



Guide to Information

Model Publication Scheme 2018

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| Last Reviewed | April 2020 |
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Terms used

| Term used | Explanation |
|---------------------------------|--|
| FOISA | The Freedom of Information (Scotland) Act 2002 |
| EIRs | The Environmental Information (Scotland) Regulations 2004 |
| Model Publication Scheme | A standard framework for authorities to publish information under FOISA, approved by the Scottish Information Commissioner |
| MPS | The Model Publication Scheme |
| Guide to Information | A guide that every public authority adopting the MPS must produce to help people access the information it makes available |
| MPS Principles | The six key principles with which all information published under the MPS must comply |
| Classes of information | Nine broad categories describing the types of information authorities must publish (if they hold it) |

Introduction

Following an Order made by the Scottish Parliament on 11 November 2019 all Scottish RSLs became subject to the Freedom of Information (Scotland) Act 2002 (FOISA), giving members of the public the right to request information held by them.

FOISA requires Scottish public authorities to adopt and maintain a publication scheme which has the approval of the Scottish Information Commissioner, and publish information in accordance with that scheme. The publication scheme must:

- publish the classes of information that the authority makes routinely available
- tell the public how to access the information and whether information is available free of charge or on payment.

Berwickshire Housing Association (BHA) has adopted the Model Publication Scheme 2018 which has been produced and approved by the Scottish Information Commissioner. The MPS is a standard framework for Scottish public authorities to publish the information they hold.

A copy of the MPS can be found on our website: www.berwickshirehousing.org.uk
Alternatively, if you would like to obtain a copy, or a copy of this Guide to Information, in another format please contact us at:

Freedom of Information
Berwickshire Housing Association
55 Newtown Street
Duns
Berwickshire
TD11 3AU

Email: data@berwickshirehousing.org.uk

The purpose of the Guide to Information is to:

- allow the public to see what information is available (and what is not available) for BHA in relation to each class in the Model Publication Scheme 2018
- state what charges may be applied
- explain how you can find the information easily
- provide contact details for enquiries and to get help with access to the information
- explain how to request information that we hold which has not been published

Alongside FOISA, the Environmental Information (Scotland) Regulations 2004 (EIRs) provide a separate right of access to the environmental information held by BHA.

About BHA Group

The BHA Group comprises Berwickshire Housing Association (“BHA”) and BHA Enterprise Limited (“BHA Enterprise”). BHA began its life as an affordable housing provider in Berwickshire. It owns 1800 affordable homes which it rents out to people predominantly on lower incomes. It is a registered social landlord and it is regulated by the Scottish Housing Regulator. This is its core business. It is also a Scottish charity.

Its subsidiary BHA Enterprise is a company limited by share. It manages 12 Mid-Market Rent properties in Duns and is the majority shareholder in Berwickshire Community Renewables (BCR), a Limited Liability Partnership (LLP) with Community Energy Scotland (CES). BCR owns The Fisherman Three Windfarm.

BHA is the main provider of social housing in Berwickshire. Our focus is Berwickshire and we seek to work in a responsive and flexible way to empower our staff and our tenants to contribute in their communities effectively.

Model Publication Scheme – the Principles

The MPS imposes six principles which govern the way we must make our information available through our Guide to Information:

- Principle 1: Availability and formats
- Principle 2: Exempt information
- Principle 3: Copyright and re-use
- Principle 4: Charges
- Principle 5: Advice and assistance
- Principle 6: Duration

Principle 1 – Availability and formats

The information we publish through the MPS is, wherever possible, available on our website and completely free to access online.

We do understand that not everyone will have online access. We offer alternative arrangements for people who do not want to, or cannot, access the information online or by inspection at our premises.

We can usually arrange to send information to you in paper copy (although please bear in mind there may be a charge for this). Please see Principle 4: Charges for further information.

When writing to us to request information, please include your name and address and full details of the information or documents you require. It would be helpful to include a telephone number so we can call you to clarify any details, if necessary.

If you have any difficulty in identifying the information you seek please contact us and we will do our best to assist you.

Principle 2 – 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 may remove or redact (black out) the information before publication but we will explain why.

Principle 3 – Copyright and re-use

BHA holds the copyright for the vast majority of the information published in this scheme. This information can be copied or reproduced without any formal permission, provided that:

- it is copied accurately;
- it is not used in misleading context;
- it is not used for profit; and
- provided that the source of the material is identified.

BHA has adopted the [Open Government Licence](#) produced by the National Archives for our published information. If you intend to use any of our published information and you are unsure if you have the right to do so, please contact:

Freedom of Information
Berwickshire Housing Association
55 Newtown Street
Duns
Berwickshire
TD11 3AU

Email: data@berwickshirehousing.org.uk

Our publication scheme may contain information where we (BHA) are not the copyright holder. It should be clear from the document whether we are the copyright holder or not. However, in cases where it is not clear it is the responsibility of the person accessing the information to locate and seek the permission of the copyright holder.

Principle 4 – Charges

This section explains when we may make a charge for our publications and how any charge will be calculated. There will be 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 costs us to do so (e.g. photocopying and postage). We will always tell you what the cost is before providing the information to you.

Photocopying

| | Size of Paper | Pence per sheet |
|--------------------------|----------------------|------------------------|
| Black & White | A4 | 5p |
| Black & White | A3 | 10p |
| Colour | A4 | 10p |
| Colour | A3 | 20p |

Information provided on digital media will be charged depending on the media requested but not exceed £5.00.

Postage Costs

Postage costs may be recharged at the rate we paid to send the information to you. Our charge is for sending information by first class post.

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

Charges for information not available under the scheme/EIRs

If you submit a request to us for information which is not available in this Guide, the charges will be based on the following calculations:

General information requests

- There will be no charge for information requests which cost us £100 or less to process
- Where information costs between £100 and £600 to provide you may be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50 calculated on the basis of a waiver for the first £100 and 10% of the remaining £500
- We are not obliged to respond to requests which will cost us over £600 to process
- In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour
- We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you
- In the event that we decide to impose a charge we will issue you with a notification of the charge (a fees notice) and how it has been calculated. You will have three months from the date of issue of the fees notice in which to decide whether to pay the charge. If you decide not to proceed with the request there will be no charge to you.

Charges for Environmental Information

Environmental information is provided under the EIRs rather than FOISA. The rules for charging for environmental information are slightly different.

We do not charge for the time to determine whether we hold the environmental information requested or deciding whether the information can be released. Charges

may be made for locating, retrieving and providing information to you (e.g. postage and photocopying). If we decide to impose a charge, we will issue you with a charge notification and how it has been calculated. The information requested will be released to you on receipt of payment. If you decide not to proceed with the request there will be no charge to you.

Charges are calculated based on the actual cost to BHA of providing the information.

- Photocopying is charged at 5p per A4 sheet for black and white copying, 10p per A4 sheet for colour copying.
- Postage is charged at actual rate for Royal Mail First Class.
- Staff time is calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.

The first £100 worth of information will be provided without charge.

Where information costs between £100 and £600 to provide, you will be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.

Where it would cost more than £600 to provide the information to you, however, we will ask you to pay the full cost of providing the information, with no waiver for any portion of the cost.

Charge for your own personal data

There is no charge for requesting your own personal data under the General Data Protection Regulation (GDPR) Subject Access Request. However, data protection law does permit us to charge a “reasonable fee” for the administrative costs of dealing with your request where:

- A request is manifestly unfounded or excessive
- Further, additional copies of personal data are requested.

Further information on GDPR can be found [here](#).

Principle 5 - Advice and Assistance

Contact Details

You can contact us for assistance about any aspect of this MPS or for help to find and request information:

Freedom of Information
Berwickshire Housing Association
Duns
Berwickshire
TD11 3AU

Tel: 01361 8824000

Email: data@berwickshirehousing.org.uk

Website: www.berwickshirehousing.org.uk

Our aim is to make our guide to information as user-friendly as possible, and we hope that you can access all the information we publish with ease. However, if you do wish to complain about any aspect of the Guide then please contact us and we will try to resolve your complaint. Any complaint will be acknowledged and responded to in full within twenty working days.

Should you feel dissatisfied with our response to a request for information you have a right to request a review and if you are still dissatisfied you can appeal to the Scottish Information Commissioner. His office can be contacted at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

Tel: 01334 464610

Email: enquiries@itspublicknowledge.info

Website: www.itspublicknowledge.info

Principle 6 - Duration

Once published through the Guide to Information, our information will be available for the current and previous two financial years.

Where information has been updated or superseded, only the current version will be available (for example our policies follow a review process and therefore only the current up-to-date policy will be available, however, previous versions can be requested under section 1 (1) of FOISA.

Our Guide to Information will contain the last reviewed date of the document to ensure it contains the most up to date information.

Records Management

BHA regards its records as a major asset of the business. We confirm that our records are one of the essential resources which support management in the efficient and effective fulfilment of our governance, business and legal responsibilities. BHA's records management guidelines can be found within our Freedom of Information Policy.

Classes of Information

We publish all the information that we hold within the following classes.

| | Class | Description |
|---|---|--|
| 1 | About BHA | Information about BHA, who we are, where to find us, how to contact us, how we are managed and our external relations. |
| 2 | How we deliver our functions and services | Information about our work, our strategies and policies for delivering our functions and services and information for our service users. |
| 3 | How we take decisions and what we have decided | Information about the decisions we take, how we make the decisions and how we involve others. |
| 4 | What we spend and how we spend it | 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). |
| 5 | How we manage our human, physical and information resources | Information about how we manage our human, physical and information resources. |
| 6 | How we procure goods and services from external providers | Information about how we procure goods and services from our contracts with external providers |
| 7 | How we are performing | Information about how we perform as an organisation and how we deliver our functions and services. |
| 8 | Our commercial publications | 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. |
| 9 | Our open data | The open data we make available as described by the Scottish Government's Open Data Strategy and Resource Pack, available under an open licence. |

Class 1: About BHA

| Information | How to access it |
|---|--|
| <i>Information about BHA, who we are, where to find us, how to contact us, how we are managed and our external relations.</i> | |
| Descriptions of who we are | |
| Mission Statement | Online - Business Plan |
| Vision | Online - Business Plan |

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| Values | Online - Business Plan |
| Corporate Objectives | Online - Business Plan |
| Area(s) of operation | Online - Our Homes |
| Key activities; strategic/corporate plan(s) | Online - Business Plan |
| Business Plan (or summary) | Online - Business Plan |
| Location and Opening Arrangements | |
| Address | Online – Contact us |
| Telephone/Email for general enquiries | Online – Contact us |
| Opening Times | Online – Contact us |
| General contact arrangements | Online – Contact us |
| Local/Area office contact details | Online – Contact us |
| Contact details for making a complaint | Online – Contact us |
| Information relating to Freedom of Information | |
| Model Publication Scheme /Guide to Information | This document |
| Information Charging Guide | Please see page 6 of this document |
| How to make a freedom of information request | Online – Freedom of Information homepage |
| How to make a request for personal information | Online – Freedom of Information homepage |
| Freedom of Information policies and procedures | Online – Freedom of Information Policy |
| Charging schedule for environmental information provided in response to requests made under EIRs | Please see page 7 of this document |
| About our Governing Body | |
| List of Governing Body Members | Online – Our Board of Trustees |
| Description of the role of the Governing Body | Online – How we are governed |
| How to become part of the governing body | Online – How to become a Trustee |
| About our staff | |
| List of senior management team, | Online – Our Leadership Team |

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| including professional biography and contact details | |
| Organisational Chart | Online – Organisational Chart |
| Governance Documents and Corporate Policies | |
| Rules/Articles | Online – BHA Rules |
| Standing Orders | Online – Standing Orders Policy |
| Membership Policy | Online – Membership Policy |
| Code of Conduct for Staff | Online – Code of Conduct Staff |
| Code of Conduct for Governing Body Members | Online – Code of Conduct Board |
| Entitlements, Payments & Benefits Policy (or equivalent, incl. arrangements for payments for expenses and subsistence) | Online – Entitlements Benefits & Payments |
| Register of Interests | Available on request |
| Equalities Policy | Online – Equal Opportunities & Diversity |
| Health & Safety Policy | Available on request – Health & Safety Management System |
| Sustainability Policy | Online – Sustainability Policy |
| Relationships with Regulators | |
| Engagement plan with Scottish Housing Regulator | Online – SHR Engagement Plan |
| Assurance Statement | Online – Assurance Statement |
| Annual Return on the Charter Submission to SHR | Online – Annual Return on the Charter 2018-19 |
| Financial Returns to SHR | Online – Audited Accounts |
| Charter report to tenants | Online – Annual Report |
| Internal and External Audit arrangements | Our internal audit function is carried out by TIAA Our external audit function is carried out by Chiene + Tait Further details of our audit plans are available on request. |
| Group Details | |
| Our Subsidiaries | Online – our subsidiary |
| Key Partnerships | |
| Who we work with – key partnerships | Online – how we are governed |

Class 2: How we deliver our functions and services

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|---|-------------------------|
| The information we publish under Class 2 includes: | How to access it |
| How to use our services | |

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|---|--|
| List of services provided | Online – Tenant Handbook |
| How to report a repair | Online – Report a Repair |
| Right to Repair information | Online – Tenant Handbook Section 6 Online – Scottish Government website |
| How to apply for a house | Online – Find a home |
| How to get information about tenancy support | Online – Your home |
| How to make a complaint | Online – Compliment or complaint |
| How to speak to a housing officer | Online – Contact us |
| How we consult with tenants and other customers to inform and improve service delivery and develop new services | Available on request |
| Policies and Procedures | |
| Allocations Policy | Online – Allocations Policy |
| Adaptations Policy | Online – Asset Management Strategy Policy |
| Anti-Social Behaviour Policy | Online – Responding to Neighbour Nuisance & Anti-Social Behaviour |
| Asbestos Management Policy | Online – Asbestos Policy |
| Arrears Management Policy | Online – Rent Arrears |
| Asset Management Policy (including stock condition information) | Online – Asset Management Strategy Policy |
| Customer Care Policy | Online – Customer Care Policy |
| Data Protection Policy | Online – Data Protection Policy |
| Equality and Diversity Policy | Online – Equal Opportunities & Diversity Policy |
| Estate Management Policy | Available on request |
| Health & Safety Policy Statement | Online – H&S Policy Statement |
| Health & Safety Policy | Available on request – Health & Safety Management System |
| Legionnaires Inspection/Prevention Policy | Online – Legionella Policy |
| Procurement Policy | Online – Procurement Policy |
| Risk Management Policy | Online – Risk Management Policy |
| Rent Setting Policy | Online – Rent & Service Charge Policy |
| Repairs Policy | Online – Asset Management Strategy Policy |
| Sustainability Policy | Online – Sustainability Policy |
| Stakeholder Engagement Policy | Available on request |
| Internal procedures relating to above (where available) | Available on request |

Class 3: How we take decisions and what we have decided

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|--|--|
| The information we publish under Class 3 includes: | How to access it |
| Governing Body Meetings | |
| Governing body meeting minutes | Online – Board Minutes |
| Governing body agendas | Online – Board Agendas |
| Governing body meeting reports/papers | Available on request |
| Consultation and Participation | |
| Tenant Participation Strategy | Available on request |

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|---------------------------------|--|
| Rent Consultation Report | Online - Rent Consultation Board Report |
| Allocations Consultation Report | Online - Allocations Questionnaire Results |
| Tenant Satisfaction Survey | Available on request |
| Internal Audit Reports | Available on request |
| Tenant Scrutiny Panel | Online – Tenant Scrutiny Panel |

Class 4: What we spend and how we spend it

| | |
|--|--|
| The information we publish under Class 4 includes: | How to access it |
| Information about our accounts and budgets | |
| Description of funding sources | Online – Audited Accounts Financial Review |
| Audited Accounts | Online – Audited Accounts |
| Budget policies and procedures | Online – Financial Regulations |
| Budget allocation to key service areas | Online – Financial Regulations |
| Our programme of work and projects | |
| Details of project funding | Online – Audited Accounts Financial Review |
| Capital works programme | Available on request |
| Spending relating to Staff and Governing Body | |
| Expenses policies and procedures | Online – Entitlements Payments and Benefits Policy |
| Senior staff/governing body member expenses at category level e.g. travel, subsistence and accommodation | Available on request |
| Board member remuneration other than expenses | We do not hold information as we do not have board remuneration |
| Pay and grading structure (levels of pay rather than individual salaries) | Available on request |
| General information about staff pension scheme | Online – Audited Accounts |

Class 5: How we manage our human, physical and information resources

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|--|--|
| The information we publish under Class 5 includes: | How to access it |
| Human Resources | |
| Strategy and management of human resources | Available on request – Staff Handbook |
| Staffing structure | Online – Organisational Chart |
| HR policies covering: <ul style="list-style-type: none"> recruitment performance management salary and grading promotion pensions discipline grievance staff development | Available on request – Staff Handbook Online – Recruitment & Selection Policy |

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|--|---|
| <ul style="list-style-type: none"> • maintenance and retention of staff records | |
| Internal procedures relating to the above (where available) | Available on request |
| Trade Union information | Available on request – Staff Handbook |
| Summary of professional organisations/trade bodies of which we are a member | Available on request |
| Physical Resources | |
| Management of our assets | Online – Asset Management Strategy Policy |
| General description of our land and property holdings | Available on request |
| Information Resources | |
| Records management policy/records management plan including records retention schedule | Online – Freedom of Information Policy |
| Data Protection Policy | Online – Data Protection Policy |
| Privacy Policy | Online – Privacy Policy |

Class 6: How we procure goods and services from external providers

| | |
|---|---|
| The information we publish under Class 6 includes: | How to access it |
| Our contractors and suppliers | |
| Information about our key service delivery contractors who carry out: <ul style="list-style-type: none"> • responsive repairs • landscape maintenance • planned/cyclical maintenance | Online – our contractors |
| List of suppliers and contractors used by organisation (provided to staff under our Entitlements Payments & Benefits Policy) | Online – our contractors |
| Information about regulated procurement contracts awarded (value, scope, duration) | Online – Public Contracts Scotland – Berwickshire Housing Association |
| Our Procurement | |
| Procurement Policy | Online – Procurement Policy |
| Procurement Procedures | Available on request |
| Information on how to tender for work and invitations to tender | Online – Public Contracts Scotland website |
| Register of Contracts | Online – Public Contracts Scotland BHA Contracts Register |
| Links to procurement information we publish on Public Contracts Scotland website | Online – Public Contracts Scotland – Berwickshire Housing Association |

Class 7: How we are performing

| | |
|--|---|
| The information we publish under Class 7 includes: | How to access it |
| Annual Report | Online – Annual Report |
| ARC report to tenants | Online – Annual Return on the Charter 2018-19 |

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|----------------------------------|--|
| Performance Standards/indicators | Online – Scottish Housing Regulators Framework |
| Benchmarking information | Online – Scottish Housing Regulator landlord comparison tool |
| Complaints Policy/guidance/forms | Online – Compliments & Complaints Policy Online – Compliment or complaint |
| Complaints reports | Available on request |
| Tenant Scrutiny Panel Reports | Online – Tenant Scrutiny Panel |

Class 8: Our commercial publications

| | |
|---|------------------|
| The information we publish under Class 8 includes: | How to access it |
| We do not hold or publish information under this class. | |

Class 9: Our open data

| | |
|---|------------------|
| The information we publish under Class 9 includes: | How to access it |
| We do not hold or publish information under this class. | |