50 YEARS OF Reidvale Housing Association

FREEDOM OF INFORMATION POLICY

September 2026

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1. POLICY SCOPE

1.1 This policy sets out how Reidvale Housing Association (Reidvale) will meet its obligations under the Freedom of Information (Scotland) Act 2002 (FOISA) and, where applicable, the Environmental Information (Scotland) Regulations 2004 (EIRs). It applies to all Reidvale Management Committee members, employees, temporary workers, volunteers and others who create, hold, receive or manage information on Reidvale's behalf.

1.2 As a registered social landlord, Reidvale is a Scottish public authority for FOISA purposes only to the extent specified in the Freedom of Information (Scotland) Act 2002 (Designation of Persons as Scottish Public Authorities) Order 2019. FOISA therefore applies to information held by Reidvale which relates to:

- the prevention and alleviation of homelessness;
- the management of social housing accommodation, where Reidvale has granted a Scottish secure tenancy or short Scottish secure tenancy;
- the provision and management of sites for gypsies and travellers; and
- supplying information to the Scottish Housing Regulator about Reidvale's financial well-being and standards of governance.

1.3 Information relating solely to other activities, such as factoring or other services for owners and occupiers, is not automatically within Reidvale's FOISA designation. The scope must be assessed against the information requested and its connection with a designated function. A broadly framed request can contain information both within and outside FOISA, and Reidvale will identify and explain the position for each part.

1.4 Environmental information must be considered separately under the EIRs. Reidvale will not assume that information falls outside the EIRs simply because it is outside the scope of its FOISA designation. The applicable EIR status and the nature of the information will be assessed on the facts.

2. POLICY OBJECTIVE

2.1 The objective of this policy is to support openness, accountability and lawful access to recorded information while protecting information that the law permits or requires Reidvale to withhold.

2.2 The policy is intended to ensure that requests are recognised regardless of the label used, allocated to the correct statutory regime, answered promptly and consistently, supported by adequate searches and records, and accompanied by the correct review and appeal rights.

3. GOVERNANCE

3.1 The principal legal and governance framework for this policy is:

- Freedom of Information (Scotland) Act 2002 (FOISA).
- Environmental Information (Scotland) Regulations 2004 (EIRs).
- Freedom of Information (Scotland) Act 2002 (Designation of Persons as Scottish Public Authorities) Order 2019.
- Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004 and, where relevant, the rules on disclosure above the statutory cost limit.
- the Scottish Ministers' Code of Practice on the discharge of functions by Scottish public authorities under FOISA and the EIRs (the Section 60 Code).
- the Scottish Information Commissioner's Model Publication Scheme and associated guidance.
- UK General Data Protection Regulation and Data Protection Act 2018 where requested information contains personal data.

3.2 Reidvale became subject to FOISA in relation to the designated functions from 11 November 2019. The Scottish Information Commissioner regulates compliance with FOISA and the EIRs in Scotland.

3.3 FOISA and the EIRs provide separate access regimes. Where requested information is environmental information, Reidvale will normally deal with it under the EIRs and, where appropriate, apply the exemption in section 39(2) of FOISA so that the information is considered under the EIRs rather than under both regimes.

3.4 This policy should be read alongside Reidvale's Notifiable Events Policy, Guide to Information, records management and retention arrangements, Data Protection Policy, Data Subject Rights Procedure and any operational FOISA/EIR guidance maintained by Reidvale.

4. DEFINITIONS

4.1 **Applicant:** a person who makes a request for information. FOISA rights are available to any person regardless of where they live or why they want the information.

4.2 **Recorded information:** information already held in recorded form, including electronic records, emails, documents, databases, minutes, notes, images, audio and other recorded material. FOISA does not generally require Reidvale to create new information to answer a request.

4.3 **Environmental information:** information within the definition in regulation 2 of the EIRs, including information about the state of environmental elements, factors affecting them, measures or activities affecting or likely to affect them, related economic analysis, human health and safety where relevant, and certain information about buildings and cultural sites.

4.4 **Exemption:** a provision in FOISA which permits or requires information to be withheld in specified circumstances. Some exemptions are subject to the public interest test and some are not. It is also a provision under the EIRs which permits environmental information to be withheld where the statutory conditions are met. Regulation 10 exceptions are subject to the public interest test; personal data is dealt with separately under regulation 11.

4.5 **Public interest test:** the assessment of whether, in all the circumstances, the public interest in maintaining a qualified exemption or exception outweighs the public interest in making the information available.

4.6 **FOISA Lead:** the officer appointed by Reidvale to coordinate FOISA and EIR compliance, request handling, reporting, publication scheme requirements and internal advice.

4.7 **Review:** the statutory process by which an applicant can require Reidvale to reconsider the handling or outcome of a request before applying to the Scottish Information Commissioner.

5. RESPONSIBILITIES

5.1 **The Management Committee:** has strategic oversight of Reidvale's compliance with FOISA and the EIRs and receives significant assurance, compliance or risk information as appropriate.

5.2 **Head of Corporate and Strategy / FOISA Lead:** has operational responsibility for coordinating compliance with this policy, receiving and allocating requests, monitoring statutory timescales, supporting searches and exemption decisions, maintaining records, coordinating publication scheme requirements and submitting required FOI/EIR statistics.

5.3 **Director and senior managers:** must support prompt searches and decision-making within their areas. Internal reviews will normally be undertaken by the Director or another suitably senior person who was not involved in the original decision.

5.4 **Data Protection Officer (DPO):** provides independent advice where FOISA or EIR decisions interact with data protection, confidentiality, personal data exemptions or individual information rights. The DPO does not own Reidvale's FOISA function or make operational decisions on Reidvale's behalf.

5.5 **Managers and information owners:** must ensure that relevant information is identified and searched for promptly, search methods are recorded where appropriate, and information is preserved once a request is received.

5.6 **All Reidvale personnel:** must be able to recognise potential FOISA and EIR requests, forward them promptly to the FOISA Lead, cooperate with searches and reviews, and not delete, alter or conceal information because it has been requested.

6. IMPLEMENTATION GUIDELINES

6.1 Reidvale will implement this policy according to the following principles:

- Requests will be interpreted by substance rather than by the label used by the applicant.
- The correct regime will be identified for each part of a request: FOISA, EIRs, data protection subject access, another statutory route, or information outside Reidvale's FOISA designation.
- Where a request spans more than one regime, Reidvale may issue a combined response, but the legal basis, decision and rights applying to each part will be clearly distinguished.
- Reidvale will provide advice and assistance and will not require an applicant to explain why information is wanted.

- Searches will be reasonable and targeted to the scope of the request, taking account of where relevant recorded information is likely to be held.
- Information not held will be distinguished from information held but withheld.
- Exemptions, exceptions, prejudice tests and public interest tests will be applied to the information requested, not as blanket categories.
- Personal data will not be withheld automatically. Reidvale will apply the relevant FOISA or EIR personal information provisions and the data protection framework to the specific information.
- Once a request is received, relevant information must not be deleted, altered, defaced, blocked, erased, destroyed or concealed to prevent disclosure.
- Responses, reviews, searches and significant decisions will be documented sufficiently to demonstrate compliance.

7. PROCEDURES

7.1 The following requirements apply when Reidvale receives or handles a request for recorded information.

8. RECOGNISING AND ROUTING REQUESTS

8.1 A request does not need to mention FOISA or the EIRs. Staff must consider what information is being requested and route it promptly to the FOISA Lead. Routine requests that can properly be answered through normal service channels can continue to be handled as business as usual, but a statutory request must not be overlooked because it is contained within a complaint, email chain or other correspondence.

8.2 Requests can be sent to Reidvale at:

- By post: Reidvale Housing Association, 3 Whitevale Street, Glasgow, G31 1QW
- By email: foi@reidvale.org.uk

9. VALID FOISA REQUESTS

9.1 A valid FOISA request must be made in writing or another form capable of being used for subsequent reference, state the applicant's name and an address for correspondence, and describe the information requested. An email is sufficient. The applicant does not need to state that the request is made under FOISA or give a reason for requesting the information.

9.2 Where Reidvale reasonably requires further information to identify and locate the requested information, it will seek clarification promptly and provide appropriate advice and assistance. For FOISA, the 20 working day period begins once sufficient clarification has been received.

10. ENVIRONMENTAL INFORMATION REQUESTS

10.1 Requests for environmental information can be made orally or in writing. Staff who receive an oral EIR request must make an adequate record and ensure it is referred promptly to the FOISA Lead. Where a request is too general, Reidvale will seek clarification and provide advice and assistance as required by the EIRs.

10.2 The EIRs do not contain the same clarification stop-clock mechanism as FOISA. Any clarification process must therefore be managed promptly within the EIR timescale.

11. REQUESTS FOR PERSONAL INFORMATION

11.1 A request by an individual for their own personal data will normally be handled as a subject access request under the UK GDPR and Data Protection Act 2018 rather than as a FOISA disclosure request. Requests for information about another person will be assessed under the applicable FOISA or EIR personal information provisions and the data protection framework. The fact that information is personal, confidential or sensitive does not by itself determine the outcome.

12. ADVICE AND ASSISTANCE

12.1 Reidvale will provide reasonable advice and assistance to applicants. This includes helping an applicant formulate or narrow a request, explaining which parts of a broad request fall within Reidvale's FOISA designation, identifying another authority where appropriate, and making reasonable adjustments where disability or another access need affects the person's ability to make or pursue a request.

13. SEARCHING FOR INFORMATION

13.1 The relevant service area must undertake proportionate searches of the systems, records and locations reasonably likely to contain information within scope. The search should be capable of explaining what was searched, by whom, how and with what result if the handling of the request is later reviewed or investigated.

13.2 FOISA applies to information held by Reidvale or held on Reidvale's behalf. Where contractors, agents or other parties hold information on Reidvale's behalf, that information must be considered where it falls within the statutory scope.

14. RESPONDING TO FOISA REQUESTS

14.1 Reidvale will respond promptly and no later than 20 working days after receipt of a valid FOISA request, subject to the statutory provisions on clarification and fees. There is no general power under FOISA to extend this deadline because a request is complex, voluminous or difficult to answer.

14.2 The response will, as applicable: provide the information; issue a notice that the information is not held; explain that specified information falls outside Reidvale's FOISA designation; or issue a refusal notice identifying the exemption or other provision relied upon and giving the reasons required by law. Where a qualified exemption is used, the response will record the public interest assessment.

14.3 An acknowledgement may be issued as a matter of good administration, normally within five working days where practicable, but this does not change the statutory response deadline.

15. RESPONDING TO EIR REQUESTS

15.1 Reidvale will make environmental information available as soon as possible and no later than 20 working days after receipt, unless a lawful EIR provision applies. Where the volume and complexity of the information makes it impracticable to comply within 20 working days, Reidvale may extend the response period by up to a further 20 working days. The applicant must be notified of the extension and the reasons for it as soon as possible and no later than the original 20 working day deadline.

15.2 Where information is withheld under the EIRs, the response will identify the relevant exception or other provision, explain the reasons and address the public interest test where required. EIR terminology and rules will be used rather than FOISA exemptions and fee rules.

16. PUBLICATION SCHEME AND GUIDE TO INFORMATION

16.1 Reidvale adopts the Scottish Information Commissioner's Model Publication Scheme and will maintain a Guide to Information setting out the classes of information it routinely makes available, how the information can be accessed and any charges that apply. Sector guidance, including material produced for registered social landlords, may support the Guide but does not replace the statutory Model Publication Scheme.

16.2 Where requested information is already reasonably accessible through the publication scheme or another accessible route, Reidvale will direct the applicant to that information and apply any relevant statutory provision where appropriate.

17. FOISA FEES AND EXCESSIVE COST

17.1 Information will be provided free of charge where the projected cost of locating, retrieving and providing it does not exceed £100. Where the projected cost is more than £100 but does not exceed £600, Reidvale may charge 10% of the amount above £100. The maximum fee under these rules is therefore £50 where the projected cost is £600.

17.2 For FOISA cost calculations, relevant projected costs can include locating, retrieving and providing the information. Staff time must not be calculated at more than the statutory maximum rate of £15 per hour. Reidvale cannot include the cost of deciding whether it holds the information or whether the information should be disclosed.

17.3 Where a fee is to be charged, Reidvale will issue a written fees notice within the statutory response period. The period between issuing a valid fees notice and receiving payment is disregarded when calculating the response deadline. Payment is due within three months of the date of the notice.

17.4 Where the projected cost would exceed £600, Reidvale is not obliged to comply with the request under section 12(1) of FOISA. Reidvale will still provide reasonable advice and assistance, including where practicable helping the applicant narrow or refine the request so that it can be answered within the cost limit. A request above £600 can be answered by agreement where Reidvale decides that this is appropriate and the applicable statutory charging rules are followed.

18. EIR FEES

18.1 EIR charging is different from FOISA. Reidvale may charge a reasonable amount for making environmental information available, but the charge must not exceed the costs of producing the information. There is no £100 lower threshold or £600

upper limit under the EIRs. Reidvale will maintain and make available any fee schedule required by regulation 8.

18.2 If advance payment is required under the EIRs, Reidvale will give written notice. The relevant EIR response clock is suspended for the period specified by the Regulations while payment is outstanding, and the fee must be paid within 60 working days.

19. FOISA EXEMPTIONS AND REFUSAL NOTICES

19.1 FOISA does not require disclosure of all information held by Reidvale. An exemption will only be relied upon where the statutory conditions are met. Reidvale will distinguish between exemptions which are subject to the public interest test and those which are not.

19.2 Depending on the information and the statutory conditions, potentially relevant FOISA exemptions include information otherwise accessible; information intended for future publication; prohibitions on disclosure; the effective conduct of public affairs; commercial interests and the economy; investigations and law enforcement; confidentiality; court records; personal information; health and safety; audit functions; legal professional privilege; relations within the United Kingdom; international relations; national security and defence; formulation of Scottish Administration policy; and communications with the Sovereign and honours.

19.3 Where information is withheld, Reidvale will issue the notice required by FOISA. The notice will identify the provision relied upon, explain the reasoning to the extent the law requires and, where applicable, explain the prejudice and public interest assessments. It will also explain the applicant's right to require a review and, following review, to apply to the Scottish Information Commissioner.

19.4 In limited circumstances, FOISA permits Reidvale to refuse to confirm or deny whether information is held. This will only be used where the relevant statutory conditions are met and will not be treated as a general confidentiality device.

20. EIR EXCEPTIONS

20.1 Environmental information will be withheld only where an EIR exception or other applicable provision permits this. Reidvale will apply the presumption in favour of disclosure and will interpret exceptions restrictively. Regulation 10 exceptions require a public interest assessment. Personal data is considered under regulation 11 and the data protection framework.

21. VEXATIOUS AND REPEATED FOISA REQUESTS

21.1 Reidvale may refuse a request under section 14(1) of FOISA where the request is vexatious. This is a high threshold and will be assessed objectively on the circumstances, including the burden and value of the request, the applicant's conduct where relevant, and whether compliance would impose a disproportionate or unjustifiable level of disruption, distress or irritation. A request will not be treated as vexatious merely because it is inconvenient, critical or persistent.

21.2 Reidvale may also refuse an identical or substantially similar request from the same applicant under section 14(2) where it has already complied with the earlier request and a reasonable period has not elapsed. The circumstances, subject matter and likelihood that the information has changed will be considered.

21.3 Where section 14 is relied upon, Reidvale will issue the required notice unless the statutory exception to giving a further notice applies. Advice from the FOISA Lead and, where appropriate, legal advice should be obtained before relying on section 14 in a contentious case.

22. INTERNAL REVIEWS

22.1 An applicant who is dissatisfied with Reidvale's handling of a FOISA request can require an internal review. For an EIR request, the equivalent right is to make written representations under regulation 16. Grounds can include refusal to provide all or part of the information, the use of an exemption or exception, a fee, a failure to respond, advice and assistance, or publication scheme handling.

22.2 A FOISA requirement for review should normally be made within 40 working days after the applicant receives Reidvale's response. Where Reidvale has not responded, the applicant normally has 40 working days after the end of the 20 working day response period to require a review. Under the EIRs, representations must be made in writing within 40 working days after the applicant receives Reidvale's response or the final date by which a response should have been received. The request for review or representations must identify the original request and the matter giving rise to dissatisfaction. Reidvale may seek clarification if necessary, but there is no stop-clock for the 20 working day review period.

22.3 The review will be undertaken by the Director or another suitably senior person who was not involved in the original decision. Reidvale will respond promptly and no later than 20 working days after receipt of a valid FOISA requirement for review

or EIR representations. There is no general extension to the review timescale under FOISA or the EIRs.

22.4 The review will reconsider the request afresh, including the searches undertaken, information held, scope, statutory regime, exemptions or exceptions, public interest assessment, fees and procedural handling. The review outcome will state the decision and explain the applicant's right to apply to the Scottish Information Commissioner.

23. APPEAL TO THE SCOTTISH INFORMATION COMMISSIONER

23.1 An applicant who remains dissatisfied after Reidvale's review, or where Reidvale fails to issue a review outcome within the statutory period, can apply to the Scottish Information Commissioner. An application will normally need to be made within six months of the review outcome or the expiry of the review response period. Reidvale will cooperate with any investigation and preserve the relevant request file and evidence.

23.2 A decision of the Scottish Information Commissioner can be appealed to the Court of Session on a point of law in accordance with the statutory appeal provisions.

24. QUARTERLY STATISTICS

24.1 Reidvale will submit the FOI and EIR statistics requested by the Scottish Information Commissioner for each reporting quarter. The submission will cover the relevant FOISA and EIR request and review activity required by the Commissioner. Data protection subject access requests are managed and reported under Reidvale's data protection arrangements and are not included simply because they are information rights requests.

25. RECORDS AND PRESERVATION

25.1 Reidvale will keep sufficient records of requests, searches, correspondence, decisions, fees, reviews and disclosures to demonstrate compliance and support any internal review or investigation. Records will be retained in accordance with Reidvale's applicable retention arrangements.

25.2 From the point a request is received, relevant information must be preserved. No person may delete, alter or conceal information in order to avoid or frustrate disclosure.

26. COMMUNICATION GUIDELINES

26.1 This policy will be communicated to Reidvale personnel through induction, FOISA/EIR awareness, relevant training and internal guidance. Staff who routinely handle correspondence, complaints, housing enquiries, governance information or environmental matters must understand how to recognise and escalate statutory information requests.

26.2 Reidvale will publish appropriate information on its website about how to make FOISA and EIR requests, its Guide to Information, applicable charges and the right to require a review. Information will be provided in accessible formats or through reasonable adjustments where required.

27. REVIEWING AND MONITORING

27.1 The FOISA Lead will monitor operational compliance with this policy, including request volumes, response times, review outcomes, use of exemptions and exceptions, fees, cost refusals, requests outside designation scope, Commissioner decisions, publication scheme compliance and recurring search or records-management issues.

27.2 Significant or repeated compliance concerns will be escalated to the Management Committee. Where a material failure to comply with statutory information rights duties, a significant regulatory finding or a pattern of non-compliance may meet the criteria for a Notifiable Event, the matter will also be considered in accordance with Reidvale's Notifiable Events Policy. The DPO will support monitoring where issues relate to personal data or data protection but will not assume operational ownership of the FOISA function.

27.3 This policy will be reviewed at least every two years and earlier where there is a material change in legislation, designation, Scottish Information Commissioner guidance, Reidvale's functions or organisational arrangements, or where monitoring, reviews or decisions identify a need for change.

28. APPROVAL

28.1 This policy was approved by the Management Committee on Wednesday, 30th September 2026 and takes effect from that date.

28.2 Document owner: Head of Corporate and Strategy / FOISA Lead.

28.3 Data protection advice: Data Protection Officer, RGDP LLP.

APPENDIX 1 – EQUALITY AND HUMAN RIGHTS IMPACT ASSESSMENT

<table>
<tr><td>Who is intended to benefit from this policy?</td><td colspan="2">☒ Existing Tenants
☒ New Tenants
☒ People on waiting lists
☒ Governing body members
☒ Staff
☒ The wider community</td></tr>
<tr><td>Which protected characteristics have been considered and how could they be affected?</td><td colspan="2">☒ Age
☒ Disability
☒ Gender reassignment
☒ Marriage and civil partnership
☒ Pregnancy and maternity
☒ Race
☒ Religion or belief
☒ Sex
☒ Sexual Orientation</td></tr>
<tr><td>If no differential impact is identified, provide a brief explanation and confirm that no further assessment is required.</td><td colspan="2">No inherent adverse differential impact is identified. The policy establishes a statutory route to recorded information and requires advice, assistance and reasonable adjustments. Access barriers can arise for disabled people, people with limited literacy or English, and people who are digitally excluded, so accessible communication and alternative methods remain important. No further full assessment is required at this stage, subject to monitoring.</td></tr>
<tr><td>Have those affected by the policy been involved?</td><td colspan="2">No specific external consultation is recorded for this policy. It primarily implements statutory FOISA and EIR duties and has been informed by the legal framework and Scottish Information Commissioner guidance. Future reviews should take account of applicant feedback, complaints, reviews, Commissioner decisions, staff experience and accessibility issues identified in practice.</td></tr>
<tr><td rowspan="2">Describe the likely positive or negative impact(s) that the policy could have on the groups identified above</td><td>POSITIVE</td><td>NEGATIVE</td></tr>
<tr><td>Supports openness, accountability and access to information about Reidvale’s designated public functions.</td><td>No inherent adverse impact is expected.

Poorly designed request routes or inaccessible communications could</td></tr>
</table>

	Requires advice and assistance and supports accessible request routes. Provides review and independent appeal rights. Requires proportionate consideration of privacy, confidentiality and other protected interests before disclosure.	disadvantage disabled people, people with communication or literacy needs, or people without digital access. Inappropriate disclosure could also interfere with the privacy or safety of individuals named in records. The policy mitigates these risks through reasonable adjustments, case-specific exemption analysis and review rights.
What reasonable adjustments or ongoing monitoring is required?	Maintain non-digital and accessible request routes, provide reasonable adjustments, use clear language and support applicants who need help formulating a request. Monitor missed deadlines, review outcomes, Commissioner decisions, complaints and accessibility feedback. Keep personal information and confidentiality decisions under review so that neither disclosure nor withholding becomes automatic.	
Which human rights will be affected by this policy	• Right to respect for private and family life, home and correspondence • Right to freedom of expression, to receive & impart information & ideas • Right to an effective remedy • Prohibition of discrimination	
Describe how this policy will deliver human rights equally.	The policy supports access to information and effective review while requiring Reidvale to protect private and family life where disclosure would unlawfully reveal personal information. It requires decisions to be made under the correct statutory test rather than on reputational sensitivity. Advice, assistance, accessible communication and review rights support equal access. Any restriction on disclosure will be based on a specific statutory exemption or exception and applied proportionately.	

Having considered the above, this policy is assessed as having no adverse impact on protected groups and as having a positive impact on Human Rights by supporting access to information, accountability and effective review while protecting privacy and other lawful interests.

The policy will be implemented in a fair and proportionate manner.