



Freedom of Information Policy October 2019

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Approved:	October 2019
Review Date:	October 2022

Our Vision

Excellent housing in vibrant communities.

Our Values

Respect

We see the positive in everyone, especially our tenants. We treat everyone fairly, regardless of age, race, gender, sexuality or background. We ask for opinions even if we know we might not like what we hear. And we address people's concerns in any way we realistically can.

Integrity

What we say in public is the same as what we say behind the scenes. If we say we'll do something, we mean it. Our tenants can count on us to solve their problems and make sound decisions.

Aspiration

We want the best for all our current and future tenants. We're not afraid to strive for things that won't be easy – or try things that haven't been done before. We seek out opportunities and welcome change. If it doesn't turn out as planned, we learn and improve again. And then we try again.

Our Strategic Objectives

1. Build more desirable homes in popular neighbourhoods
2. Deliver more excellent services to suit our tenants' lives
3. Invest in our people to grow and develop their skills
4. Find more ways to ensure value for money
5. Continue to challenge poverty
6. Put even more focus on community health and wellbeing
7. Be ready for opportunities

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1. Introduction

- 1.1 The Freedom of Information (Scotland) Act 2002 (Designation of Persons as Scottish Public Authorities) Order 2019 (the designation order) (FOISA) provides individuals with the right to obtain information from public bodies in Scotland, including from RSLs. Where Queens Cross Housing Association (the Association) holds information we must respond to requests made from members of the public.
- 1.2 This Policy sets out the responsibilities of the Association in relation to meeting our legal obligations to provide information under FOISA. It also outlines the principles which guide the Association in providing the information.

2. Scope

- 2.1 This policy applies to any information held by the Association which relates to one or more of the functions set out below, regardless of format. This will include information created internally and information received from third parties. It will also relate to information which is held on behalf of the Association.
- 2.2 This policy applies to all Queens Cross Housing Association employees.
- 2.3 This Policy applies to all the Association's Governing body members, employees and volunteers. FOI legislation will apply to information relating to housing services but will not apply to information relating to the provision of services to owners.

3 Definition of Freedom of Information

- 3.1 Under FOI legislation, RSLs must respond to requests for information, publish information proactively and provide advice and assistance to help members of the public access information. FOI requests are any request for information which the Association holds, with the exception of any requests which should be treated as Environmental Information Requests or Subject Access Requests.
- 3.2 In accordance with the terms of the Order, not everything that the Association does is subject to FOISA. Instead, the Association is only subject to these regimes in respect of certain functions, namely 'housing services' (as defined in s.165 of the Housing (Scotland) Act 2010) which the Association carries out – subject to some restrictions.
- 3.3 Looking at the definition of 'housing services' and the restrictions which are set out in the Order the following functions carried out by the Association are covered by FOISA:
- the prevention and alleviation of homelessness
 - the management of social housing accommodation
 - the provision and management of sites for gypsies and travelers; and

- the supply of information to the Scottish Housing Regulator (SHR) by an RSL or a connected body (i.e. a subsidiary) in relation to its financial wellbeing and standards of governance.

4. Key Principles

4.1 The Association is committed to the underlying principles of openness and transparency underpinning FOISA and EIR and complying fully with the requirements of said legislation.

4.2 To this end the Association will:

- follow the relevant Scottish Ministers Codes of Practice relating to FOISA and EIR, as well as any relevant guidance issued by SIC;
- take into account the needs of individuals when presenting information under FOISA and EIR;
- make all employees aware of their responsibilities under FOISA and EIR and support them in fulfilling those responsibilities;
- publish a wide range of information through our Publication Scheme;
- monitor compliance with FOISA and EIR with a view to continuous improvement;
- respect data protection in accordance with the GDPR and Data Protection Act 2018 when complying with FOISA and EIR;
- only withhold information where entitled to do so under FOISA and EIR and explain why information is withheld; and
- provide advice and assistance to individuals seeking to access information
- Refuse requests for information only if a valid exception applies (see FOI Procedure for full list of exceptions);
- Balance any interests in withholding information with public interest;
- Inform applicants when any charge will be made for providing information.
- Respond promptly to requests we receive and within statutory timescales.

5. Responsibilities

5.1 Responsibilities for this Policy are:

- The Director of Finance and Corporate Support has overall responsibility for ensuring that the Association complies with FOI legislation.
- The Business Strategy Team has operational responsibility for ensuring that individual requests are handled in line with statutory requirements.

- Members of the Leadership Team are responsible for ensuring that staff adhere to this Policy and the FOI Procedure.
- All employees are responsible for:
 - familiarising themselves with this policy;
 - registering information requests on the system as quickly as possible.
 - seeking guidance from the Business Strategy Team if they are unsure about any of the duties placed on the Association by FOISA or EIR;
- Employees should be aware that where an information request is received and an employee deletes or alters information held by the Association with the intention of preventing disclosure of that information a criminal –offence is committed. Where employees are unsure if deletion or alteration of information may result in an offence they should seek guidance from the Business Strategy Team.
- Compliance with this policy is compulsory for all employees of Queens Cross Housing Association. Any employee who fails to comply with this policy may be subject to disciplinary action.

6. Monitoring and Review

- 6.1 This Policy will be subject to a review every three years, or sooner in the event of any relevant legislative or regulatory changes or best practice guidance.

7. Related Policies and Documents

QCHA Freedom of Information Procedure – October 2019

QCHA Publications Scheme: Our Guide to Information – October 2019

QCHA Environmental Information Regulations Policy – October 2019

QCHA Environmental Information Regulations Procedure – October 2019

QCHA Subject Access Requests Procedure – October 2019

Footnotes and references

Freedom of Information (Scotland) Act 2002 (Designation of Persons as Scottish Public Authorities) Order 2019

FOI/EIR Section 60 Code of Practice

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