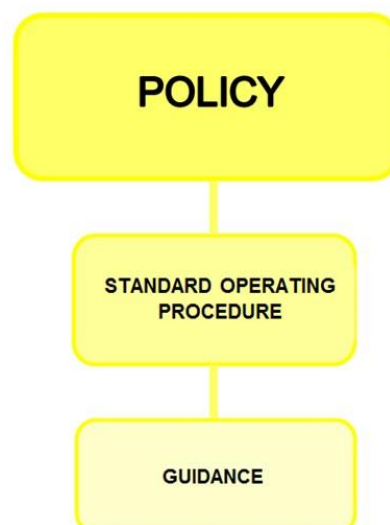


POLICY FOR THE FREEDOM OF INFORMATION ACT 2000

UNIQUE POLICY REFERENCE	IM&T 017
APPROVAL DATE	06/11/2017
REVIEW DATE	06/11/2019
POLICY AUTHOR	IG Team
ACCOUNTABLE DIRECTOR	SIRO
APPROVED BY	SIRO (Bill Gregory)

TRUST GOVERNANCE STRUCTURE

POLICY LINKED TO *Corporate Governance & Compliance Sub-Committee*



POLICY VERSION CONTROL

This record shall detail all previous versions of the Policy, including versions that have been known by other names and the date of when a new version was created.

Previous Versions (Title)	Date Reviewed	Why was a new version created?
POLICY FOR THE FREEDOM OF INFORMATION ACT 2000	April 2017	Policy updated in new Trust Corporate Policy format and includes reference to new IAO/IAA structure



1. TRUST POLICY STATEMENT

The Freedom of Information Act 2000 (FOIA) gives people the right to request, in writing, information from public authorities. It is intended to promote a culture of openness and accountability amongst public sector bodies, and thereby facilitate better public understanding of how public authorities carry out their duties, why they make the decisions they do and how they spend public money.

Other legislation concerning access to information may need to be considered when dealing with requests for information from the public:

Data Protection Act 1998 – enables an individual to access information about themselves.

Environmental Information Regulations 2004 – enables people to access environmental information. This applies to information held by and on behalf of public authorities and those bodies carrying out a public function.

The main provisions of the FOI Act are:

- To adopt and maintain a Publication Scheme regarding information held by the organisation (Section 19, FOIA).
- To inform anyone making a request for information, whether that information is held by the organisation (Section 1, FOIA).
- To communicate the information requested if held by the organisation (Section 1, FOIA) in a form they have requested.

2. APPLICATION

This policy applies to all staff working within the Trust, including any individual directly employed or indirectly employed by the organisation, for example: third party contracting staff, students, temporary staff, volunteers, locum or bank staff and any individual who has been given access to Trust information, network or systems.

Managers within the Trust are responsible for ensuring that the policy and its supporting standards and guidelines are built into local processes and that there is ongoing compliance with policy.

This Policy covers:

- All information used by the organisation;
- All information systems managed by or used by the organisation;
- Any individual using information “owned” by the organisation;
- Any individual requiring access to information “owned” by the organisation.

3. IMPLEMENTATION

In order to comply with the Policy, staff must ensure that they familiarise themselves with relevant policies and guidance and that they understand the responsibilities set out in them. If individuals are unsure about any aspect of a Policy or guidance they must seek clarification from their line manager or the Information Governance (IG) team. Staff must ensure that they



are compliant with legislative and regulatory requirements on a day to day basis.

All Managers are responsible for ensuring that the Policy and its supporting standards and guidance are built into local processes and that there is on-going compliance on a day to day basis with regards to confidentiality and information sharing. Further details of these standards can be found in the FOI SOP.

It is the role of the Executive Director, Senior Information Risk Owner (SIRO), Caldicott Guardian or authorised designate, to ratify Trust Corporate policies in respect of Information Governance, taking into account legal and NHS requirements. The Board is also responsible for ensuring that sufficient resource is provided to support the requirements of this policy.

This Policy works in conjunction with other related Policies and Procedures e.g.

- Freedom of Information SoP
- Information Governance Procedure
- Corporate Records Management Policy and Procedure

Information Governance related policies can be found at

<http://trustnet/docs/policies/DOCUMENTS%20POLICIES/Forms/corporate.aspx>

The Trust will ensure that information will be provided to the public where required by law.

4. COMPLIANCE

The IG Lead will ensure that there are FOI Champions in place across the Trust.

The formal Information Asset Owner and Administrator (IAO / IAA) governance structure must support compliance with all Trust Policies, procedures and practices.

Monitoring of FOI Compliance and assurance is also evidenced as part of the Information Governance Toolkit annual submission.

The IG team produce a quarterly statistics report as part of the IG statement to the Governance & Compliance sub-committee, and provide a current position weekly to the Communications team for inclusion in the Board briefing.

FOI performance is reported to the quarterly Clinical Records and Information Governance Group, the quarterly SIRO & Caldicott Guardian Group, and a quarterly report is submitted by the IG Lead to the Governance & Compliance Sub-Committee.

5. COMMUNICATION

The Policy will be made available in a variety of ways as outlined in the Policy Communications Plan. In the first instance a new Policy will be advised via the Trust Weekly bulletin and made available on



the IG SharePoint pages.

All managers are responsible for ensuring that new starters and current staff have access to Trust Policy and Procedures as appropriate e.g. either electronically or in paper form dependent on the staff working arrangements and environment.

Additional Policy training and awareness can be provided on request where a specific need is identified to the IG team.

6. MONITORING INTEGRITY OF THE SYSTEM

The IG Lead is responsible for keeping up to date with changes to legislation and regulation and reflecting those changes in Policy and procedures where they have an impact on compliance and practice across the organisation. Any significant change to the Policy will be subject to peer review prior to appraisal and ratification by the SIRO. The Policy will be issued as a new version and made available as per the methods identified in the Policy Communications Plan.

(All Corporate Directors, Network Heads of Operation, Deputy Caldicott Guardian & FOI Champions were consulted in the review of the Policy before it was finalised.)

