



Poileasaidh Dhìomhair no Àrd-fhrionasach

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Poileasaidh airson Aithneachadh agus Làimhseachadh an Fhiosrachaidh Dhìomhair no Àrd-fhrionasach

1 Ro-ràdh

Tha dìomhaireachd agus an dòigh anns am buin e ri fhiosrachadh air a riaghlachadh le lagh na h-Alba agus dh'fhaodadh e a bhith glè ioma-fhillte. Gus am faod fiosrachadh a bhith dìomhair gu dligheil, feumaidh gun sàsaich e tagartas gu bheil e a' glèidheadh dìomhaireachd conaltradh (mar fhiosrachadh fo shochair proifeiseanta laghail) no aig a bheil càileachd deatamach dìomhaireachd.

Uaireannan tha e doirbh dearbhachadh an e fiosrachadh dìomhair a th' ann no nach e. A bharrachd air seo, tha fiosrachadh eile ann aig a bheil ìre frionasachd agus mar sin, ann an cleachdadh, bu chòir gun tèid a làimhseachadh mar fhiosrachadh dìomhair.

'S e adhbhar a' phoileasaidh seo gus fhiosrachadh dìomhair ann am Bòrd na Gàidhlig aithneachadh agus gus stiùireadh a stèidheachadh airson stòradh agus cleachdadh an fhiosrachaidh dhìomhair sin, agus mar sin a' toirt aire do luchd-obrach air na cunnartan an lùib a chaill no ana-caitheamh.

2 Cùl-fhiosrachadh

Tha feum ann airson siostam a stèidheachadh airson seòrsachadh an fhiosrachaidh thar Bòrd na Gàidhlig. Tha Bòrd na Gàidhlig a' cleachdadh Seòrsachadh Tèarainteachd Riaghaltas na RA a tha a' cur cruth nas simplidh air structaran a bha ann roimhe. Tha 3 ìrean ann:

- **Oifigeil** - a' mhòr chuid dhen fhiosrachadh a thèid a chruthachadh no làimhseachadh leis an roinn phoblach. Tha seo a' gabhail a-steach gnìomhachasan agus seirbhisean àbhaisteach a' bhuidhinn, a dh'fhaodadh cron a dhèanamh ma thèid iad air chaill, a ghoid no air am foillseachadh sna meadhanan, ach aig nach eil pròifil bagairt àrd.
- **Dìomhair** - Fiosrachadh glè fhrionasach aig a bheil feum airson gnìomhan dìdeanach nas àirde gus an dìonadh an aghaidh cunnartan dhaingeann agus le comas mòr. Mar eisimpleir, far am faod amharas air a tharraing orra cron a dhèanamh air comasan armailteach, dàimhean eadar-nàiseanta no rannsachadh sàr-eucoir eagraichte.
- **Fìor-dhìomhair** – Fiosrachadh as fhrionnasaiche Riaghaltas A Mòrachd aig a bheil feum air ìrean as àirde dìon bho shàr-chunnartan. Mar eisimpleir, far am faod amharas air a tharraing orra caill beatha mòr is farsaing a dhèanamh no tèarainteachd no sunnd eaconamach na dùthcha no nàiseanan càirdeil a mhùidheadh.

Tha e glè mhì-choltach gum bi fhiosrachadh sam bith aig Bòrd na Gàidhlig aig a bheil seòrsachadh Dìomhair no Fìor-dhìomhair. Mar sin, airson diofarachadh a dhèanamh eadar fhiosrachadh obrach àbhaisteach a bhios ri fhaighinn le luchd-obrach a' bhuidhinn agus fhiosrachadh nas frionnasaiche no a dh'fhaodadh a bhith dìomhair aig nach bu choir a bhith ri fhaighinn leis a h-uile duine, cleachdaidh Bòrd na Gàidhlig Oifigeil-Frionasach cuideachd.

Thathar a' mìneachadh an ainmeachaidh seo anns an t-seòrsachadh [stiùireadh an sgeama](#). Feumar a cleachdadh an seòrsaidh Oifigeil Frionasach an-còmhnaidh airson fhiosrachadh dìomhair.

Cha bu chòir idir gun tèid Dìomhair a chur air fiosrachadh Bòrd na Gàidhlig ach ma tèid seòrsadh laghail a chur air gu bheil e dha-rìribh dìomhair. Thathar a’ mothachadh nach tèid Dìomhair a chleachdadh fhathast mar seòrsadh tèarainteachd agus mar sin faodar Oifigeil-Frionasach-Dìomhair a chleachdadh.

Nuair a thèid fiosrachadh fhaighinn bho treas-phàrtaidh a chaidh comharrachadh “dìomhair”, feumaidh gun tèid fios a thoirt don sheòladair nach urrainn do Bòrd na Gàidhlig am fiosrachadh sin a chumail air an stèidheachadh sin, agus gun tèid an t-seòrsadh Oifigeil Frionasach a chuir air na àite. **Chan eil** seo a’ ciallachadh nach bu chòir dèiligeadh le cuid fhiosrachadh mar gu bheil e dìomhair, agus tha barrachd fiosrachaidh air seo fodha.

Cha bu chòir idir gun tèid Dìomhair a chur air fiosrachadh Bòrd na Gàidhlig ach ma tèid seòrsadh laghail a chur air gu bheil e dha-rìribh dìomhair. Thathar a’ mothachadh nach tèid Dìomhair a chleachdadh fhathast mar seòrsadh tèarainteachd agus mar sin faodar Oifigeil-Frionasach-Dìomhair a chleachdadh.

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3 Aithris a’ Phoileasaidh

Tha Bòrd na Gàidhlig ag aithneachadh gum biodh builean-ruadh ann airson luchd fa-leth no fìor-chron ionmhasail no cliù airson buidhnean, a’ gabhail a-steach gnìomhan laghail agus peanasan-airgid ma thèid dàta pearsanta no fiosrachadh dìomhair eile a chaill, a ghoid no a leigeil a-mach. Mar sin, tha e riatanach nach eil luchd-obrach agus Buill a’ Bhùird ag ana-caitheamh fiosrachadh aig a bheil seòrsadh tèarainteachd Oifigeil no nas àirde. Tha luchd-obrach fo bhuaidh Aonta Fo-rùnachd chaidh a shoighneadh nuair a thathar a’ cur ann an dreuchd agus tha Buill a’ Bhùird fo bhuaidh Còd Giùlain a bhios dèiligeadh leis a’ chuspair seo. Bu chòir gun aithnich luchd-obrach gum bi iad fhathast fo bhuaidh an Aonta seo às dèidh dhaibh an obair aca aig Bòrd na Gàidhlig fhàgail airson adhbhar sam bith.

Thathar a’ dèiligeadh le solaraidhean agus cunnradairean tro na teirmichean is cumhaichean àbhaisteach Bòrd na Gàidhlig

4 Mìneachaidhean

Mar is trice, ‘s e fiosrachadh dìomhair a th’ ann am fiosrachadh nach eil ri fhaighinn gu furasta anns an roinn phoblach mu dheidhinn duine no eintiteas agus ma thèid seo innse, chaill, atharrachadh, coirbeadh no ana-caitheamh a leanadh gu cron brìgheil airson an duine, an eintiteas no Bòrd na Gàidhlig. Tha Bòrd na Gàidhlig fo bhuaidh na lagha no cumhnant gus cuid fhiosrachadh dìomhair a ghlèidheadh, m.e. fo Riaghladh Coitcheann an Dìon Dàta no Achd Dìon Dàta 2018.

5 Achd Saorsa an Fhiosrachaidh (Alba) 2002

Tha Achd Saorsa an Fhiosrachaidh (Alba) 2002 a' toirt cead choitean inntrigidh ri dhiofar sheòrsaichean fiosrachaidh clàraichte air a chumail le ùghdarrasan phoblach, a' stèidheachadh neo-bhuailteachdan bhon chòir sin agus a' cur àireamh dleastanasan air ùghdarrasan phoblach. Tha duine sam bith a chuireas iarrtas gu ùghdarras phoblach airson fiosrachadh airidh air an fhiosrachadh sin fhaighinn, a rèir neo-bhuailteachdan ceangailte ri dìomhaireachd msaa.

Faodar fiosrachadh a chumail air ais far a bheil Bòrd na Gàidhlig den bheachd gun tuit an sgaoileadh ann an aon de na neo-bhuailteachdan taobh a-staigh an Achd. Mar eisimpleir, faodaidh Bòrd na Gàidhlig fiosrachadh a cumail air ais ma 's e gum bi briseadh lagh dìomhaireachd no claon-bharaileachadh mòr airson ùidhean malairteach duine no buidheann sam bith a bhios anns a sgaoileadh. Cumaidh Bòrd na Gàidhlig am fiosrachadh a tha na dàta pearsanta fo Riaghladh Coitcheann an Dìon Dàta, far am briseadh an sgaoileadh aon no barrachd na aon de na prionnsabalan dìon dàta, no far am biodh cron no amhladh mòr agus gun leisgeul ann air a sgàth 's. As bith dè an seòrsachadh tèarainteachd, feumaidh Bòrd na Gàidhlig beachdachadh air dè cho iomchaidh 's a tha (no a bhios) neo-bhuailteachd aig an àm 's a thèid an iarrtas a dhèanamh

6 Aontaidhean Neo-sgaoilidh

Mar is trice cha tèid Bòrd na Gàidhlig an lùib aontaidhean neo-sgaoilidh (NDAs) agus feumar comhairle laghail iomchaidh a ghabhail mus bithear a' gabhail ri aontachadh sam bith a chuireas bacadh air sgaoileadh fhiosrachaidh sam bith. Chan eil FOI no Riaghlaidhean Fiosrachadh an Àrainneachd (Alba) 2004 (ERIs) ag aithneachadh NDAs agus chan fhaodar fiosrachadh air iarraidh a chumail ach ma tha aon no barrachd na aon de na neo-bhuailteachdan (no neo-bhuailteachdan fo na ERIs) a' buntainn ris. Mar a thèid mìneachadh roimhe, chan fhaodar an neo-bhuailteachd dìomhaireachd a chleachdadh ach far a bheil am fiosrachadh dha-rìribh dìomhair agus, san lagh, feumaidh àireamh slatan-tomhais a bhith ann airson seo.

Bu chòir a h-uile neach-obrach a bhith mothachail ma thèid iad an sàs ann an NDA ceangailte ri fiosrachadh a dh'fheumas am buidheann an uair sin fhoillseachadh, gum bi am foillseachadh seo na briseadh cumhnant airson pàrtaidh eile an NDA agus bidh peanasan buailteach tachairt

7 Tha fiosrachadh a tha oifigeil-frionasach ann an co-theacsa Bòrd na Gàidhlig a' gabhail a-steach, ach chan eil a-mhàin:

- Fiosrachadh pearsanta**
- fiosrachadh pearsanta mu duine no tè a tha fhathast beò agus a dh'fhaodadh a bhith ainmichte bhon fhiosrachadh sin, aon chuid leis fhèin no còmhla ri fiosrachadh eile
 - clàraidhean rola-pàighidh, tuarastail, peinnsean agus fiosrachadh nan sochairean (ach pàigheadh an SMT/a' Bhùird a chaidh fhoillseachadh san aithisg bhliadhnail a rèir dleastanasan laghail)
 - àireamhan an Àrachais Nàiseanta, àireamhan cead dràibhidh, dàta aithneachaidh pearsanta eile, àireamhan cead-shiubhail
 - àireamhan agus fiosrachadh nan cairtean-creideis no -fhiachan, fiosrachadh nan cunntasan ionmhais

- fiosrachadh air reifreans fa leth agus fiosrachadh cinnteachaidh air cùl-raon eucoireach
 - fiosrachadh air strì eadar com-pàirtean (ach airson clàr phoblach an SMT/a' Bhùird)
 - fiosrachadh aithneachaidh beò-meatrach
- Fiosrachadh Ionmhasail a' Bhuidhinn**
- àireamhan agus fiosrachadh nan cairtean-creideis no -fhiachan agus fiosrachadh cunntasan ionmhais nan solaraichean
 - àireamhan agus fiosrachadh nan cairtean-creideis no -fhiachan agus fiosrachadh cunntasan ionmhais nan solaraichean mu buidhnean no luchd fa-leth a chur a-steach airson tabhartasan no maoineachadh
- Fiosrachadh Tèarainteachd**
- faclan-faire siostam a' choimpiutar agus còdan tèarainteachd
 - còdan inntrigidh nan dorsan no àitichean obrach no fiosrachadh eile a chuireas bacadh air tèarainteachd
- Sgrìobhaidhean, clàraidhean agus dàta eile**
- dàta rannsachaidh neo-fhoillsichte
 - aithisgean, ro-innleachdan, sgrìobhainn poileasaidh agus pàipearan a' Bhùird neo-fhoillsichte
 - iarrtasan tabhartais
 - comhairle laghail bho luchd-lagha
 - fiosrachadh mionaideach air a' bhuidseat, nan roinn no phlanadh chorporra
 - fiosrachadh nach eil san roinn phoblach air ionmhais, solar, slàinte is sàbhailteachd, modh-sgrùdadh, àrachais agus tagairt.
 - mionaidean frionasach bho comataidh no coinneamh
 - fiosrachadh bho rannsachadh fhoill taobh a-staigh, fiosrachadh air agartachd, modh-sgrùdadh agus farraid
 - a h-uile pìos fiosrachadh, goireas, pìos dàta agus clàr a tha dìomhair san lagh
 - sgrùdaidhean creideis agus eile air companaidhean an treas-phàrtaidh no luchd fa-leth
 - conaltradh eadar Ministearan na h-Alba agus buill Bòrd/SMT Bòrd na Gàidhlig
 - fiosrachadh, sgrìobhainn no faidhle sam bith air a chomharrachadh “Oifigeil-Frionasach” no seòrsachadh nas àirde gus a dhìon agus bacadh a chur air inntrigeadh dha

8 A' cleachdadh seòrsaidhean tèarainteachd

Faodar tèarainteachd a bharrachd airson sgrìobhaidhean fìor frionasach fhaighinn le bhith cur facal-faire orra nach tèid a cho-roinneadh ach le luchd-faighinn an dùil.

Gus sgrìobhain a shàbhaladh ann an SharePoint agus a h-uile frithealaiche-faidhle anns a' bhuidheann, agus gus facal-faire a chur ris:

1. Taghaibh “Sàbhalaich mar”
2. Anns a' cheàrn aig a' bhun chli, taghaibh “Innealan” agus an uair sin “Roghainnean coitcheann”
3. Cuiribh a-staigh “Facal-faire gus fhosgladh” agus briogaibh air “Ceart ma-thà”

9 Stiùireadh airson làimhseachadh an fhiosrachaidh dhìomhair

Feumaidh a h-uile neach-obrach agus Buill a' Bhùird a dh'fheumas fiosrachadh dìomhair làimhseachadh am fiosrachadh a chumail dìomhair agus gun a bhith ga chleachdadh no ga cho-roinneadh ach mar a chaidh ùghdarraichte no iarraidh gu sònraichte orra anns na dleastanasan sònraichte aca.

Faodaidh ana-caitheamh fiosrachadh dìomhair a bhith ann a dheòin (gnìomhan agus/no dearmadan), no a' tighinn bho mì-chùram. Tha ana-caitheamh a' gabhail a-steach (ach chan eil a-mhàin):

- ag inntigeadh fiosrachadh nach eil dha-rìribh buntainneach ri obair iomruite sònraichte an neach-obrach
- a' foillseachadh, a' beachdachadh air agus/no a' toirt seachad fiosrachadh a tha dìomhair ri neach fa-leth aig nach eil cead an dàta sin fhaicinn no chleachdadh, a' gabhail a-steach (ach chan eil a-mhàin) tras-phàrtaidhean, luchd-obrach eile, luchd-ùidh, na poblach agus na meadhanan
- làimhseachadh, stòradh no cur às cion-umhail, mì-chùramach, neo-shuimeil no mì-ìomchaidh dàta dìomhair, a' gabhail a-steach dàta a tha air an stòradh agus/no an gluasad gu h-eileagtronaigeach, sgrìobhaidhean clò-bhuailte agus aithisgean anns a bheil fiosrachadh dìomhair
- a' cur às do no ag atharrachadh fiosrachaidh gun chead
- a' cruthachadh agus/no a' sgaoileadh fiosrachadh ceàrr no mì-stiùrach, agus
- a' cleachdadh fiosrachaidh air fhaicinn no fhaighinn bho na siostaman airson cleachdadh pearsanta no cleachdadh gun chead no mì-laghail sam bith eile.

Tha dleastanas aig luchd-obrach a fhuair còdan inntigidh agus faclan-faire pearsanta airson obair le siostaman a bhios a' cruthachadh, a' stòradh no a' làimhseachadh fiosrachadh dìomhair gus na còdan sin a chumail gu tur dìomhair gus dèan cinnteach nach tèid an cleachdadh le duine sam bith aig nach eil cead.

Feumaidh luchd-obrach a smaoinichas gu bheil cuideigin eile a' cleachdadh nan còdan inntigidh pearsanta aca innse don sreath-stiùiriche aca sa bhad.

Thathar an dùil gum bi luchd-obrach:

- ag aithneachadh fiosrachadh a dh'fhaodadh a bhith dìomhair agus stuthan le seòrsachadh tèarainteachd an fhiosrachaidh ìomchaidh
- a' lorg fiosrachaidh a thaobh agus a' gabhail ri bacaidhean air cleachdadh, rianachas, làimhseachadh, stòradh no gluasad an fhiosrachaidh dìomhair ann an cruth sam bith, cruaidh no eileagtronaigeach

- ag ionnsachadh mu agus a’ gèilleadh ri modhan-obrach a thaobh làimhseachadh iomchaidh an fhiosrachaidh agus stuthan seo
- a’ tuigsinn nan dleastanasan aca a thaobh tèarainteachd an fhiosrachaidh

Thathar an dùil gum bi fios agus tuigse aig luchd-obrach a bhios ag inntrigeadh fiosrachadh dìomhair air na dleastanasan tèarainteachd an lùib seo agus gun gabh iad ceuman freagarrachd gus am fiosrachadh a dhìon, as bith dè an cruth dàta a thèid a chleachdadh, m.e., stuthan clò-bhuailte (foirmichean, pàipearan obrach, aithisgean, leabhraichean), coimpiutairean, lionraidhean dàta/nan guthan, àrainneachdan stòrais fiosaigeach (oifisean, caibineatan fhaidhlichean, drathraichean) agus meadhanan stòrais magnaiteach agus radharcach (clàran-cruaidh, diosgan, teipichean, CDan, draibhean-boillsg).

Bu chòir gum bi sgàilean PC agus laptop a bhith stèidhichte gus nach fhaod ach cleachdaidhean le cead fiosrachadh sam bith le seòrsachadh tèarainteachd fhaicinn. Bu chòir sàbhalaichean sgàile a bhith aig luchd-obrach a bhios dèiligeadh le fiosrachadh fhìor-dhìomhair gu tric airson a h-uile inneal eileagtronaigeach a chleachdas iad airson gnìomhachas Bòrd na Gàidhlig, a’ gabhail a-steach fònaichean làimhe.

Bu chòir gum tèid fiosrachadh aig a bheil seòrsachadh Oifigeil-Frionasach no nas àirde a chur às ann an dòigh a bhios a ghlèidheadh tèarainteachd (m.e., ann am bogsa leòbadh, an àite biona sgudal no ath-chuairteachadh).

‘S e droch-bhriseadh dleastanasan obrach a th’ ann ma bhios luchd-obrach Bòrd na Gàidhlig ag ana-caitheamh an fhiosrachaidh agus/no nan siostaman anns an tèid am fiosrachadh a chumail agus faodaidh gnìomh smachdachaidh a thighinn bho seo.

10 Ag aithris briseadhan

Feumaidh luchd-obrach fios a thoirt do Ceannard Ionmhais agus Cùisean Corporra, a tha na Àrd-Oifigear Riosg an Fhiosrachaidh againn, air briseadh sam bith den stiùireadh seo. Faodaidh luchd-obrach draghan sam bith innse don sreath-stiùiriche no ceannard an roinn aca sa bhad, no gu Oifigear Dìon Dàta Bòrd na Gàidhlig far a bheil am briseadh ceangailte ri dàta pearsanta.

11 Stiùireadh airson stòradh agus gluasad fiosrachadh agus dàta dìomhair

Tha deagh chleachdadh ag ràdh gum bu chòir a h-uile pìos fiosrachaidh aig a bheil seòrsachadh Oifigeil-frionasach no nas àirde a bhith glaiste ann am bogsa-stòraidh, drathair, deasga no preasan iomchaidh nuair nach eilear ga cleachdadh no nuair a tha oifis falbh.

Cha bu chòir gum tèid na sgrìobhaidhean seo a thoirt air falbh bhon oifis ach ma thèid, ‘s ann aig an neach-obrach a tha gan giùlan a tha an dleastanas airson an tèarainteachd aca. Sa chumantas:

- cha bu chòir gum bi sgrìobhaidhean glèidhte a bhith air fhàgail ann an carbad neo-fhrithhealaiche
- feumaidh nach tèid iad an leughadh no am fàgail neo-fhrithhealaiche ann an àite poblach

- feumaidh nach tèid bruidhinn orra ann an àite poblach far am faodar an neach-obrach a chluinntinn
- feumaidh gum bi iad aig an neach-obrach giùlan fad na h-ùine.

Tha tèarainteachd fiosaigeach nam PCan, coimpiutairean laptop agus iPads, cleachdadh faclan-faire agus puist-d còmhdaichte anns a' Phoileasaidh air Cleachdadh Cothromach airson Siostaman IT Bòrd na Gàidhlig. Ma dh'fheumas sibh fiosrachadh frionasach a chur ri no fhaighinn bho tùsan taobh a-muigh, nach cuiribh fios gu Sgioba nan Cùisean Corporra ro làimh.

12 Faodar barrachd fiosrachaidh agus stiùireadh fhaighinn air:

- Dàta eileagtronaigeach, gluasad, stòradh msaa – faodaidh Sgioba nan Cùisean Corporra comhairle a thoirt seachad air seo.
- Laghan dìon dàta - Stiùiriche-Obrachaidhean no Oifigear Dìon Dàta
- Tèarainteachd dàta agus cunnart an fhiosrachaidh - tha Ceannard Ionmhais agus Cùisean Corporra na Stiùiriche Cunnart Bòrd na Gàidhlig
- Foill agus innseireachd - 's e Co-òrdanaiche Freagairt Fhoill a th' ann an Ceannard Ionmhais agus Cùisean Corporra agus faodar beachdachadh air draghan mu dìomhaireachd leis an stiùiriche seo.



Confidentiality Policy

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Policy for Identification and Treatment of Information Considered to be Confidential or Highly Sensitive

1 Introduction

Confidentiality and the way in which it applies to information is governed by Scots law and can be very complex. For information to be legitimately confidential, it must either satisfy a claim to maintaining the confidentiality of communications (such as information subject to legal professional privilege) or have the necessary quality of confidence.

It is often difficult to know whether information constitutes confidential information. Additionally, there is other information which may have a degree of sensitivity and therefore, in practice, should be considered confidential.

The purpose of this policy is to identify information in Bòrd na Gàidhlig that is considered to be of a confidential nature and to establish guidelines for the storage and use of that confidential information thereby increasing employee awareness of the risks of loss or misuse.

2 Background

There is a need to establish a system of classification of information across Bòrd na Gàidhlig. Bòrd na Gàidhlig has adopted the UK Government Security Classifications, which simplifies previously existing structures. There are 3 levels:

- **Official** - the majority of information that is created or processed by the public sector. This includes routine business operations and services, some of which could have damaging consequences if lost, stolen or published in the media, but are not subject to a heightened threat profile;
- **Secret** - Very sensitive information that justifies heightened protective measures to defend against determined and highly capable threat actors. For example, where compromise could seriously damage military capabilities, international relations or the investigation of serious organised crime;
- **Top Secret** – Her Majesty's Government's most sensitive information requiring the highest levels of protection from the most serious threats. For example, where compromise could cause widespread loss of life or else threaten the security or economic wellbeing of the country or friendly nations.

Information that is unclassified effectively has no restriction and therefore should be considered public.

Bòrd na Gàidhlig is very unlikely to hold any information that constitutes a Secret or Top-Secret classification. Therefore, to provide some differentiation between routine, operational information that may be generally accessible by those who work in the organisation, and that which may be more sensitive or considered confidential and should have more restricted access, Bòrd na Gàidhlig also uses Official-Sensitive. This designation is outlined in the classification [scheme guidance](#). Information that is considered confidential should always be classified and marked as Official Sensitive.

On no account should Bòrd na Gàidhlig information be marked as Confidential unless it has been legally certified as being of a genuinely confidential nature.

It should be noted that Confidential is no longer a security classification and therefore information should be marked as Official-Sensitive-Confidential.

On receipt of any third-party information that is marked as confidential, the sender should always be informed that Bòrd na Gàidhlig is unable to hold the information on that basis, and the classification should be replaced with Official Sensitive. This does **not** mean that some types of information should not be treated as if it is confidential, and further details are provided below.

3 Policy statement

Bòrd na Gàidhlig recognises that the loss, theft or leaking of personal data and other information that is considered to be of a confidential nature can have devastating consequences for individuals and cause severe financial and reputational damage to the organisation, including possible legal action and fines. It is therefore essential that employees and Board Members do not misuse information that has a security classification of Official or above. Employees are covered by a Confidentiality Agreement signed on appointment and Board Members are covered by a Code of Conduct which covers this subject. Employees should note that they remain covered by this Agreement after their employment with Bòrd na Gàidhlig is terminated for any reason.

Suppliers and contractors are addressed through Bòrd na Gàidhlig standard terms and conditions.

4 Definitions

Information that is considered to be of a confidential nature generally consists of information not freely available in the public domain about a person or an entity that, if disclosed, lost, altered, corrupted or misused could cause significant harm to the person, entity or Bòrd na Gàidhlig. Bòrd na Gàidhlig is bound by law or contract to protect some types of information that is considered confidential, e.g. under the General Data Protection Regulation or Data Protection Act 2018.

5 Freedom of Information (Scotland) Act 2002

The Freedom of Information (Scotland) Act 2002 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 relating to confidentiality etc.

Information may be withheld where Bòrd na Gàidhlig considers that the disclosure may fall within one of the exemptions contained in the Act. For example, Bòrd na Gàidhlig may withhold information if its disclosure would breach the law of confidentiality or substantially prejudice the commercial interests of any person or organisation. Bòrd na Gàidhlig will also withhold information which is personal data under the General Data Protection Regulation where disclosure would breach one or more of the data protection principles or would cause substantial and unwarranted damage or distress. Regardless of security classification, Bòrd na Gàidhlig must consider the applicability (or continued applicability) of an exemption at the time the request is made.

6 Non-Disclosure Agreements

Bòrd na Gàidhlig does not generally enter into non-disclosure agreements (NDAs) and appropriate legal advice must be taken before entering into any type of agreement that places a restriction on the disclosure of information. NDAs are not recognised by FOI or Environmental Information (Scotland) Regulations 2004 (EIRs), and information being requested can only be withheld if one or more of the exemptions (or exceptions under the EIRs) applies. As stated above, the confidentiality exemption can only be applied where the information is of a genuinely confidential nature and, by law, this requires a number of criteria to apply.

All staff should be aware that should they enter into an NDA that relates to information the organisation is subsequently compelled to disclose, that disclosure is likely to be considered a breach of contract by the other party to the NDA and penalties are likely to be imposed.

7 Information that should be considered to be of an official-sensitive nature in the context of Bòrd na Gàidhlig includes but is not limited to:

- Personal information**
 - Personal data about a living person who can be identified by that information, either by itself or in combination with other data
 - payroll records, salary, pension and benefits information (other than SMT/Board published pay in the annual report and as required by law)
 - National Insurance numbers, driver's licence numbers, other personal identification data, passport numbers
 - credit and debit card numbers and information, financial account information
 - individual reference and criminal background check information
 - individual conflict of interest information (other than SMT/Board public register of interests)
 - individually identifiable biometric information
- Organisational finance information**
 - credit and debit card numbers and information, financial account information about suppliers about organisations or individuals applying for grants or funding
- Security details**
 - computer system passwords and security codes
 - door or premises access codes or other information which would compromise security
 - unpublished research data
 - unpublished reports, strategies, policy documents and Board papers

Documents, records and other data

- grant applications
- legal advice from lawyers
- detailed budgetary, departmental, or corporate planning information
- non-public financial, procurement, health & safety, audit, insurance and claims information
- sensitive committee or meeting minutes
- internal fraud investigation information, litigation, audit and enquiry information
- all information, materials, data and records designated confidential by law.
- credit and other checks on third party companies or individuals
- correspondence between the Scottish Ministers and Bòrd na Gàidhlig Board/SMT members
- any information, document or file marked as “Official-Sensitive” or higher classification in order to protect it and restrict access to it

8 Using security classifications

Additional security of highly sensitive documents can be achieved by password-protecting them and only sharing the password with intended recipients.

To save a document in SharePoint and all file servers within the organisation and all file servers within the organisation and add a password:

1. Select “Save as”
2. In the lower left corner select “Tools” then “General options”
3. Enter a “Password to open” and click “OK”

9 Guidelines for handling information considered confidential

All employees and Board Members who are required to handle information that is of a confidential nature must safeguard such information and only use it or disclose it as expressly authorised or specifically required in the course of performing their specific duties.

Misuse of information that is considered to be of a confidential nature can be intentional (acts and/or omissions), or a product of negligence. Misuse includes but is not limited to:

- accessing information not directly relevant to the employee's specifically assigned tasks
- disclosing, discussing and/or providing information considered to be confidential to any individual not authorised to view or access that data, including but not limited to third parties, other employees, stakeholders, public and media

- reckless, careless, negligent, or improper handling, storage or disposal of data considered to be confidential, including electronically stored and/or transmitted data, printed documents and reports containing information considered to be confidential
- deleting or altering information without authorisation
- generating and/or disseminating false or misleading information, and
- using information viewed or retrieved from the systems for personal or any other unauthorised or unlawful use.

Employees who have been assigned personal access codes and passwords to work with systems that generate, store or manage information considered to be of a confidential nature bear the responsibility for preserving the complete confidentiality of such codes to ensure against unauthorised use by any other person.

Employees who have any reason to believe or suspect that someone else is using their personal access codes must immediately notify their line manager.

Employees are expected to:

- identify information considered to be confidential and materials with an appropriate information security classification
- proactively seek information regarding and comply with any restrictions on the use, administration, processing, storage or transfer of the information considered to be confidential in any form, physical or electronic
- learn about and comply with any procedures regarding the appropriate handling of such information and materials
- understand their responsibilities related to information security

Employees who have access to information that is considered to be of a confidential nature are expected to know and understand associated security requirements, and to take measures to protect the information, regardless of the data storage medium being used, e.g., printed media (forms, work papers, reports, books), computers, data/voice networks, physical storage environments (offices, filing cabinets, drawers), and magnetic and optical storage media (hard drives, diskettes, tapes, CDs, flash drives).

PC and laptop display screens should be positioned so that only authorised users can view any information with a security classification. Employees that regularly process highly sensitive information should have screen protectors fitted on all electronic devices that are regularly used for Bòrd na Gàidhlig business including mobile phones.

Information with a classification of Official-Sensitive or higher should be discarded in a way that will preserve security (e.g., in a shred box, not in a waste or recycling bin).

Employee misuse of Bòrd na Gàidhlig information and/or the systems in which the information is stored is a serious breach of job responsibilities and may result in disciplinary action.

10 Reporting breaches

Employees must notify the Head of Finance and Corporate Affairs, who is our Senior Information Risk Officer, of any violation of these guidelines. Employees may report any concerns immediately to their line manager or head of department or to Bòrd na Gàidhlig's Data Protection Officer where the violation relates to personal data.

11 Guidelines for storage and transfer of confidential information and data

Good practice dictates that all information with a classification of Official-sensitive or higher, including waste, should be locked away in appropriate lockable containers, drawers, desks or cupboards when not in use or whenever an office is left unattended. Such documents should not normally be removed from the office but if they are then the carrying employee is solely responsible for their security. Generally:

- protected documents must not be left in an unattended motor vehicle
- they must not be read or left unattended in a public place
- they should not be discussed in a public place where the employee can be overheard
- they must remain in the possession of the carrying employee at all times.

The physical security of desktop PCs, laptop computers and ipads, use of passwords and email are all covered in the Acceptable Use Policy for Bòrd na Gàidhlig IT Systems. If you need to send or receive sensitive to or from external sources, please contact the Corporate Services Team in advance

12 Further information and advice can be obtained on:

- Electronic data, transfer, storage etc – The Corporate Services Team can advise on these matters
- Data protection laws - the Operations Manager or the Data Protection Officer
- Data security and information risk - the Head of Finance and Corporate Affairs is Bòrd na Gàidhlig's Risk Manager
- Fraud and whistleblowing - the Fraud Response Co-coordinator is the Head of Finance and Corporate Affairs and any concerns about confidentiality may be discussed with this manager.

10 Smachd Sgrìobhainn / Document Control

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