

The reasons why these exceptions apply are explained in Annex A to this letter.

In relation to Q8, it is clear that much of the information you are seeking or an explanation of the actions sits with Forestry and Land Scotland. In addition to requests (i.e. making an FOI) it is possible to make a formal complaint to FLS; this allows you to make a complaint over their handling of an issue, service, not following their processes or lack of response on a point (noting this is not a guarantee of resolution). FLS's complaints can be found here: [Make a complaint - Forestry and Land Scotland](#)

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Dave Signorini, Chief Executive of Scottish Forestry at Scottish.Forestry@forestry.gov.scot or by post at Scottish Forestry, Silvan House, 231 Corstorphine Road, Edinburgh, EH12 7AT.

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

Yours sincerely



Liz Kirk
PA to CEO/Secretariat Officer

ANNEX A

REASONS FOR NOT PROVIDING INFORMATION

Personal data relating to third party

An exception under regulation 11(2) of the EIRs applies to some of the information you have requested. Reg 11(2) (Personal data relating to third party).

An exception under regulation 11(2) of the EIRs (personal information) applies to some the information requested because it is personal data of a third party and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and in section 34(1) of the Data Protection Act 2018. This exception is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exception.

The Scottish Government does not have the information.

The questions 3-7 refer to the practices and procedures of Forestry and Land Scotland. It is for FLS to provide an explanation of their actions and decisions, and therefore Scottish Forestry have no requirement to hold the information requested. We have made searches of our records and hold no relevant information. We suggest that a request for information (i.e. an FOI) is made to Forestry and Land Scotland; they can be contact at: freedomofinformation@forestryandland.gov.scot

Under the terms of the exception at regulation 10(4)(a) of the EIRs (information not held), the Scottish Government is not required to provide information which it does not have. The Scottish Government does not hold the information relating to all of the questions that have been raised.

Scottish Forestry is the Scottish Government agency responsible for forestry policy, support and regulation (it does not manage land directly), whilst Forestry and Land Scotland is the agency which manages Scotland's national forests and land on behalf of Scottish Ministers and the people of Scotland. As such, these questions are best directed to Forestry and Land Scotland.