

SCOTTISH MINISTERS' REQUIREMENTS

SCHEDULE 3 PART 5

COMMUNICATIONS STRATEGY, CORRESPONDENCE, ENQUIRIES AND COMPLAINTS

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SCHEDULE 3 PART 5

COMMUNICATIONS STRATEGY, CORRESPONDENCE, ENQUIRIES AND COMPLAINTS

1. COMMUNICATIONS STRATEGY

1.1 Introduction

- 1.1.1 The Operating Company shall develop a comprehensive communications strategy in the form of an annual Unit-specific communications plan for publicising and promoting to customers and stakeholders its role in delivery of services under this Contract.

1.2 Communications Planning

- 1.2.1 No later than 25 Working Days prior to the Commencement of Service Date, the Operating Company shall develop and submit for the Director's consent a Unit-specific communications plan for the first Annual Period. In developing the plan, the Operating Company shall identify key groups of customers and stakeholders with whom it needs to communicate such as Transport Scotland, the Traffic Scotland Operator, local, regional and national media, Operational Partners, local and community councils and Members of the Scottish Parliament. This plan shall, as a minimum, include proposals for:
- (i) proactive management of a wide range of both incoming and outgoing communications including dealing with positive and adverse publicity and disseminating information efficiently and effectively,
 - (ii) managing proactive and reactive media opportunities, including those relating to sensitive issues that may attract media attention,
 - (iii) meeting current standards for digital communications, including how these will be resourced to ensure they are updated on a regular, ongoing basis throughout the Contract Period,
 - (iv) managing the relationship with the Director and Press Transport Scotland including:
 - (a) a process for deciding whether publicity should be handled directly by the Operating Company or through Press Transport Scotland,
 - (b) a process for keeping Press Transport Scotland informed about all relevant issues,
 - (c) a process for deciding whether to use Transport Scotland or Operating Company branding on publicity,
 - (v) providing customers and stakeholders with opportunities to discuss their needs and give feedback on the Operating Company's Unit-specific communications plan,
 - (vi) responding to customer and stakeholder feedback,
 - (vii) publicising and promoting its annual Winter Service plan,
 - (viii) developing and agreeing appropriate strategies for different levels of communication in relation to Schemes, Core Operations, Operations and

Works Contracts according to their importance, complexity and potential impact on the reliability of journey times, and

- (ix) regular monitoring and reporting to the Director on the effectiveness of the plan, including suggestions for improvements.

1.2.2 No later than 25 Working Days prior to the commencement of the second Annual Period and all subsequent Annual Periods, the Operating Company shall review its current Unit-specific communications plan and develop and submit an updated plan to the Director for his consent.

1.2.3 Press Transport Scotland will provide advice to the Operating Company regarding the text for all newsletters and other publicity materials and communications. The Operating Company shall agree the nature and extent of any external advertising with the Director.

1.2.4 The Operating Company shall produce a quarterly e-newsletter for issue to customers, community groups and relevant stakeholders. The Operating Company shall propose an initial list of recipients for this newsletter for the consent of the Director. The Operating Company shall thereafter maintain the list of recipients and keep it up to date throughout the Contract Period.

1.3 Media Relations

1.3.1 The Operating Company shall appoint suitably experienced personnel in accordance with the requirements of Schedule 5 Part 4 to deliver the Media and Communications Officer role and manage the Unit-specific communications plan.

1.3.2 The Media and Communications Officer shall ensure that Press Transport Scotland is given the opportunity to comment on proposed media statements prior to their release in accordance with the media enquiries procedure detailed in Annex 3.5/A of this Part.

1.3.3 The Media and Communications Officer shall provide Press Transport Scotland, and Operational Partners where appropriate, with sufficient information to enable advance notice to be given for all Core Operations, Operations, Schemes, Works Contracts, road closures, diversions and the like which are likely to affect the reliability of journey times. The Media and Communications Officer shall agree in advance the extent of any related publicity or advertising with Press Transport Scotland and the Director.

1.3.4 The Media and Communications Officer shall attend quarterly review meetings, on dates to be notified by the Director, with Press Transport Scotland and the Director to review the effectiveness of the Unit-specific communications plan and agree any improvements or amendments for the following quarter.

1.3.5 The Media and Communications Officer shall attend biannual meetings on dates to be notified by the Director, with all other Operating Companies' Media and Communications Officers, Press Transport Scotland and the Director to review the effectiveness of communications plans and strategies and agree any improvements, new or revised objectives for the following six months.

1.4 Website and Digital Communications

1.4.1 The Operating Company shall comply with the requirements of Schedule 3 Part 6 in relation to its Unit-specific website and the use of social networking websites.

2. CORRESPONDENCE, ENQUIRIES AND COMPLAINTS

2.1 Ministerial, Chief Executive and General Correspondence

- 2.1.1 All information referred to in this Schedule which is to be submitted to the Director shall be submitted by e-mail. All requests from the Director to the Operating Company for draft responses, briefings and other information will be sent by e-mail.
- 2.1.2 The Operating Company shall provide to the Director, on request, draft responses and briefing material to general, Transport Scotland Chief Executive and Ministerial correspondence which has been received by the Scottish Ministers or Transport Scotland, in respect of any matter requiring input relevant to the Operating Company or this Contract. This shall be in a format prescribed by the Director.
- 2.1.3 The Operating Company shall provide the draft response required in paragraph 2.1.2 of this Part to the Director within five Working Days of receipt of the request to provide such responses.
- 2.1.4 If the Operating Company anticipates that a draft response cannot be provided within five Working Days of receipt, it shall notify the Director and agree a date for the provision of the full response with the Director.
- 2.1.5 The Operating Company shall appoint a Correspondence Officer in accordance with the requirements of Schedule 5 Part 4.
- 2.1.6 The Director shall provide the Operating Company with draft standard text for use in the direct replies or in the draft responses to be provided under this Part.

2.2 Parliamentary Questions

- 2.2.1 The Operating Company shall provide to the Director, on request, a briefing note related to the topics raised in written or oral Parliamentary questions from Members of the Scottish Parliament and provide a draft reply in editable electronic form to allow the Director to develop a suitable response for the Minister to issue. For written questions, the information shall be provided to the Director within three Working Days. For oral questions, the information shall be provided to the Director within two Working Days.

2.3 The Environmental Information (Scotland) Regulations 2004 and Freedom of Information (Scotland) Act 2002 Requests

- 2.3.1 The Operating Company shall provide to the Director, on request, all information and relevant data requested in any information request received by the Director under the *Environmental Information (Scotland) Regulations 2004* or the *Freedom of Information (Scotland) Act 2002*, in order to allow the development of a response by the Director. Such information and data shall be provided to the Director within ten Working Days.
- 2.3.2 When the Operating Company receives a direct request for such information, it shall acknowledge receipt and explain to the requester that, as a private company, it is not subject to either the *Environmental Information (Scotland) Regulations 2004* or the *Freedom of Information (Scotland) Act 2002*. The Operating Company shall offer to forward the request to Transport Scotland with the requester's permission or advise the requester to contact Transport Scotland directly.

2.4 The Disability Discrimination (Scotland) Act 2005

2.4.1 When the Operating Company receives a request for a briefing note in relation to:

- (i) written or oral Parliamentary questions from Members of the Scottish Parliament, or
- (ii) direct correspondence,

which relates to barriers to accessibility as defined by the *Disability Discrimination (Scotland) Act 2005*, the Operating Company shall check whether the issue is registered in the Disability Discrimination Act database within the Integrated Roads Information System.

2.4.2 When the issue is not registered, the Operating Company shall notify the Director and the Director shall discuss and agree with the Operating Company whether it should be registered.

2.5 Direct Responses from the Operating Company

2.5.1 The Operating Company shall respond directly to correspondence, enquiries and complaints received from any source excluding those made directly to the Operating Company by Members of the Scottish Parliament, Members of the United Kingdom Parliament, Members of the European Parliament and local councillors.

2.5.2 When correspondence, enquiries and complaints are received from Members of the Scottish Parliament, Members of the United Kingdom Parliament, Members of the European Parliament and local councillors, the Operating Company shall:

- (i) respond directly by acknowledging the correspondence, enquiries and complaints within five Working Days of receipt,
- (ii) forward a copy of the correspondence, enquiries and complaints received to the Director within one Working Day of receipt, and
- (iii) provide within five Working Days of receipt, a briefing note related to the topic raised and a draft letter of reply in editable electronic form to allow the Director to develop a suitable response for the Minister to issue, in accordance with the requirements of paragraph 1.2.1 above.

2.5.3 In respect of correspondence, enquiries and complaints received directly by the Operating Company regarding matters of Transport Scotland and Scottish Government policy, Transport Scotland or Scottish Government funding or matters where there is a possibility of political sensitivity, the Operating Company shall refer the correspondence or communication to the Director within one Working Day of receipt and notify the originator accordingly.

The Director will clarify in writing whether the Operating Company or the Director shall respond to any issues referred to in the previous paragraph which are raised by the Operating Company.

2.6 Media Enquiries

2.6.1 The Operating Company shall appoint a Media and Communications Officer in accordance with the requirements of Schedule 5 Part 4.

2.6.2 All enquiries to the Operating Company from television companies, radio stations and the press shall be dealt with by the Media and Communications Officer.

- 2.6.3 The Media and Communications Officer shall operate in accordance with the media enquiries procedure stated in Annex 3.5/A of this Part.
- 2.6.4 The Operating Company shall maintain an electronic register of media enquiry forms, as provided in Annex 3.5/B of this Part, at the Central Office. The register shall be available for inspection at all times by the Director and the Performance Audit Group.
- 2.6.5 No later than 30 days prior to the Commencement of Service Date, the Operating Company shall submit its proposed arrangements for dealing with media enquiries received between 08:00 hours and 17:00 hours on each Working Day, and any received outside these hours, to the Director for written consent.

2.7 Communications Register

- 2.7.1 The Operating Company shall maintain an electronic register of all communications it receives and the replies thereto relating to the Unit or to this Contract. The information recorded in the register in respect of each communication received from the Director, or any other source, shall include:
- (i) date of receipt of the communication and whether it is verbal or written,
 - (ii) details of the communication, including whether it is related to *the Disability Discrimination (Scotland) Act 2005*,
 - (iii) whether the communication requires a response,
 - (iv) date of issue of written information to the Director with the reference number and transmittal method,
 - (v) date of issue and a copy of the Director's signed reply to the originator,
 - (vi) date of issue and a copy of any direct reply from the Operating Company to the originator,
 - (vii) any follow up actions to be taken by either the Operating Company or the Director,
 - (viii) details of any commitments made,
 - (ix) date by which a commitment is to be completed, and
 - (x) date on which a commitment was completed.

2.8 Monthly and Annual Summaries to be Maintained

- 2.8.1 The communications register shall be capable of producing summarised reports for each calendar month and for each Annual Period which shall be available for inspection by the Director and the Performance Audit Group. The communications register shall contain the following information:
- (i) number of communications received from the Director,
 - (ii) number of communications received from all other sources,
 - (iii) number of communications requiring a response,
 - (iv) number of communications responded to within and outwith the five Working Days limit referred to in paragraph 2.1.3,
 - (v) number of communications acknowledged within and outwith the five Working Days limit referred to in paragraph 2.5.2 (i),

- (vi) number of communications forwarded to the Director within and outwith the one Working Day limit referred to in paragraph 2.5.2 (ii),
 - (vii) number of briefing notes and draft letters of reply prepared for, and provided to, the Director within and outwith the five Working Day limit referred to in paragraph 2.5.2 (iii),
 - (viii) average response time in days for all communications,
 - (ix) number of commitments completed within the due date, and
 - (x) number of commitments not completed within the due date.
- 2.8.2 The Operating Company shall produce a monthly summary for the preceding month, by the fifteenth day of each month, throughout the Contract Period.
- 2.8.3 The Operating Company shall produce an annual summary by 15 April each year, covering the preceding Annual Period, throughout the Contract Period.

This is Annex 3.5/A to Schedule 3 Part 5 referred to in the foregoing Agreement between Scottish Ministers and BEAR Scotland Limited.

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COMMUNICATIONS STRATEGY, CORRESPONDENCE, ENQUIRIES AND COMPLAINTS

ANNEX 3.5/A – Media Enquiries and Procedure

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ANNEX 3.5/A – Media Enquiries and Procedure

Procedure

1. This procedure sets out the arrangements for handling media enquiries received by the Operating Company.
2. The Media and Communications Officer shall speak for the Operating Company and shall liaise with the Transport Scotland media desk.
3. Information requested, and the Operating Company's proposed response, shall be recorded on the media enquiry form provided in Annex 3.5/B of this Part and this shall be sent immediately to the Director, the Performance Audit Group and the Transport Scotland media desk.
4. The Operating Company shall identify on the media enquiry form further actions required and the proposed response, together with the timescale proposed for undertaking the further actions.
5. The Media and Communications Officer shall telephone the Transport Scotland media desk to discuss the proposed response within one hour of the media enquiry form having been sent.
6. The Operating Company shall have discretion to give an immediate response when the media question is about factual, non-controversial matters. In these circumstances, the Transport Scotland media desk and the Director shall be notified immediately of such questions and responses using the media enquiry form. The form shall be marked 'Factual – Non Controversial Media Call' for identification purposes.
7. Any media questions on Transport Scotland and Scottish Government policy, Transport Scotland or Scottish Government funding or matters where there is a possibility of political sensitivity shall be passed to the Transport Scotland media desk for action.
8. A copy of the Transport Scotland response will be passed to the Media and Communications Officer by the Transport Scotland media desk for information.
9. The Media and Communications Officer shall maintain frequent and regular contact with the Transport Scotland media desk. The Transport Scotland media team shall be notified of all contact from television companies, radio stations and the press with the Media and Communications Officer and shall be given the opportunity to comment on all proposed media statements other than those described in paragraph 6 above.
10. All media releases from the Operating Company shall be sent to the Director, the Performance Audit Group and the Transport Scotland media desk.

This is Annex 3.5/B to Schedule 3 Part 5 referred to in the foregoing Agreement between Scottish Ministers and BEAR Scotland Limited.

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COMMUNICATIONS STRATEGY, CORRESPONDENCE, ENQUIRIES AND COMPLAINTS

ANNEX 3.5/B – Media Enquiries Form

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COMMUNICATIONS STRATEGY, CORRESPONDENCE, ENQUIRIES AND COMPLAINTS

ANNEX 3.5/B – Media Enquiries Form

To

From

As required in Annex 3.5/A, please find information requested by the following organisation that requires a response from the Operating Company and Transport Scotland.

Source of Enquiry

Organisation	Contact	Date and Time received	Operating Company Contact and telephone number

Details of Enquiry

Details of Proposed Response

Further Action Proposed

Deadline

This notice has been sent to

Name				Transport Scotland media officer
Name				TRBO
Name				Performance Audit Group