copy of tender documents, a judgement on what information can be provided will be made depending on the timing of the request. If a document contains information that is exempt under Scotland's freedom of information laws (for example commercially sensitive information or a trade secret), we may remove or redact the information before publication.

How to access the information we publish under this class:

- [Procurement information](#)
 - o Current, future and past tenders
 - o Guidance in connection with our procedures
- [Procurement and Commissioning Strategy](#)
 - o Details of how the Council procures goods and services
 - o [Contact details for the Procurement and Commissioning Team](#)
 - o [Annual Procurement Report](#)

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

Notes:

How to access the information we publish under this class:

- [Best Value and performance](#) (includes financial statements, best value reports, efficiency statements, performance and performance indicator reports, annual reports and education standards reports)
- [Quarterly performance reports](#) (scorecards, outcomes and key successes published at the end of each quarter)
- [School HMIE reports](#) (found within each school page)
- [Building Standards Performance Information](#)
- [Building Standards balanced scorecard](#)

CLASS 8: OUR Open data

Class description:

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

The Commissioner expects authorities to publish the following information (if held), **as a minimum**:

- The authority's open data publication plan
- Open data sets and their metadata, or links to where they are accessible

Notes:

How to access the information we publish under this class:

- [Boundaries, Electoral, Planning, Environment, Education, Transport and Renewables](#)
- [GIS Open Data](#)
- [Data sets](#)