



*Dunbartonshire and Argyll & Bute
Valuation Joint Board*

Policy Statement Freedom of Information

This document is available in large print, and by e-mail
Please contact Dunbartonshire and Argyll & Bute Valuation Joint Board.

Version Control

Version	Originator	Summary of Changes	Date
V 1.0	Joint Board	New Policy	Dec 2004
V 1.1	MT	Various	March 2006
V 1.2	MT	Various	August 2008
V 2.0	Joint Board	Various	June 2010
V 3.0	Joint Board	Various – following audit of AVJB Policy	November 2012
V3.1	MT	Various including changes to template letters	January 2017
V3.2	MT	Updated to reflect GDPR and DP Act 2018	June 2018
V3.3	MT	Various minor changes including new web site address	May 2019
V4.0	MT	MT approval of above	May 2019
V5.0	RN	Review and minor legislative changes	June 2021
V5.1	DCT	Responsible Person Updated	January 2022
V6.0	MT	Responsible Person & Assessor contact details updated. Fax number removed from templates.	December 2023
V6.1	RH	Contact details updated.	September 2024
V6.2	RH	Update to Scottish Information Commissioner's contact details	October 2024

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1.0 PURPOSE

- 1.1 The Freedom of Information (Scotland) Act, 2002 came into force fully on 1 January 2005. It gives any person the right of access to “recorded” information held by public authorities in Scotland.

Public Authorities are listed at Schedule 1 of the Act and include in Part 3 Local Government:

An **Assessor** appointed under section 27(2) of the Local Government etc. (Scotland) Act 1994 (c.39).

A **Joint Board**, within the meaning of section 235(1) of the Local Government (Scotland) Act 1973 (c.65).

The Assessor is an employee of the Valuation Joint Board. As the Board’s chief official he represents the VJB on all operational matters on a day-to-day basis. Further, the two entities are presented to, and perceived, by the public and other stakeholders as one. This includes the use of common letterheads, logo, addresses and web site.

The Assessor and the Valuation Joint Board will therefore be treated, for the purposes of this policy, as the same body unless the nature of the request suggests otherwise. The Responsible Officer will take any decision required regarding the applicability of the request in this regard and the requestor will be notified if appropriate. West Dunbartonshire Council’s Legal and Regulatory Services will be consulted if necessary. Any request will be handled as detailed within the Policy.

Once an individual makes a request for information, the Assessor / Valuation Joint Board has 20 working days to respond, subject to certain limitations and exemptions.

- 1.2 This policy sets out the arrangements Dunbartonshire and Argyll & Bute Valuation Joint Board has made to ensure compliance with the Act. The Policy was arrived at having regard to the section 60 guidance notes issued by Ministers.
- 1.3 For further information on Freedom of Information in Scotland, please visit the website of the Office of the Scottish Information Commissioner, whose duties include promoting good practice and enforcing compliance with the Act (www.foi.scot).

2 RESPONSIBILITIES

- 2.1 **All staff** must be aware of the Freedom of Information (Scotland) Act and the duties it places on the Assessor / Valuation Joint Board as public authorities. Training will be carried out to keep staff up to date. This Policy is included in the Induction Pack for new employees.
- 2.2 **Frontline staff** are the likely initial recipients of requests for information. However it is not envisaged that such staff will deal with complex FoI requests.

As a result, frontline staff should primarily familiarise themselves with sections 3 - 7 and 16, and Appendix 1 of this policy document.

- 2.3 **The Depute Assessor** has been nominated as the Freedom of Information Responsible Officer. Section 4.8 outlines the instances in which FoI requests must be transferred to this officer. Contact details are to be found in section 16.1, and a list of key responsibilities for the Responsible Officer is included under Appendix 2.
- 2.4 **The WDC Legal & Regulatory Services Department** is responsible for Freedom of Information generally throughout West Dunbartonshire Council and is available to the Valuation Joint Board to provide general guidance and advice.

3 PUBLICATION SCHEME

- 3.1 The Act requires that the Assessor must produce a Publication Scheme. This is a document describing the information that the authority publishes, in what format it is published, and details of any charges for providing the information.
- 3.2 The person responsible for the day-to-day maintenance of the Assessor's Scheme is the Depute. The Scheme will be updated regularly to take account of changes to the information included. Similarly, the separate Valuation Joint Board Scheme will be updated regularly.
- 3.3 Copies of the Publication Schemes and associated Guides to Information are available on the Valuation Joint Board's website at <https://www.saa.gov.uk/dab-vjb/freedom-of-information/> or, on request, from each office.

4 HANDLING REQUESTS (see Appendix 1)

- 4.1 A Freedom of Information request must meet the following criteria:
- it is in a permanent form capable of being used for subsequent reference for example, email, letter, audio recording or voice mail message
 - it is accompanied by the applicant's name and a correspondence address
 - it contains a description of the information being requested

However, the applicant **does not** need to specifically refer to the Freedom of Information Act.

- 4.2 If a request for information can be routinely dealt with by an employee in the course of his/her everyday duties, it should just be handled as normal. For instance, if a telephone call is received asking what the office opening hours are, this can be answered immediately without asking the caller to put their request in writing. Although Council Tax band and Net Annual/Rateable Value information is included in the publication scheme a telephone request for bands and/or values may be answered – a request for more than a reasonable number of subjects can be referred to the Portal (www.saa.gov.uk) or asked for in writing.

- 4.3 The Assessor / Valuation Joint Board has **20 working days** from date of receipt of the request to reply to the applicant. As a result, it is important that the Out of Office Assistant facility on Microsoft Outlook should be used for email, directing enquirers to an alternative address.
- 4.4 The Act places a duty on employees to provide advice and assistance to applicants. The Valuation Joint Board's Customer Service Standards and Code of Practice policy should be adhered to at all times. It should also be noted that the applicant's reasons for requesting the information are not relevant (unless certain exemptions might be applied – refer to Depute).
- 4.5 Employees must respond flexibly to requests for information. If a potential applicant is clearly unaware of their rights under the Act, employees have a duty to outline the key points of the Act and inform applicants of the procedures for requesting information.
- 4.6 The applicant can request a preference as to the form in which the information is provided, e.g. in large print (see section 5 for further details). Otherwise, the information can be provided by:
- photocopying/scanning the relevant information (subject to exemptions etc.)
 - producing a new document summarising the information that was referred to
 - allowing access to the original documents
- 4.7 If it is not possible to answer the applicant's request because they have provided insufficient information, the employee must contact the applicant promptly to inform them of this and, if necessary, to help the applicant express more clearly what information they want. The information originally requested does not have to be provided until the applicant clarifies their request.
- 4.8 Front line staff **must** transfer requests to the Responsible Officer if there is a possibility that:
- the answering of the request is out with the course of their everyday duties
 - the information requested is subject to an exemption
 - the information requested is protected under the Data Protection Act
 - the request is "vexatious" or "repeated" (see 11.4)
 - the answering of the request is likely to incur a charge
 - the answering of the request is likely to take longer than 20 working days

5 DIFFERENT FORMATS

- 5.1 Together with the Equality Act 2010, the Act places a duty on public authorities to be sensitive to the needs of disabled applicants and, where reasonable, to provide any information requested in their preferred format. This could include large-print, audio recording or Braille.

- 5.2 Applicants may also request that information be provided in a minority language. Again, we are duty-bound, under the Freedom of Information Act and the Equality Act 2010, to consider such requests.
- 5.3 In such cases, requests should be promptly referred to the Responsible Officer who will, in turn, liaise with the Valuation Joint Board's translation service providers.
- 5.4 Any additional costs for providing the information in an alternative format can not be passed on to the applicant. Instead, the cost must be borne by the Valuation Joint Board.

6 EXEMPTIONS

- 6.1 Within the Act there are several exemptions – absolute and non-absolute – that can be applied, thereby preventing the release of information to an applicant.
- 6.2 Information covered by **absolute exemptions** need not be released. Examples include:
- Information otherwise accessible, for example via the Publication Schemes / Guides to Information or in published format, regardless of whether payment is required.
 - Disclosure prohibited by enactment
 - Court records of proceedings or other relevant legal documents
 - Information that, if disclosed, would constitute a breach of confidence
 - Personal data, as defined by the Data Protection Act 2018 (see section 7)
- 6.3 **Non-absolute exemptions** are subject to a “public interest test”, meaning that we have to decide whether the public interest in maintaining the exemption outweighs the public interest in disclosing it. Examples include:
- Information to be published within the next twelve weeks, from the date of request
 - Research information, if its release could substantially prejudice the research programme
 - Commercially sensitive information
 - Law enforcement information (including any form of tax assessment)
 - Information that may endanger the health and safety of an individual if disclosed
- It is worth noting, however, that potential embarrassment to the public authority if information is released is **not** an adequate ground for it being withheld.
- 6.4 Any request received that could be subject to an exemption should be dealt with by the Responsible Officer. On receiving such requests, frontline staff should **immediately** forward them on to the Responsible Officer.

7 DATA PROTECTION

- 7.1 The General Data Protection Regulations and the Data Protection Act 2018 protect information that is held about individuals by public authorities. Individuals can ask for and receive a description of the personal data held about them (a “subject access request”). See separate Subject Access Request guidance and form
- 7.2 Information is exempt from the Freedom of Information (Scotland) Act 2002 if it is a request for information from an individual about themselves. Such a request should be handled under Data Protection legislation. In these cases, the applicant should be notified of the transfer and the different procedures that apply.
- 7.3 Requests for information about other living individuals should be dealt with under the Freedom of Information (Scotland) Act but refusal may be appropriate on the basis that they breach the principles of the Data Protection Act.
- 7.4 Any request received that may come under the jurisdiction of the Data Protection Act should be dealt with by the Responsible Officer.

8 ENVIRONMENTAL INFORMATION

- 8.1 Staff should note that requests for access to environmental information may come under the jurisdiction of the Environmental Information (Scotland) Regulations 2004 (EIR) rather than FoI. Examples of subjects dealt with under EIR include emissions into the environment, nature sites, roads, sewage and even air-conditioning systems.

Environmental Information is defined as:

(a) the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements.

(b) factors, such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases into the environment, affecting or likely to affect the elements of the environment referred to in (a).

(c) measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements and factors referred to in (a) and (b) as well as measures or activities designed to protect those elements.

(d) reports on the implementation of environmental legislation.

(e) cost-benefit and other economic analyses and assumptions used within the framework of the measures and activities referred to in (c); and

(f) the state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures inasmuch as they are or may be affected by the state of the

elements of the environment referred to in (a) or, through those elements, by any of the matters referred to in (b) and (c).

- 8.2 Though EIR and Fol are closely aligned, there are some key differences:
- Requests for environmental information do not have to be in writing but can be made orally
 - A 40-day response time can apply for complex or voluminous requests
 - There are no absolute exemptions under EIR
 - Fees charging is different
- 8.3.1 If you consider that a request falls under EIR rather than Fol, and are unsure as to how to proceed, please refer the request to the Responsible Officer.

9 THE RE-USE OF PUBLIC SECTOR INFORMATION REGULATIONS 2015

- 9.1 Staff should be aware that The Re-use of Public Sector Information Regulations 2015 provide a public right to re-use information that public sector bodies must produce, hold, collect or disseminate within their '**public task**'.

Requests must be in writing, state the document required and the intended use. The Valuation Joint Board has 20 days to respond whether by accepting the request, refusing the request or requesting a charge.

For further information please see the Joint Board's "Re-Use of Public Sector Information Procedures and Asset List".

10 INFORMATION NOT HELD

- 10.1 If an applicant requests information that is not held by the Assessor / Valuation Joint Board, the applicant must be informed of this as soon as possible (See Appendix 8).

11 REFUSING REQUESTS

- 11.1 If an exemption applies to the information requested, and the Assessor / Valuation Joint Board decides not to release the information, the applicant must be provided with a written refusal notice (See Appendix 9). This must be sent within the 20-working day timescale.
- 11.2 A refusal notice must contain the following information:
- that we hold the information
 - that we are claiming an exemption
 - why the exemption applies
 - in the case of non-absolute exemptions, why the public interest in maintaining the exemption outweighs the public interest in disclosing it
 - details of our review procedure including the right to subsequent appeal to Information Commissioner (see section 14)
- 11.3 Refusal notices can also be issued if the cost of complying with the request would exceed an upper cost limit (see section 13).

- 11.4 Requests can be refused if they are “vexatious” or “repeated” (an identical or similar request from the same person received in a short period of time). Again, the applicant should be sent a refusal notice within 20 working days. However, these reasons for refusal should be used sparingly and as a last resort only, especially as the Act does not specifically define the term “vexatious”.
- 11.5 If in any doubt as to the correct course of action, the decision should be made in conjunction with the Responsible Officer. Additional advice can be obtained from West Dunbartonshire Council’s Legal & Regulatory Services.
- 11.6 In the event that the refused request may later be investigated by the Scottish Information Commissioner, it is very important that adequate records are kept of such cases, including the reasons for refusal.

12 CHARGING

- 12.1 Fees can be levied for particularly complex or lengthy enquiries but the vast majority of requests for information will not incur a charge. This is because the first £100 of “projected” costs must be provided free of charge.
- 12.2 If the estimated costs exceed £100, the cost of the request must be formally calculated. A £600 upper limit exists on these costs, after which we do not have to comply with the request.

The Assessor / Valuation Joint Board can charge for:

- direct or indirect costs incurred in locating, retrieving, and providing the information requested

However, the Assessor / Valuation Joint Board cannot charge for:

- costs incurred in deciding whether to release the information
- costs incurred in determining whether the information is held. If we have difficulty finding the information because of poor records management, we cannot pass on these costs to the applicant.
- providing the information in an alternative format

- 12.3 When calculating the cost of staff time, the amount cannot exceed £15 per hour regardless of who is undertaking the work. The costs passed on to the applicant should accurately reflect the grade of the employee carrying out the work.
- 12.4 Only 10% of the projected cost can be passed on to the applicant, meaning in effect, that the maximum amount that can be charged for a request for information is £50 (the upper cost limit is £600: 10% of £600 is £60, minus £10 for the first £100 of work which must be provided free of charge).
- 12.5 If a request for information is going to incur a charge, a Fees Notice must be issued. This must include:
- a detailed breakdown of the projected costs

- advice about the procedure for dealing with complaints and the right of appeal

A template for a fees notice can be found in Appendix 10 of this policy.

At this point the applicant can decide to proceed with the request or decline the quote. At this point no work should have been undertaken regarding the request. If the fee is not paid within 3 months the request can be treated as withdrawn, though the applicant must be contacted in writing confirming this.

- 12.6 Accounts should be issued through the Debtors Control System, operated by West Dunbartonshire Council Finance.

13 REVIEWS

- 13.1 An applicant may be dissatisfied with the response that they received from the Assessor / Valuation Joint Board. For example, they may consider that they did not receive adequate advice and assistance, or that their request was refused without good reason. In such cases, the applicant can request that a review be carried out, investigating the way the request was handled and the decision that was reached.
- 13.2 Applicants should be advised that they have 40 days to lodge a written "requirement for review". The following information should be included:
- address for correspondence
 - a description of the original request
 - why he/she is dissatisfied
- 13.3 Reviews will normally be handled by the Assessor and ERO.
- 13.4 The applicant will receive a response within 20 working days, explaining the findings of the review and advising them of their rights to complain to the Scottish Information Commissioner (See Appendix 11).

14 MONITORING AND REPORTING

- 14.1 It is the responsibility of the Responsible Officer to keep a log of information requests received. The log should be initiated on receipt of each request.
- 14.2 The Act states that the following information should be recorded:
- the number of requests that have been refused and the reasons for the refusal
 - the number of requests for which a fee is charged
 - the number of reviews which have been carried out and their outcome
 - the number of instances when the time limit was exceeded and why
- 14.3 A pro forma for logging requests is included in the Appendix 3 of this policy. A form should be completed, immediately on receipt, for each request passed to the Responsible Officer. An annual log of all requests dealt with shall be

maintained for each year for simplicity of reporting. This log of information requests is presented to Management Team Meetings.

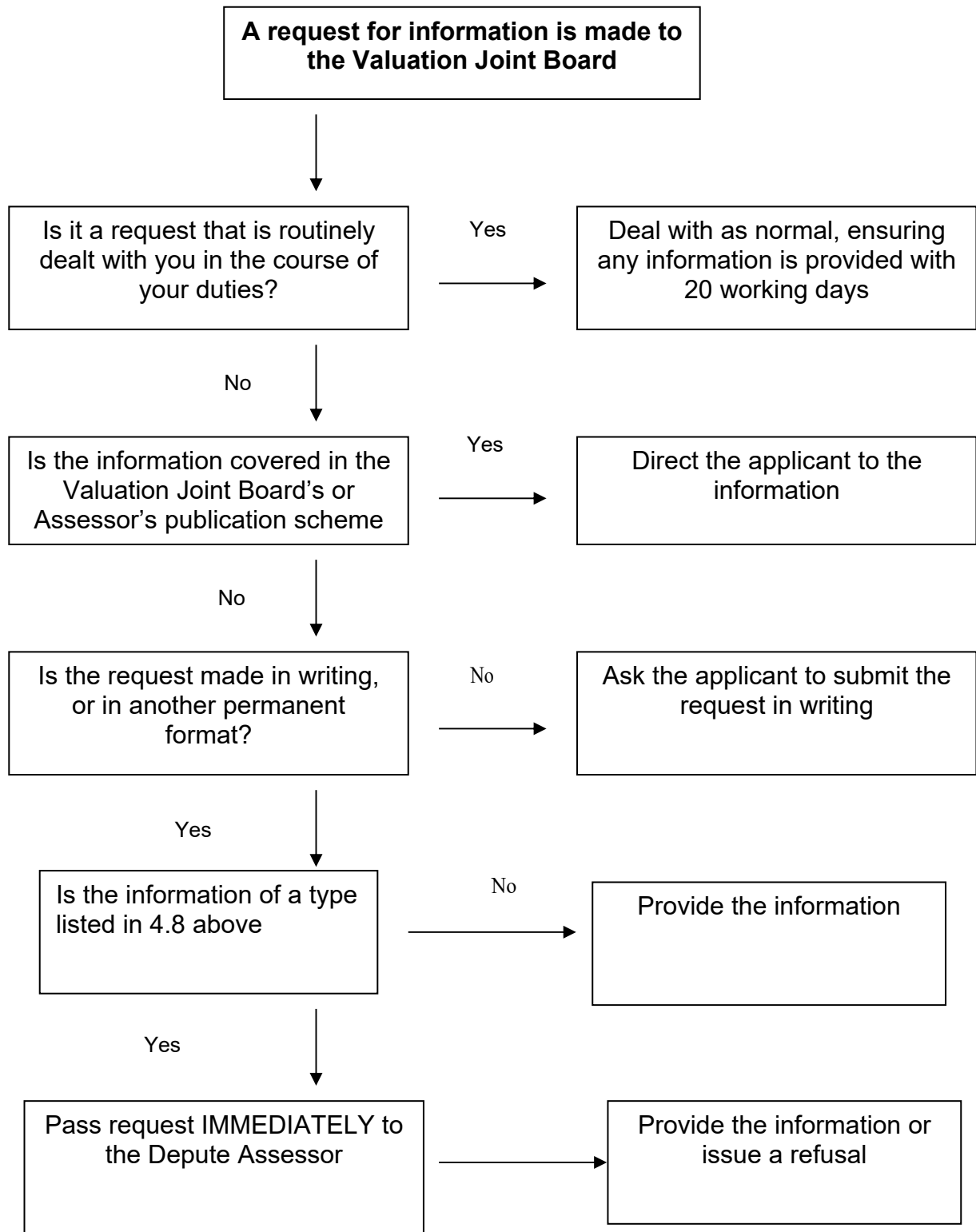
- 14.4 The Responsible Officer will compile and submit such reports as are required by the Information Commissioner on a quarterly basis.

15 RESPONSIBLE OFFICER

15.1

Title	Name and location	Telephone No
Depute Assessor and ERO	Kevin Kelly 235 Dumbarton Road, Clydebank G81 4XJ e-mail: kevin.kelly@dab-vjb.gov.uk	0141 562 1263

FRONTLINE STAFF – DEALING WITH REQUESTS



Responsible Officer

Key Responsibilities

1. To be a source of guidance and advice on Freedom of Information matters within the Valuation Joint Board
2. To liaise with West Dunbartonshire Council's Legal & Regulatory Services on matters relating to Freedom of Information and EIR.
3. To participate in FoI training, as and when appropriate.
4. To co-ordinate the answering of requests for information that front line staff are unable to deal with in the normal course of their duties.
5. To handle requests for information that may be subject to exemptions.
6. To handle requests for information that may include personal information as defined by the General Data Protection Regulations and Data Protection Act 2018.
7. To handle refusals to release information – including the drafting of refusal notices. (Note: The Assessor can't be involved at the refusal stage as he has to act independently at the review stage)
8. To oversee the transfer of requests from the Assessor/Valuation Joint Board to other Scottish public authorities.
9. Where relevant, to calculate fees to be levied on requests for information and issue fees notices.
10. To monitor requests for information and report to The Management Team and the Information Commissioner on a quarterly basis.

APPENDIX 3

DUNBARTONSHIRE AND ARGYLL & BUTE FREEDOM OF INFORMATION LOG

Reference Number	N/A	Enquirer's Name	
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Subject Address (if applicable)		Correspondence Address	
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Date Request Received		Response Due By	
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Request Made by

Letter		E-mail		Other	
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Category of Enquiry

Council Tax		Valuation Roll		Electoral Registration	
If other than CT/VR/ER please insert details at Summary of Request below					

Work Done by

Name	Date	Time Taken
Name	Date	Time Taken
Name	Date	Time Taken
Name	Date	Time Taken

Total Time Taken		hrs	Mins
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Response

Date Issued		Information supplied in full		Information supplied in part – see Summary below	
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Fees

Charged - attach fees notice		Waived – attach reasons		Non applicable	
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Summary of Request

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Summary of Response

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Details of Further Action Required

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Appendix 4

Our Ref: *(please quote reference on all correspondence)*
Your Ref:
Date:

[Insert Name]
[Insert email/postal address]

RE: FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 – REQUEST FOR INFORMATION

Thank you for your request for information which was received by Dunbartonshire and Argyll and Bute Valuation Joint Board on *[Insert date]* about:

[Insert quote from original FOI request, or if too much information condense request and remove the quotes.]

Dunbartonshire and Argyll and Bute Valuation Joint Board acknowledges receipt of your request and confirms that it will respond to you under the terms of Freedom of Information (Scotland) Act 2002 (FOISA) and within the timescales required by this legislation. We will respond within 20 working days, by *[Insert date]*.

We will contact you if we require any further information.

Yours faithfully

Depute Assessor and Electoral Registration Officer

Our Ref: *(please quote reference on all correspondence)*
Your Ref:
Date:

[Insert Name]
[Insert email/postal address]

RE: FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 – REQUEST FOR INFORMATION

Thank you for your request for information which was received by Dunbartonshire and Argyll and Bute Valuation Joint Board on *[Insert date]* about:

[Insert quote from original FOI request, or if too much information condense request and remove the quotes.]

We hold the information requested by you and enclose the following documents to you under the terms of this Freedom of Information request.

[list documents]

This information has been disclosed in terms of the Freedom of Information (Scotland) Act 2002. Documents disclosed to you may be subject to copyright laws. By providing these documents Dunbartonshire and Argyll and Bute Valuation Joint Board does not waive copyright, nor does it create or provide a right to publish, disclose, reproduce or alter these documents without consent of those parties holding the copyright.

I hope that the enclosed is satisfactory but if you are dissatisfied with the information provided, or in the way that your request has been dealt with, you are entitled to require a review of decision. Please note that in order for a review to take place, you must:

- lodge a written “requirement for review” within 40 working days of the date of this notice
- include your address for correspondence, a description of the original request and the reasons why you are dissatisfied.
- address your review request to the Assessor & Electoral Registration Officer

Russell Hewton,
Assessor and Electoral Registration Officer

Dunbartonshire and Argyll & Bute Valuation Joint Board
235 Dumbarton Road
CLYDEBANK
G81 4XJ

E-mail: assessor@dab-vjb.gov.uk

The review will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days. It will explain the findings of the review as well as details of how to appeal to the Office of the Scottish Information Commissioner if you are dissatisfied with the review decision.

Appeals should be made to the Commissioner, within 6 months of receiving any review decision notice, at www.foi.scot/Appeal or as follows:

The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St. Andrews
Fife
KY16 9DS

Email: enquiries@foi.scot

Web Site: www.foi.scot

Tel: 01334 464610

In the event of an appeal to the Commissioner, the Commissioner will generally only be able to investigate matters raised in the request for review.

Yours faithfully

Depute Assessor and Electoral Registration Officer

Our Ref: *(please quote reference on all correspondence)*
Your Ref:
Date:

[Insert Name]
[Insert email/postal address]

Re: Freedom of Information (Scotland) Act 2002 – Request for Information

Thank you for your request for information which was received by Dunbartonshire and Argyll and Bute Valuation Joint Board on *[Insert date]*. The Valuation Joint Board has considered your request, however I require further information in order to identify and locate the requested information.

Your request:

[insert text]

Please provide clarification of

Until I receive clarification, Dunbartonshire and Argyll and Bute Valuation Joint Board will be unable to proceed further with your request. The 20 working days to respond will commence when I receive your clarification.

If I do not hear from you within one month of the date of this letter, I will assume that you are no longer seeking access to this information and the Valuation Joint Board will take no further action.

Yours faithfully,

Depute Assessor and Electoral Registration Officer

Our Ref: *(please quote reference on all correspondence)*
Your Ref:
Date:

[Insert Name]
[Insert email/postal address]

Re: Freedom of Information (Scotland) Act 2002 – Request for Information

Thank you for your request for information which was received by Dunbartonshire and Argyll and Bute Valuation Joint Board on *[Insert date]*, about:

[Insert quote from original FOI request or if too much information, condense request and remove the quotes.]

I hold information requested by you and enclose the following information to you under the terms of this Freedom of Information (Scotland) Act 2002 request:

[list/documents/information]

This information has been disclosed in terms of the Freedom of Information (Scotland) Act 2002. Information disclosed to you may be subject to copyright laws. By providing this information, Dunbartonshire and Argyll and Bute Valuation Joint Board does not waive copyright nor does it create or provide a right to publish, disclose, reproduce, re-use or alter this information without consent of those parties holding the copyright.

However, I confirm that:-

[Delete below as appropriate]

- a. I hold additional/ other information requested by you and are refusing your request for access to this information
- or*
- b. certain information has been redacted

The reason(s) for this *is/are* as follows:

- a. the information is subject to absolute exemption.
[insert relevant template(s) from Absolute Exemptions list]
- b. the information is subject to a non-absolute exemption.
[insert relevant template(s) from Non-absolute Exemptions list]

If you are dissatisfied with the information provided, or in the way that your request has been dealt with, you are entitled to require a review of decision. Please note that in order for a review to take place, you must:

- lodge a written “requirement for review” within 40 working days of the date of this notice
- include your address for correspondence, a description of the original request and the reasons why you are dissatisfied.
- address your review request to the Assessor & Electoral Registration Officer

Russell Hewton,
Assessor and Electoral Registration Officer
Dunbartonshire and Argyll & Bute Valuation Joint Board
235 Dumbarton Road
CLYDEBANK
G81 4XJ

E-mail: assessor@dab-vjb.gov.uk

The review will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days. It will explain the findings of the review as well as details of how to appeal to the Office of the Scottish Information Commissioner if you are dissatisfied with the review decision.

Appeals should be made to the Commissioner, within 6 months of receiving any review decision notice, at www.foi.scot/Appeal or as follows:

The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St. Andrews
Fife
KY16 9DS

Email: enquiries@foi.scot

Web Site: www.foi.scot

Tel: 01334 464610

In the event of an appeal to the Commissioner, the Commissioner will generally only be able to investigate matters raised in the request for review.

Yours faithfully

Depute Assessor & Electoral Registration Officer

Our Ref: *(please quote reference on all correspondence)*
Your Ref:
Date:

[Insert Name]
[Insert email/postal address]

Re: Freedom of Information (Scotland) Act 2002 – Request for Information

Thank you for your request for information which was received by Dunbartonshire and Argyll and Bute Valuation Joint Board on *[Insert date]*, about:

[Insert quote from original FOI request or if too much information, condense request and remove the quotes.]

I am writing to inform you that I have searched my records and the information you requested is not held by Dunbartonshire and Argyll and Bute Valuation Joint Board.

(If DAB VJB thinks another organization may hold the information)

However, it is possible that *(Name of different organization)* may hold some or all of the information you require. They may be contacted at: ***[Include any information or contact details that might be relevant to the request and of assistance to the applicant.]***

(alternatively)

I have contacted *(name of different organization)* which has confirmed that it holds some or all of the information you have requested. I am transferring your request so that it may reply direct to you.

I hope that the information provided is sufficient for your purposes but if you are dissatisfied with the information provided, or in the way that your request has been dealt with, you are entitled to require a review of decision. Please note that in order for a review to take place, you must:

- lodge a written “requirement for review” within 40 working days of the date of this notice
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G81 4XJ

E-mail: assessor@dab-vjb.gov.uk

The review will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days. It will explain the findings of the review as well as details of how to appeal to the Office of the Scottish Information Commissioner if you are dissatisfied with the review decision.

Appeals should be made to the Commissioner, within 6 months of receiving any review decision notice, at www.foi.scot/Appeal or as follows:

The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St. Andrews
Fife
KY16 9DS

Email: enquiries@foi.scot
Web Site: www.foi.scot
Tel: 01334 464610

In the event of an appeal to the Commissioner, the Commissioner will generally only be able to investigate matters raised in the request for review.

Yours faithfully

Depute Assessor & Electoral Registration Officer

Our Ref: *(please quote reference on all correspondence)*
Your Ref:
Date:

[Insert Name]
[Insert email/postal address]

RE: FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 – REQUEST FOR INFORMATION

Thank you for your request for information which was received by Dunbartonshire and Argyll and Bute Valuation Joint Board on *[Insert date]* about:

[Insert quote from original FOI request, or if too much information condense request and remove the quotes.]

Reasons for Refusal

I confirm that we hold the information requested but are refusing your request, as set out under Section 16 of the Freedom of Information (Scotland) Act 2002. The decision to refuse your request was made on *[date]* by *[name of officer]* *[job title of officer]*.

The reason(s) for this refusal *is/are* as follows:

[Delete as appropriate]

- c. the information is subject to absolute exemption
[insert relevant template(s) from Appendix III: Absolute Exemptions list]
- d. the information is subject to a non-absolute exemption
[insert relevant template(s) from Appendix IV: Non-absolute Exemptions list]
- e. the information requested would incur fees that exceed the upper limit as set out in the Fees Regulations in Annex 3 of the Code of Practice on the Discharge of Functions by Public Authorities under the Freedom of Information (Scotland) Act 2002.
[Include the projected costs calculations]

If you are dissatisfied with the above, or in the way that your request has been dealt with, you are entitled to require a review of decision. Please note that in order for a review to take place, you must:

- lodge a written “requirement for review” within 40 working days of the date of this notice

- include your address for correspondence, a description of the original request and the reasons why you are dissatisfied.
- address your review request to the Assessor & Electoral Registration Officer

Russell Hewton
Assessor and Electoral Registration Officer
Dunbartonshire and Argyll & Bute
Valuation Joint Board
235 Dumbarton Road
CLYDEBANK
G81 4XJ

E-mail: assessor@dab-vjb.gov.uk

The review will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days. It will explain the findings of the review as well as details of how to appeal to the Office of the Scottish Information Commissioner if you are dissatisfied with the review decision.

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In the event of an appeal to the Commissioner, the Commissioner will generally only be able to investigate matters raised in the request for review.

Yours faithfully

Depute Assessor & Electoral Registration Officer

Our Ref: *(please quote reference on all correspondence)*
Your Ref:
Date:

[Insert Name]
[Insert email/postal address]

Re: Freedom of Information (Scotland) Act 2002 – Request for Information

Thank you for your request for information which was received by Dunbartonshire and Argyll and Bute Valuation Joint Board on *[Insert date]*, about:

[Insert quote from original FOI request or if too much information, condense request and remove the quotes.]

Fees Notice

The information you have requested incurs a fee.

This Fees Notice is submitted by Dunbartonshire and Argyll and Bute Valuation Joint Board in accordance with Section 9 of the Freedom of Information (Scotland) Act, 2002. The fees must be paid within three months beginning the day this fees notice is received.

If you do not wish to proceed with this request, please formally decline this quote by writing to the address above. If the fees are not paid within the prescribed three month period, the request will be treated as withdrawn.

Once Dunbartonshire and Argyll and Bute Valuation Joint Board are in receipt of your payment, we will respond within 20 working days.

Fees Regulations

The fees are calculated in accordance with the Fees Regulations made under the Freedom of Information (Scotland) Act, 2002. They state that:

- The first £100 of costs are provided free of charge
- Where projected costs include the cost of staff time in locating and retrieving the information, the cost of staff time must not exceed £15 per hour for each member of staff engaged on the task. This is a maximum rather than a standard rate to be applied in every case, particularly where staff costs prove to be lower.
- For projected costs above £100, the Valuation Joint Board may make a charge of 10% of those costs up to the prescribed amount.
- The prescribed amount is £600. The Valuation Joint Board may charge for provision of information above that limit, but are not obliged to do so. Above

the limit, the Valuation Joint Board may recoup all projected costs (bearing in mind that staff time remains subject to the maximum rate of £15 per hour).

Projected Costs

The estimated costs likely to be incurred in answering your request for information are as follows:

Example

The Valuation Joint Board estimates that locating and retrieving all the information will take the same 2 members of staff 2 full days to complete.

*Actual cost of staff time: £8.50 per hour x 15 = £127.50
£14.00 per hour x 15 = £210.00*

*Photocopying 50 x A4 sheets at 10p per sheet = £5
= £342.50*

*The charge will be: £342.50 minus £100 =
£242.50
£242.50 x 10% = £24.25*

Methods of Payment

You will receive an invoice several days after you receive this fees notice, which gives details of how to pay. If you do not wish to accept this quote, the invoice can simply be ignored.

I hope that the information provided is sufficient for your purposes but if you are dissatisfied with the proposed fee, or in the way that the proposed has been calculated, you are entitled to require a review of decision. Please note that in order for a review to take place, you must:

- lodge a written “requirement for review” within 40 working days of the date of this notice
- include your address for correspondence, a description of the original request and the reasons why you are dissatisfied.
- address your review request to the Assessor & Electoral Registration Officer

Russell Hewton,
Assessor and Electoral Registration Officer
Dunbartonshire and Argyll & Bute
Valuation Joint Board
235 Dumbarton Road
CLYDEBANK
G81 4XJ

E-mail: assessor@dab-vjb.gov.uk

The review will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days. It will explain the findings of the review as well as details of how to appeal to the Office of the Scottish Information Commissioner if you are dissatisfied with the review decision.

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Email: enquiries@foi.scot
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In the event of an appeal to the Commissioner, the Commissioner will generally only be able to investigate matters raised in the request for review.

Yours faithfully

Depute Assessor & Electoral Registration Officer

Our Ref: *(please quote reference on all correspondence)*
Your Ref:
Date:

[Insert Name]
[Insert email/postal address]

Re: Freedom of Information (Scotland) Act 2002 – Request for Information

Thank you for your request for information which was received by Dunbartonshire and Argyll and Bute Valuation Joint Board on *[Insert date]*, about:

[Insert quote from original FOI request or if too much information, condense request and remove the quotes.]

This information was withheld for the following reasons:

[summary of decision to withhold]

The decision was taken by *[name of officer]* *[job title of officer]* on *[date]*

2 Review decision

[details of steps taken and documents disclosed].

Review Procedure

If you are dissatisfied with this decision to withhold information, or the way in which Dunbartonshire and Argyll and Bute Valuation Joint Board has dealt with your request, you have the right to appeal to the Scottish Information Commissioner. Appeals should be made to the Commissioner at www.foi.scot/Appeal or as follows:-

The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St. Andrews
Fife
KY16 9DS

Email: enquiries@foi.scot
Web Site: www.foi.scot
Tel: 01334 464610

You must put your appeal in writing or in any form that can be used in the future, for example, a recording made on an audio or video tape. You must give your name, an

address for correspondence, details of your original request and say why you are unhappy with the outcome of Dunbartonshire and Argyll and Bute Valuation Joint Board's Review.

You must appeal to the Commissioner within 6 months of receiving this decision notice. The Scottish Information Commissioner can allow you to appeal after this 6-month time limit if he considers it appropriate to do so.

If you have any further queries, please contact **(delete as appropriate) [name of contact/me]** using the contact details above.

Yours faithfully,

Assessor & Electoral Registration Officer