GUIDE TO INFORMATION AVAILABLE THROUGH OUR PUBLICATION SCHEME

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

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

The Ethical Standards Commissioner (the Commissioner) has adopted the **Model Publication Scheme** produced by the Scottish Information Commissioner.

You can see this scheme on the Scottish Information Commissioner's website by clicking on the following link: <u>http://www.itspublicknowledge.info/ScottishPublicAuthorities/PublicationSchemes/TheModelPublicationScheme.aspx</u> or by contacting us at the address below if you prefer a copy to be provided to you in another format.

The purpose of this Guide to Information is to:

- allow the public to see what information is available (and what is not available) in relation to each class
- state what charges may be applied
- explain how to find the information easily
- provide contact details for enquiries and to get help with accessing the information and
- explain how to request information we hold that has not been published.

The Guide is split into the following six sections:

- Availability and formats
- Exempt information
- Copyright
- Charges
- Contact us
- The classes of information that we publish

If you prefer you can contact us on 0300 011 0550 to ask for a hard copy of the Guide to be posted to you.

Availability and formats

The information we publish through the model scheme is, wherever possible, available on our website. We offer alternative arrangements for people who do not want to, or cannot, access the information online or by inspection at our premises. For example, we can usually arrange to send information to you in paper copy (although there may be a charge for this – see charges below).

Exempt information

We will publish the information we hold that falls within the classes of information below. If a document contains information that is exempt under Scotland's freedom of information laws (for example sensitive personal information or a trade secret), we will remove or 'black out' the information before publication and explain why.

Copyright

Where the Commissioner holds the copyright in its published information, the information may be copied or reproduced without formal permission, provided that:

- it is copied or reproduced accurately
- it is not used in a misleading context, and
- the source of the material is identified

Where the Commissioner does not hold the copyright in information we publish, we will make this clear.

Charges

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

There is no charge to view information on our website or at our premises.

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

Our photocopying charge per side of paper is shown in the tables below:

	Size of paper	Pence per side
Black and white	A4	10p
Colour	A4	20p

Information provided on CD-Rom will be charged at 50p per computer disc. Information provided on a 4Gb USB memory stick will be charged at £3.10 per stick.

Postage costs will be recharged at the rate we paid to send the information to you. Our charge is for sending information by Royal Mail First Class.

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

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

Please note that this charging schedule does not apply to our commercial publications (see Class 8 below). These items are offered for sale through retail outlets such as book shops, academic journal websites or museum shops and their price reflects a 'market value' which may include the cost of production.

Contact us

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

Ethical Standards Commissioner Thistle House 91 Haymarket Terrace Edinburgh EH12 5HE E: <u>inforequests@ethicalstandards.org.uk</u> DD: 0131 347 3898 T: 0300 011 0550 or 0131 347 3890 W: <u>www.ethicalstandards.org.uk</u>

We will also advise you how to ask for information that we do not publish or how to complain if you are dissatisfied with any aspect of this publication scheme. If you wish to make a request for information not contained in this publication scheme, please contact us.

BSL users can contact us using the ContactSCOTLAND-BSL service - contactSCOTLAND-BSL

The classes of information that we publish

We publish information that we hold within the following classes. Once information is published under a class we will continue to make it available for the current and previous two financial years.

Where information has been updated or superseded, only the current version will be available. If you would like to see previous versions, you may make a request to us for that information.

- Class 1: About the authority
- Class 2: How we deliver our functions and services
- Class 3: How the authority takes decisions and what it has decided
- Class 4: What the authority spends and how it spends it
- Class 5: How the authority manages its human, physical and information resources
- Class 6: How the authority procures goods and services from external providers
- Class 7: How our authority is performing
- Class 8: Our commercial publications
- Class 9: Our open data

CLASS 1: ABOUT US

Class description:

Information about us, who we are, where to find us, how to contact us, how we are managed and our external relations.

The information we publish under this class	How to access it
Contact details	https://www.ethicalstandards.org.uk/contact-us
Organisational structure giving names and duties	https://www.ethicalstandards.org.uk/publication/esc-organisation-chart
Commissioner's role	https://www.ethicalstandards.org.uk/about-us
Commissioner's biography	https://www.ethicalstandards.org.uk/team-member/caroline-anderson
Complaints team	https://www.ethicalstandards.org.uk/meet-team
Business team	https://www.ethicalstandards.org.uk/meet-team
Public Appointments team	https://www.ethicalstandards.org.uk/meet-team
Public Appointments Advisers	https://www.ethicalstandards.org.uk/meet-team
Summary of our founding legislation and details of previous Commissioners	https://www.ethicalstandards.org.uk/publication/our-statutory-powers
Our founding legislation:	
Our founding legislation	http://www.legislation.gov.uk/asp/2010/11/contents
Order updating our founding legislation	http://www.legislation.gov.uk/ssi/2013/197/contents/made
Legislation underpinning our work:	
Scrutinising public appointments	http://www.legislation.gov.uk/asp/2003/4/contents
Investigating complaints about the conduct of MSPs	http://www.legislation.gov.uk/asp/2002/16/contents
Investigating complaints about the conduct of local authority councillors and board members of public bodies	http://www.legislation.gov.uk/asp/2000/7/contents
Investigating complaints about the registration of lobbyists	http://www.legislation.gov.uk/asp/2016/16/contents

CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES

Class description:

Information about our work, our strategy and policies for delivering our statutory functions and information for people who use our services.

The information we publish under this class	How to access it
Strategic Plan 2016-20	https://www.ethicalstandards.org.uk/publication/strategic-plan-2016-20
Annual business plans	https://www.ethicalstandards.org.uk/publications - please filter by 'Corporate Plans'
How we scrutinise public appointments	https://www.ethicalstandards.org.uk/regulating-public-appointments
The Commissioner's role in public appointments – leaflet	https://www.ethicalstandards.org.uk/publication/complaints-leaflet-public-appointments
Code of Practice for Ministerial Appointments to Public Bodies in Scotland	https://www.ethicalstandards.org.uk/publication/code-practice
Guidance on the 2013 Code of Practice	https://www.ethicalstandards.org.uk/publication/revised-statutory-guidance-application- code-2019-version
Which appointments are regulated by the Commissioner?	https://www.ethicalstandards.org.uk/regulated-bodies
How to complain about a public appointment	https://www.ethicalstandards.org.uk/investigation-process-public-appointments
How to complain about a public appointment – leaflet	https://www.ethicalstandards.org.uk/publication/complaints-leaflet-public-appointments
Information about applying for a public appointment	https://www.ethicalstandards.org.uk/how-apply
What is a conflict of interest when applying for a public appointment – leaflet	https://www.ethicalstandards.org.uk/publication/conflict-interest-leaflet
Audit of the public appointments process	https://www.ethicalstandards.org.uk/publications - filter by 'Audit of appointment rounds'
Our findings following investigation of a public appointment(s)	https://www.ethicalstandards.org.uk/publications - filter by 'Appointment complaints and investigations'
Case studies of good practice in public appointments	https://www.ethicalstandards.org.uk/good-practice-case-studies
<i>Diversity Delivers</i> the first equality and diversity strategy for Scotland's ministerial public appointments process	https://www.ethicalstandards.org.uk/promoting-diversity
Findings from a survey of applicants for public appointments by year	https://www.ethicalstandards.org.uk/publications - filter by 'Applicant surveys'
<i>Diversity Delivers</i> implementation and improving the diversity of applicants and appointees	https://www.ethicalstandards.org.uk/promoting-diversity

The Commissioner's role in relation to complaints about the conduct of local authority councillors and board members of public bodies	https://www.ethicalstandards.org.uk/investigation-process-councillors-and-board- members-public-bodies
The Commissioner's role in relation to complaints about the conduct of MSPs	https://www.ethicalstandards.org.uk/investigation-process-msps
The Commissioner's role in relation to complaints about lobbyists	https://www.ethicalstandards.org.uk/investigation-process-lobbyists
Our policy explaining how witnesses and the information they provide will be treated	https://www.ethicalstandards.org.uk/witnesses
The Commissioner's decisions – breaches of the Code of Conduct by local authority councillors and board members of public bodies	http://www.standardscommissionscotland.org.uk/cases/case-list
Decisions Summaries – the Commissioner publishes a selection of anonymised no breach decisions. These illustrate how certain behaviours and circumstances may be assessed against the relevant Code of Conduct.	https://www.ethicalstandards.org.uk/complaints-decision-summary
Code of Conduct for MSPs	http://www.scottish.parliament.uk/msps/code-of-conduct-for-msps.aspx
Code of Conduct for Councillors	https://www.gov.scot/publications/code-conduct-councillors-9781787810778/
Model Code of Conduct for Public Bodies	http://www.gov.scot/Publications/2014/02/4841/0
How to make a complaint	https://www.ethicalstandards.org.uk/complaints
Make a complaint – online form	https://www.ethicalstandards.org.uk/make-complaint
How we investigate complaints about the conduct of MSPs	https://www.ethicalstandards.org.uk/investigation-process-msps
How we investigate complaints about the conduct of Councillors and board members of public bodies	https://www.ethicalstandards.org.uk/investigation-process-councillors-and-board- members-public-bodies
How we investigate complaints about how lobbyists are registered	https://www.ethicalstandards.org.uk/investigation-process-lobbyists
How we investigate complaints about a public appointment	https://www.ethicalstandards.org.uk/investigation-process-public-appointments
How we investigate complaints about us	https://www.ethicalstandards.org.uk/investigation-process-ethical-standards- commissioner

How to make a Freedom of Information request and how we handle information requests	https://www.ethicalstandards.org.uk/freedom-information
Freedom of Information Policy and Procedures	https://www.ethicalstandards.org.uk/publication/freedom-information-policy-and- procedures
Model FOI Publication Scheme	www.itspublicknowledge.info/PublicationSchemeGuidance
Guide to information we publish	https://www.ethicalstandards.org.uk/publication/guide-information-2019
Commissioner's responses to consultations	Available on request
Accessibility Policy – describes how we try to make our services accessible to as wide a range of people as possible.	https://www.ethicalstandards.org.uk/accessibility-policy
Privacy Policy – explains what personal data we gather and why and describes the rights people have in relation to that information.	https://www.ethicalstandards.org.uk/privacy-policy

CLASS 3: HOW WE TAKE DECISIONS AND WHAT WE HAVE DECIDED

Class description:

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

The information we publish under this class	How to access it
Standing Orders	https://www.ethicalstandards.org.uk/publication/standing-orders
Scheme of Delegation	https://www.ethicalstandards.org.uk/publication/scheme-delegation-office-operation
Minutes of Management Team Meetings	http://www.ethicalstandards.org.uk/publications/ - please filter by 'Meeting minutes' and 'Corporate'
Minutes of Meetings of the Investigating Officers	http://www.ethicalstandards.org.uk/publications/ - please filter by 'Meeting minutes' and 'Complaints'
Code of Conduct for the Commissioner and her staff	https://www.ethicalstandards.org.uk/publication/code-conduct
Consultations issued by us about our work on public appointments	Will be published on www.ethicalstandards.org.uk
Procedures for laying documents before the Scottish Parliament	https://www.ethicalstandards.org.uk/publication/cespls-laying-procedures

CLASS 4: WHAT WE SPEND AND HOW WE SPEND IT

Class description:

Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent).

The information we publish under this class	How to access it
Annual Accounts	https://www.ethicalstandards.org.uk/publications - please filter by 'Annual report and accounts'
External auditors' reports	https://www.ethicalstandards.org.uk/publications - please filter by 'Annual report and accounts'
Information published under sections 31 and 32 of the Public Services Reform (Scotland) Act 2010	https://www.ethicalstandards.org.uk/publications - please filter by 'Annual report and accounts'
Out of pocket expenses policy	https://www.ethicalstandards.org.uk/publication/out-pocket-expenses-policy
Tenders for goods and services	Current tenders will be published on <u>https://www.ethicalstandards.org.uk/vacancies-</u> tenders

CLASS 5: HOW WE MANAGE OUR HUMAN, PHYSICAL AND INFORMATION RESOURCES

Class description:

Information about how we manage our human, physical and information resources.

The information we publish under this class	How to access it
Contingency Plan	https://www.ethicalstandards.org.uk/publication/cespls-contingency-plan
Data Protection Policy	https://www.ethicalstandards.org.uk/publication/data-protection-policy
Risk Management Policy	https://www.ethicalstandards.org.uk/publication/cespls-risk-management-policy
Equal Opportunities Policy	https://www.ethicalstandards.org.uk/publication/equal-opportunities-policy
Confidentiality Policy	https://www.ethicalstandards.org.uk/publication/confidentiality-policy
Declaration of Interests/Gifts & Hospitality Form and Guidance	https://www.ethicalstandards.org.uk/publication/declaration-interestsgifts-hospitality-form The Commissioner's Register of Interests and Gifts & Hospitality is available on request.
PAA Charging and Travelling Time Policy	https://www.ethicalstandards.org.uk/publication/paa-charging-and-travelling-time-policy
PAA Records Management Statement	https://www.ethicalstandards.org.uk/publication/paa-records-management-statement
Guidance on our Performance Management System	https://www.ethicalstandards.org.uk/publication/performance-management-system- guidance
Records Management Policy	https://www.ethicalstandards.org.uk/publication/records-management-policy-and- procedures
Records Management Policy Appendix 1 – file-naming	https://www.ethicalstandards.org.uk/publication/records-management-policy-and- procedures-appendix-1
Records Management Policy Appendix 2 – managing emails	https://www.ethicalstandards.org.uk/publication/records-management-policy-and- procedures-appendix-2
Folder Structure and Retention Schedule	https://www.ethicalstandards.org.uk/publication/cespls-file-plan-and-retention-schedule
Records Management Plan	https://www.ethicalstandards.org.uk/publication/records-management-plan
Policy defining unacceptable behaviour by a complainant	https://www.ethicalstandards.org.uk/publication/unacceptable-behaviour-policy
Witness Policy	https://www.ethicalstandards.org.uk/witnesses
Policy outlining what is acceptable use of the Commissioner's information and communications technology, including social media	https://www.ethicalstandards.org.uk/publication/acceptable-use-ict-policy

Anti-fraud Policy and Fraud Response Plan	https://www.ethicalstandards.org.uk/publication/anti-fraud-policy-fraud-response-plan
Attendance Policy	https://www.ethicalstandards.org.uk/publication/attendance-policy
Dignity At Work Policy	https://www.ethicalstandards.org.uk/publication/dignity-work-policy
Disciplinary Policy	https://www.ethicalstandards.org.uk/publication/disciplinary-policy
Display Screen Equipment Policy	https://www.ethicalstandards.org.uk/publication/display-screen-equipment-policy
Grading Policy	https://www.ethicalstandards.org.uk/publication/grading-policy
Grievance Policy	https://www.ethicalstandards.org.uk/publication/grievance-policy
Health & Safety Policy	https://www.ethicalstandards.org.uk/publication/health-and-safety-policy
Holidays and Annual Leave Policy	https://www.ethicalstandards.org.uk/publication/holidays-and-annual-leave-policy
Internal Recruitment and Promotion Policy	https://www.ethicalstandards.org.uk/publication/internal-recruitment-and-promotion-policy
Leaving Policy	https://www.ethicalstandards.org.uk/publication/leaving-policy
Smoking Policy	https://www.ethicalstandards.org.uk/publication/smoking-policy
Special Leave Policy	https://www.ethicalstandards.org.uk/publication/special-leave-policy
Substance Abuse Policy	https://www.ethicalstandards.org.uk/publication/substance-abuse-policy
Supporting Work-Life Balance Policy	https://www.ethicalstandards.org.uk/publication/supporting-work-life-balance-policy
Whistleblowing/Public Interest Disclosure Policy	https://www.ethicalstandards.org.uk/publication/whistle-blowing-policy
Recruitment opportunities	Current recruitment opportunities will be published at <u>https://www.ethicalstandards.org.uk/vacancies-tenders</u>
Performance Management Policy	https://www.ethicalstandards.org.uk/publication/performance-management-system- guidance

CLASS 6: HOW WE PROCURE GOODS AND SERVICES FROM EXTERNAL PROVIDERS

Class description:

Information about how we procure goods and services, and our contracts with external providers

The information we publish under this class	How to access it
Invitations to tender	Will be published on https://www.ethicalstandards.org.uk/vacancies-tenders
Results of tender	Will be published on www.ethicalstandards.org.uk

CLASS 7: HOW WE ARE PERFORMING

Class description:

Information about how we perform as an organisation and how well we fulfil our statutory functions.

The information we publish under this class	How to access it
Annual Reports	https://www.ethicalstandards.org.uk/publications - please filter by 'Annual report and accounts'

CLASS 8: OUR COMMERCIAL PUBLICATIONS

Class description:

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

The information we publish under this class	How to access it
None	

CLASS 9: OUR OPEN DATA
Class description:
Open data made available by us as described by the Scottish Government's Open Data Resource Pack and available under an open licence.

The information we publish under this class	How to access it
None	