

# A+DS Publication Scheme



Architecture+DesignScotland  
Aitearachd is Dealbhadh na h-Alba

## 1. INTRODUCTION

1.1 The Freedom of Information (Scotland) Act 2002 (hereafter referred to as ‘the Act’) gives a general right of access to all types of recorded information held by public authorities, sets out exemptions from that right and places a number of obligations on public authorities. Any person who makes a request to a public authority for information is entitled to receive that information, subject to exemptions.

1.2 Under Section 23 of the Act, Architecture and Design Scotland (hereafter referred to as ‘A+DS’) must adopt and maintain a publication scheme setting out the information we routinely make publicly available. Our scheme has to be approved by the Scottish Information Commissioner, who is responsible for the enforcement of the Act. In addition we have to review the scheme from time to time. In adopting (or reviewing) our publication scheme, we are required to have regard to the public interest in:

- allowing public access to information we hold; and
- the publication of reasons for the decisions we make.

1.3 Our publication scheme must:

- set out the classes of information which we publish or intend to publish;
- say how we will publish the information in each class; and
- say if we will provide the information free or charge for it.

The purpose of our publication scheme is to let you know what information is readily available from us. By readily available we mean that the information can be obtained from us on request.

## 2. ABOUT ARCHITECTURE AND DESIGN SCOTLAND (A+DS)

2.1 A+DS is Scotland’s national champion for good architecture, design and planning in the built environment and was established by the Scottish Government in April 2005. Upon its creation A+DS assumed the independent Design Review and Advisory roles of the Royal Fine Art Commission for Scotland. However, A+DS has a wider and more proactive role in advocating the benefits of good design through Enabling, Research and Communications activities. A+DS works with a wide range of organisations at national, regional and local level.

Design Review is a process where new building proposals - at either pre or post planning stage - are appraised and evaluated by a panel comprised of Board members who are professionals and experts in the built environment sector.

The A+DS Enabling Programme aims to provide support and advice to a wide range of public and charitable organisations. The main focus of work is assisting people who are charged with delivering or procuring new facilities or buildings and those involved in setting the policy context for development.

A+DS is a Non Departmental Public Body (NDPB) and operates as a Company Limited by Guarantee funded directly by the Scottish Government. A+DS acts as a key delivery mechanism for the objectives of the Scottish Government's Policy on Architecture for Scotland. Our main aim is to inspire better quality in design and architecture in the public and private sectors so that Scotland's built environment contributes in a positive way to our quality of life and our built heritage.

### **3. FORMULATING THE SCHEME**

3.3 Section 23 of the Act provides that in adopting or reviewing its publication scheme the authority must have regard to the public interest in allowing public access to information about:

- the services provided by the authority
- the costs of those services;
- the standard attained by those services;
- the facts which form the basis of decisions taken by the authority which are of importance to the public; and
- the publication of reasons for decisions made by it.

3.4 In the preparation of this publication scheme A+DS has:

- Carried out an internal review of the information held and currently provided by A+DS.
- Developed the scheme in conjunction with the development of a new website, providing more information online.
- Provided training on the Act for all staff.
- consulted with similar organisations, including our counterparts in England and Wales
- Examined publication schemes from similar organisations
- Examined recent appeal cases which have been considered by to the Office of the Scottish Information Commissioner.
- Consulted with the Office of the Scottish Information Commissioner.

### **4. RESPONSIBILITY FOR THE PUBLICATION SCHEME**

4.1 Responsibility for the scheme on behalf of the authority sits with Sebastian Tombs, Chief Executive.

**Sebastian Tombs**  
**Chief Executive**  
**Architecture+DesignScotland**  
Bakehouse Close

146 Canongate  
Edinburgh  
EH8 8DD

t: +44 (0) 131 556 6699  
f: +44 (0) 131 556 6633  
[Sebastian.tombs@ads.org.uk](mailto:Sebastian.tombs@ads.org.uk),

- 4.2 Responsibility for maintaining the scheme on a day to day basis sits with David Hutchison, Communications and Research Manager.

David Hutchison  
Communications and research Manager  
**Architecture+DesignScotland**  
Bakehouse Close  
146 Canongate  
Edinburgh  
EH8 8DD  
t: +44 (0) 131 550 0938  
f: +44 (0) 131 556 6633  
[david.hutchison@ads.org.uk](mailto:david.hutchison@ads.org.uk)

## 5. EXEMPTIONS

- 5.1 (a) All information included in this Scheme must be provided promptly on request (subject to the exemptions discussed in this section).

(b) From 1 January 2005, the general entitlement to information under section 1 of the Act enabled any member of the public to make a request for information that is not in this Scheme.

A+DS's aim is to be as open as possible. However, information may be withheld from any of the classes of information listed below where we consider that the disclosure may fall within one of the exemptions contained in the Act. For example, we may withhold information if its disclosure would breach the law of confidentiality or seriously prejudice the commercial interests of any person or organisation. We will also withhold information which is personal data under the Data Protection Act 1998.

In these cases, we will withhold the information and indicate why the information is being withheld. Even where an exemption exists, it may nevertheless be possible to provide copies with the exempted information edited out.

If you wish to complain about information which is being withheld from you, please read the "complaints" section below at section 10 below.

## 6. ARCHIVING POLICY

## 6.1 Introduction

(a) This archiving policy supports the efficient retrieval, proper storage and preservation of A+DS's essential records. It also supports the appropriate disposal of records that are no longer required or no longer have any design, legal or historical value. It will also assist with the development of a coherent approach to records management as well as enabling us to comply with the requirements of relevant legislation including the Act and the Data Protection Act 1998.

## 6.2 Scope of the policy

(a) This policy covers:

- Records created by A+DS staff in the course of their duties.
- Records received by staff in the course of A+DS's business.
- Hard copy and electronic records.
- Document and publications created on behalf of A+DS by external organisations or individuals.

(b) It does not cover documents or publications held in the A+DS library that were produced by external organisations and individuals.

(c) The A+DS archive exists to:

- help A+DS to comply with its statutory obligations under, in particular, the FOI Act and the Data Protection Act 1998.
- enable A+DS staff and stakeholders to get the right type of information that will positively inform future actions.
- assist in the preparation of responses to enquiries from Members of the Scottish Parliament, Scottish Government and Audit Scotland, making the A+DS accountable in its role as Scotland's champion for quality design in the built environment.
- ensure information can be obtained to trace activities or transactions that have taken place within the boundaries set by the retention and destruction schedule.
- ensure records are readily accessible, available, reliable and their integrity and authenticity is clear.
- ensure evidence of A+DS's activities is recorded on a consistent and reliable basis.

## 6.3 The policy

(a) All records created by or on behalf of A+DS staff in the course of their duties will belong to the A+DS including any rights or copyrights in the content, except where specifically provided for under copyright legislation.

(b) All records received by or on behalf of A+DS staff, company board or advisory board members as part of its business activity will be its property and may be disposed of as A+DS company board and its staff see fit. Originators and owners rights will be fully respected in accordance with current legislation.

(c) Responsibility for depositing records into A+DS's archive rests with each department. It is their responsibility to ensure that complete and accurate records are retained in line

with legislative requirements and good practice. Staff will create, use, manage and preserve records in accordance with all statutory requirements including the Freedom of Information (Scotland) and Data Protection Acts. Each department's staff are responsible for determining that a file is closed (i.e. no longer required for current or ongoing action). It can then be added to the A+DS's archive.

(d) A+DS's responsibility is to balance public right to access to information about its activities with cost efficiency and business benefit. Retained records will generally be kept in A+DS's on-site archive for 5 years. Retention beyond this will be informed by s4 of the Scottish Government's Records Management Manual.

#### 6.4 Policy implementation

(a) All archives are kept on-site within A+DS's office.

### 7. COPYRIGHT

7.1 Information available through the A+DS Publication Scheme is protected by A+DS copyright unless otherwise indicated. Information contained in A+DS copyright protected material may be copied, distributed or published free of charge in any format or medium, but only if it is reproduced accurately and not used in a misleading way.

Any person or organisation copying any A+DS copyright information covered by the Publication Scheme should inform A+DS in writing, acknowledging the source of the material and its copyright status. This applies to persons distributing information to others for re-publication.

The above applies to A+DS copyright information only. To use any other information, you must obtain prior authorisation from the copyright holder concerned.

### 8. ACCESSING INFORMATION UNDER THE PUBLICATION SCHEME

8.1 Information from A+DS is available in a number of ways listed below.

8.2 Online: most information listed in our publication scheme is available from this website. <http://www.ads.org.uk/foi> will take you to the FOI section of the A+DS website.

By email: if the information you request is not available on this website, but is listed in our publication scheme, we will send it to you by email, wherever practicable. When requesting information, please include a telephone number so that we can telephone to clarify details, if necessary.

By phone: Information can be requested over the telephone. Please provide full contact details, including a telephone number, so that we can telephone to clarify any details, if necessary. Please note that only request made in a recordable format would be covered by the auspices of the Freedom of Information (Scotland) Act 2002.

By post: All information is also available in a paper copy form. When requesting information, please include the following details: your name and address, the information or documents you want to see and any fee applicable. Please include a telephone number so that we can telephone to clarify details, if necessary.

Personal visits: For some classes of information, you will need to make an appointment to view the information.

If you have difficulty determining the information you want to see, please contact David Hutchison (on the contact details above) who will be happy to help.

## **9. CHARGING POLICY**

### **9.1 Charging Policy**

Information on the A+DS Website, other than retail publications, is free of charge (i.e. there is no charge by us, although you would of course have to meet any charges by your Internet service provider, personal printing costs, etc). For those without access to the website a single print-out as on the website (or a Hard Copy of the document except where indicated) can be requested. These will be provided free of charge.

Requests for multiple print-outs of material on the website or for multiple hard copies may attract a charge for the cost of printing, photocopy, postage etc. Printing and photocopy costs will not exceed £1 per 10 pages. Although we will normally provide a single copy free of charge we may also charge where a substantial number of multiple documents are required to respond to a request. In this case, printing and photocopy charges will also not exceed £1 per 10 pages. If charges are to be made you will be told at the time of your request and these would be payable in advance.

## **10. COMPLAINTS**

10.1 If you have a complaint about the A+DS publication scheme please contact Sebastian Tombs, Chief Executive at the address below.

**Architecture+DesignScotland**  
Bakehouse Close  
146 Canongate  
Edinburgh  
EH8 8DD  
[Sebastian.tombs@ads.org.uk](mailto:Sebastian.tombs@ads.org.uk)

t: +44 (0) 131 556 6699

f: +44 (0) 131 556 6633

10.2 If you are unable to resolve any complaint, you can complain to the Scottish Information

Commissioner who oversees the Act and whose contact details are below. As of the 1<sup>st</sup> January 2005, when the general right of access came into force, there is a formal appeal mechanism when information is withheld. Further details on this are available on the Commissioner's website at [www.itspublicknowledge.info](http://www.itspublicknowledge.info).

The contact details for the Commissioner are: Kevin Dunion, Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife KY16 9DS, telephone number 01334 464610, email address [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)

## 11. FEEDBACK

11.1 As part of our statutory duty we are required to review our publication scheme periodically. A+DS welcomes feedback on how we can develop our scheme further. If you want to make any comments about the publication scheme or if you require any assistance please contact:

David Hutchison  
**Architecture+Design** Scotland  
Bakehouse Close  
146 Canongate  
Edinburgh  
EH8 8DD

t: +44 (0) 131 550 0938  
f: +44 (0) 131 556 6633  
[info@ads.org.uk](mailto:info@ads.org.uk)

For example: -

- What did you like and dislike about this Publication Scheme?
- What else would you like to see in this Publication Scheme?
- Did you find the information you wanted easily and were the members of staff helpful?
- Do you have any suggestions on how to make Architecture and Design Scotland more open and transparent in the provision of information?

## **12. CLASSES OF INFORMATION**

### **12.1 The Role of A+DS**

#### **Annual report and accounts**

Description: Reports of A+DS's key activities and accounts

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.

#### **Corporate plans**

Description: Outlines the strategic direction and planning of A+DS.

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.

#### **Access to information policy**

Description: A+DS publication scheme which details how to access information under the Freedom of Information (Scotland) Act 2002 (FOISA)

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.

#### **Complaints Procedure**

Description: Guidance on how to make a complaint about the work of A+DS.

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.

### **12.2 A+DS organisational structure**

#### **A+DS People and organisational structure**

Description: Details of A+DS board members, permanent staff and Enablers, and organisational structure

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.

#### **A+DS guidance on for board members and enablers**

Description: Guidance and hand book documents for enablers, board members and others working on behalf of A+DS, including guidance on liability and conflict of interest.

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.

#### **Recruitment and vacancies**

Description: Details about current vacancies and recruitment policies.

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.

### **12.3 Information about the work of A+DS**

#### **Research and briefing publications**

Description: Copies of research reports and briefings which are produced or commissioned by A+DS.

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.

#### **Information about the design review process**

Description: Information and guidance for those involved with, or interested in, the design review process.

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.

### **Design Review reports**

Description: Copies of design review reports published when exemptions don't apply.

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.

Notes: Design review reports will be publicly available once they have been received by the planning authority and presenting project.

Information may be withheld where we consider that disclosure may prejudice substantially:

(a) Section 30 of the Freedom of Information (Scotland) Act 2002: Effective Conduct of Public Affairs

(b) Section 33 of the Freedom of Information (Scotland) Act 2002: Commercial interests and the economy.

### **Information about the enabling process**

Description: Information and guidance for those involved with, or interested in, the enabling process and brief details of projects.

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.

Note: Information may be withheld where we consider that disclosure may prejudice substantially:

(a) Section 30 of the Freedom of Information (Scotland) Act 2002: Effective Conduct of Public Affairs

(b) Section 33 of the Freedom of Information (Scotland) Act 2002: Commercial interests and the economy.

### **A+DS current news and information**

Description: News and information about A+DS events and activity.

Availability: View on [website](#) or [contact us](#) to receive a hard or electronic copy.