



Forestry and
Land Scotland
Coilltearachd agus
Fearann Alba

Guide to Information

July 2019

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Publication Scheme

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Introduction to the Publication Scheme

The Freedom of Information (Scotland) Act 2002 (FOISA) provides individuals with a right to request any recorded information held by Scotland's public authorities. Anyone can use this right, and information can only be withheld where FOISA expressly permits it.

Section 23 of FOISA also requires that all Scottish public authorities maintain a publication scheme. A publication scheme sets out the types of information that a public authority routinely makes available.

Forestry and Land Scotland has adopted the Model Publication Scheme, developed and approved by the Scottish Information Commissioner. The Commissioner is responsible for enforcing FOISA. The model scheme can be viewed online or by contacting us at the address below.

The Commissioner's Model Publication Scheme is designed to ensure that authorities meet their obligation to take account of the public interest in providing access to the information that they hold which relates to:

- the services they provide;
- the costs of those services;
- the standard of those services;
- the facts that inform the important decisions they take; and
- the reasoning that informs their decisions.

Forestry and Land Scotland have therefore made a commitment to publish all information which we hold which falls within the classes of information in the scheme. The information we publish through the model scheme is, wherever possible, available on our website.

The website front page guides readers to key forestry topics, and includes a search option on the top left of the website which will allow users to search key topics to aid navigation to key information sources.

As an Executive Agency within Government, the Scottish Government's own "6 principles of FOI", generally speaking, underpin our approach to FOI matters. These principles, in particular, make clear the Scottish Government's commitment to open government and publishing information proactively whenever possible. We have also considered the types of information which are requested from our predecessor body, forestry Commission Scotland routinely and, where possible, sought to publish information proactively.

If you would like to access information not published under the scheme, you can still request it from us under FOISA or, in the case of environmental information, the EIRs. For further information on accessing information we do not publish, see “How to access information which we do not publish” section below.

About us

Forestry and Land Scotland (FLS) was established as an executive agency of the Scottish Government on 1 April 2019, following completion of the devolution of forestry as a result of the [Forestry and Land Management \(Scotland\) Act 2018](#) (the Act).

As an executive agency within the Scottish Government, Forestry and Land Scotland is directly accountable to Scottish Ministers, and Forestry and Land Scotland’s Chief Executive is directly accountable to the Scottish Government Cabinet Secretary for Rural Economy.

Information about Forestry and Land Scotland, including more details of [what the agency does and its organisational structure](#) is available on the Forestry and Land Scotland website.

Information that we may withhold

All information published in this guide can be accessed either through our website, or by asking us for it.

Our aim in maintaining this publication scheme is to be as open as possible. You should note, however, that there may be limited circumstances where information will be withheld from publication. Information will only be withheld where FOISA (or, in the case of environmental information, the Environmental Information (Scotland) Regulations 2004 (EIR)) expressly permits it. For example, where the information’s disclosure would breach the law of confidentiality, harm an organisation’s commercial interests, or endanger the protection of the environment. Information may also be withheld if it is another person’s personal information, and its release would breach the data protection legislation.

Where we withhold information we will remove or redact it before publication and explain why. Even where information is withheld it may, in many cases, be possible to provide copies with the withheld information edited out.

Availability and formats

The information we publish through the model scheme is, wherever possible, available on our website. This information on our website (which can be navigated from our [home](#) page or [publications](#) page) includes material which is available to download. Alternatively, you can use our website's "Search" facility. 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).

If you wish to request information in another format than that available, then please contact us using one of the methods mentioned below in the Contact Us section.

Our charging policy

Unless otherwise stated below under charges for information available only through request, all information contained within our scheme is available from us free of charge where it can be downloaded from our website or where it can be sent to you electronically by email.

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 Forestry and Land Scotland, 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.

Fee Calculation

In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £25 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.

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).

Postage costs

We will pass on postage charges to the requester at the cost to Forestry and Land Scotland of sending the information by first class post.

We are required by the Equality Act 2010 to make take steps to meet the needs of people who share a relevant protected characteristic. In terms of access to information, this means making reasonable adjustments to our practices to ensure that information is physically accessible. This may, for example, involve producing information in a larger script or different format where it is practicable to do so. The costs of this will be met by Forestry and Land Scotland.

Our copyright policy

Forestry and Land Scotland is a Crown body and the information we produce is subject to Crown copyright, which is administered by the Queen's Printer for Scotland. The material listed in this publication scheme is Crown copyright unless stated otherwise.

You may use and re-use Crown copyright information published through this guide free of charge in any format or medium, under the terms and conditions of the [Open Government Licence](#), provided it is reproduced accurately and not used in a misleading context. Where any of the Crown copyright items published through this guide are being republished or copied to others, the source of the material must be identified and the copyright status acknowledged.

Our records management and disposal policy

Forestry and land Scotland will have a Records Management Plan and Records Retention and Disposition Schedules in respect of all documents that it creates and holds from June 2020. These schedules will set out the lengths of time for which all types of records must be held. This means that whilst FOISA is retrospective, it is only possible to provide copies of records that are still in existence. Our policy and procedures in relation to records management will be set out in the our Record Management Plan.

Some Scottish Government records are selected to be permanently preserved at the National Records of Scotland. The Schedules referred to above set out what types of records will normally be preserved. Once transferred to the National Records of Scotland, these records are made publicly available and are listed on their [on-line catalogue](#).

How to access information which we do not publish

If the information you are seeking is not available through this website, then you may wish to request it from us using the contact details listed below.

Charges for information which is not available under the scheme

The charges for information which *is* available under this scheme are set out above. If you submit a request to us for information which *is not* available under the scheme the charges are outlined below. 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.

Processing 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, that calculated on the basis of a waiver for the first £100 and 10% of the remaining £500. At present however Forestry and Land Scotland normally waives this fee. We are not obliged to respond to requests which will cost us over £600 to process.

For EIR requests, where it would cost more than £600 to provide the information to you, we may ask you to pay the full cost of providing the information, with no waiver for any portion of the cost.

Reproduction & Postage Costs

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.

The classes of information that we publish

We publish information that we hold within the classes set out in the publication scheme. 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 Forestry and Land Scotland

Class 2: How we deliver functions and services

Class 3: How we take decisions

Class 4: What we spend

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

Contact us

If you wish to request information which we do not publish then please contact us via one of the below methods:

By email

If the information you seek can be identified from our website but you are unable to download it, we can usually send it to you by email. When requesting information from us, please provide a telephone number so that we can telephone you to clarify details, if necessary.

Please send your request for information to enquiries@forestryandland.gov.scot

By phone

Please contact 0131 370 5541 to request information.

By post

Please address your request to:

Forestry and Land Scotland Head Office

1 Highlander Way,

Inverness Business Park

Inverness

IV2 7GB

When writing to us to request information, please include:

- your full name and an email or postal address
- full details of the information or documents you would like to receive and why this information is required
- any payment (if you know the applicable fee)
- the format you wish to receive your information (paper, electronic, large print)

Scottish Information Commissioner

You have legal rights to access information under this scheme and a right of appeal to the Scottish Information Commissioner if you are dissatisfied with our response. These rights apply only to information 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 internally and if you are still unhappy, you can make an appeal to the Scottish Information Commissioner.

The Commissioner's website has a guide to this three step process, and operates an enquiry service on Monday to Friday from 0900 to 1700. Their office can be contacted as follows:

Scottish Information Commissioner

Kinburn Castle

Doubledykes Road

St Andrews Fife

KY16 9DS

Tel: 01334 464610

Email: <mailto:enquiries@itspublicknowledge.info>

Website: <http://www.itspublicknowledge.info/>

*verbal requests for environmental information carry similar rights.

Requests for personal data

You have the right of access to any personal data Forestry and Land Scotland, as part of Scottish Government, holds about you. In addition, if you believe the data we hold is inaccurate or incomplete you can ask us to update our records. This is called a “subject access request”. These rights are subject to certain exceptions or exemptions. The Scottish Government, How to request personal data guidance provides further details.

All requests from members of the public for access to their personal data held by the Forestry and Land Scotland should be passed to the Forestry and Land Scotland Corporate Services Team.

The Scottish Government leaflet “How to open government” gives further explanation about your right of access to information under the different legislation.

Class 1: About Forestry and Land Scotland

This class includes information about Forestry and Land Scotland: who we are; where to find us; how to contact us; how we are managed; and our external relations.

General information about the authority

[About us](#), [Contact us](#)

Framework

The Framework [Document](#) sets out the different roles and responsibilities of Scottish Ministers, Forestry and Land Scotland and the Scottish Government in delivering the Government's forestry policy objectives.

How the authority is run

- [Executive](#) Team
- Strategic Board
- Audit and Risk Committee

Corporate planning

Work is underway to produce the first [Corporate](#) Plan for Forestry and Land Scotland, we expect to publish this in October 2019.

The Corporate Plan will be subject to public consultation and cover a period of three years. The Corporate Plan will set out Forestry and Land Scotland's outcomes and targets and its high-level performance indicators, and give an overview of how it will deliver these over the Plan period in line with the Purpose and National Outcomes set out in the [National Performance Framework](#). It will also contain Forestry and Land Scotland's policy statements on resource management (including Efficient Government) and other corporate issues such as equality, health and safety and information management.

The Corporate Plan will be supported by an Annual Business Plan which will set out the year's business targets, milestones and performance indicators required to deliver the objectives set out in the Corporate Plan along with current and operating expenditure requirements, capital investment programmes and any additional activity agreed by the Scottish Ministers.

The first Business Plan will be available in the Autumn 2019 .

Legislation

Primary legislation relevant to Forestry and Land Scotland.

- [Forestry and Land Management \(Scotland\) Act 2018](#)
- [Land Reform \(Scotland \) Act 2016](#)
- [Community Empowerment \(Scotland\) Act 2016](#)
- [The Wildlife and Natural Environment \(Scotland\) Act 2011](#)
- [Climate Change \(Scotland\) Act 2009](#)

Secondary legislation, Regulations and Standards

- [The UK Forestry Standard \(UKFS\)](#)
- [The Felling \(Scotland\) Regulations 2019](#)
- [The Felling \(Exemptions\) \(Scotland\) Regulations 2019](#)
- [Forestry \(Environmental Impact Assessment \(Scotland\) Regulation 2017](#)
- [Plant Health \(Forestry\) Order 2005](#)

Scottish Ministers' Forestry Strategy

[Scotland's Forestry Strategy 2019-2029](#) presents the Scottish Government's 50-year vision for Scotland's forests and woodlands and sets out a 10-year framework for action. It was developed in full [consultation with a broad range of stakeholders](#).

Complaints Procedure

[Forestry and Land Scotland complaints handling procedure](#).

[Return to Classes of Information](#)

Class 2: How we deliver functions and services

FLS has responsibility for managing the national forests and land for multiple outcomes, a function previously undertaken by Forest Enterprise Scotland, an agency of the Forestry Commission. The land management provisions of the 2018 Act provide the potential for the expertise within FLS to be used, by agreement, to manage forested and non-forested land owned by other people. As a forest manager, FLS is regulated by Scottish Forestry. FLS also has particular responsibilities to help ensure Scottish Ministers meet their duties to manage forested land in a way that promotes sustainable forest management.

As an operationally-focused organisation involved in commercial trading activities (e.g. the sale of timber, renewable energy schemes, recreation, venison sales, estate management), FLS is more at arms-length from the core Scottish Government, retaining greater independence in the delivery of its day-to-day operational objectives. FLS is classed as a Public Corporation under the definition set by the Office of National Statistics.

FLS will contribute to the achievement of the Scottish Government's primary purpose of creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive economic growth.

The purpose of FLS, in its unique position as both an executive agency and largest land manager in Scotland, is to manage forests and land owned by Scottish Ministers in a way that supports and enables economically sustainable forestry; conserves and enhances the environment; and delivers benefits for people and nature.

The primary focus of FLS, in delivering its purpose, is to support Scottish Ministers in their role as leaders of Sustainable Forest Management and Sustainable Development through their stewardship of the national forests and land.

Class 3: How we take decisions

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

Executive [Team](#) The Executive Team comprises all five Executive Directors, five Regional Managers, Head of Human Resources and Head of Finance and Procurement. The role of the Executive Team is to lead FLS and oversee the day-to-day management and direction of the agency, delivering against agreed programmes

of work, and providing information, advice and guidance to the Chief Executive on key corporate matters and decisions.

Strategic [Board](#) The Strategic Board comprises all Executive Directors and Non-Executive Advisers. The group serves to support and provide advice to the CEO. Non-executive members are specifically selected for their expertise or experience in matters relating to financial strategy, risk, service delivery and change management.

[Audit and Risk Committee](#) The Audit and Assurance Committee supports the CEO by providing advice and constructive challenge in matters relating to risk management, control, governance and associated assurance to support year-end accountability and reporting. The membership comprises non-executive advisers. The Chief Executive and Head of Finance and Business Services routinely attend, along with representatives from Internal Audit and Audit Scotland. The Committee can also sit privately without Executives, or any other party present for all or part of a meeting if required.

Public Consultations

[Consultation](#) is an essential part of the decision making process. As we develop our land management proposals we consult with stakeholders (including statutory consultees) and local people who offer valuable knowledge and insights that can be of great assistance when formulating our proposals. The resulting plans are then submitted to our regulator, Scottish Forestry, who makes them available for further public comment by means of our public registers. The input of consultees helps us to improve the decisions that we make and promotes a culture of co-operation and support.

[Return to Classes of Information](#)

Class 4: What we spend

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.

Forestry and Land Scotland Annual Report and Accounts

The annual reporting on Forestry and Land Scotland's aim, functions and targets, including our financial information for the year. As a new agency created 1 April 2019, the first annual report and accounts will be available around July 2020.

Finance Manual

[Scottish Public Finance Manual](#)

[Return to Classes of Information](#)

Class 5: How we manage our human, physical and information resources

Information about how we manage the human, physical and information resources of the authority.

Forestry and Land Scotland has a service level (SLA) agreement in place with another agency, Scottish Forestry. Both are agencies of the Scottish Government and sit within the Environment & Forestry Directorate of the Scottish Government.

The SLA covers the following range of services

- Human Resources (including payroll and E&D)
- Learning and Development (L&D)
- Health, Safety and Wellbeing (H,S&W)
- Digital Services
- Fleet Management
- Building Services
- Finance and financial Systems (19/20 only – other years by agreement)
- Media

Policies and procedures are being developed and information on the number and type of guidance will be made available later this financial year.

Information resource management

FLS will move to the use of the Scottish Government's Corporate system to manage electronic records (eRDM) during 2020. FLS will maintain their own file plan and retention schedules.

- Records management policy and records management plan, including records retention schedule
- Freedom of information policies and procedures
- Privacy policy

Class 6: How we procure goods and services from external providers

In line with Scottish Government requirements, Forestry and Land Scotland utilizes the Public Contracts Scotland web portal to advertise its:-

- Invitations to Tender for contracts of £50,000 or more in value
- Contract Award Notices
- Contract Register of resulting contracts awarded, including name of supplier, period of contract and value

Contracts above the EU thresholds are also published on the Official Journal of the European Union via the above portal.

Forestry and Land Scotland Contracts use the PCS Quick Quote facility to invite quotes for contracts of £50,000 or less in value for low value goods, works and services. Only suppliers registered on the [Public Contracts Scotland website](#) can be invited to quote.

Other Information

Forestry and Land Scotland will make available other Procurement related information on its website including its:-

- Procurement Strategy
- Annual Report
- Any additional information as required by applicable legislation and statutory guidance

Class 7: How we are performing

Our Corporate Performance Reports provide a quarterly overview of our work and the progress we are making towards meeting our corporate objectives.

They cover our five business functions:

- Land management
- Estate development
- Community and visitor services
- Corporate support
- Business services

Reports and dashboard summaries

The [Reports](#) are prepared for the Forestry and Land Scotland (FES) Executive Team who used them to identify examples of good practice and areas where further action was required.

[Return to Classes of Information](#)

Class 8: Our commercial publications

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

Forest and Land Scotland currently has no commercial publications. Charges may arise for information as explained in the charging policy in the Introduction to the Guide.

[Return to Classes of Information](#)

Class 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.

Forestry and Land Scotland is currently developing its Open Data Publications Plan and further information will be available this year.

Details of publications and statistics can be found in the body of this document or on the [Publication Section](#) of our website.

Further copies of this document are available, on request, in audio and large print formats and in community languages (Urdu; Bengali; Gaelic; Hindi; Punjabi; Cantonese; Arabic; Polish).

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Any enquiries regarding this document / publication should be sent to us at

enquiries@forestryandland.gov.scot

This document is also available on the Forestry and Land website:

www.forestryandland.gov.scot