Freedom of Information
And
Environmental Information Regulations
Policy

Document History

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<td>This document sets out what the Clinical Commissioning Groups (where applicable it's Commissioning Support Units) and associated organisations will do to comply with its obligations under the Freedom of Information Act 2000 (hereafter referred to as the Act) and includes the procedure to be followed when handling requests for information.</td>
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<td>Nottinghamshire Clinical Commissioning Groups Director of Outcomes and Information</td>
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<td>This policy applies to any person directly employed, contracted or volunteering to the Clinical Commissioning Group, including those working under an honorary contract and those authorised to undertake work on behalf of the Clinical Commissioning Group.</td>
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<tr>
<td>Associated Documents:</td>
<td>All Information Governance Policies and the Information Governance Toolkit</td>
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Freedom of Information Policy

1. Introduction
This policy applies to Nottinghamshire County Clinical Commissioning Groups. They include:
- NHS Mansfield and Ashfield Clinical Commissioning Group;
- NHS Newark and Sherwood Clinical Commissioning Group;
- NHS Nottingham North and East Clinical Commissioning Group;
- NHS Nottingham West Clinical Commissioning Group; and
- NHS Rushcliffe Clinical Commissioning Group.

Clinical Commissioning Groups are separate independent statutory organisations.

This document sets out the Freedom of Information Policy for the Nottinghamshire Clinical Commissioning Groups. It explains what the organisation will do to comply with its obligations under the Freedom of Information Act 2000.

The Freedom of Information Act 2000 (Ref 1) came into effect for all public sector organisations on 1 January 2005 and gives the public a general right to request access to information held by public authorities. Its key theme is that public authorities are accountable to the public and should be open and transparent in their decision-making. The policy is guided by the Lord Chancellor’s Code of Practice on the Discharge of Public Authorities Functions under Part 1 of the Freedom of Information Act 2000 issued under Section 45 of the Act (Ref 2).

This policy is supported by the procedures for responding to requests for information, as set out in Appendix A and B.

This policy will be published on the internet.

2. Scope
It is the duty of each NHS body to establish and maintain arrangements for the purpose of monitoring and improving the quality of healthcare provided by and for that body. The organisation is committed to this policy and its implementation.

This policy applies to all contracted (permanent and temporary) staff employed by the organisation including non-executive directors, students, trainees, researchers, trainers, volunteers, and staff of other organisations including consultants and contractors.

The organisation supports the Government’s commitment to greater openness in the public sector. The Act will further this aim of greater openness by enabling members of the public to be able to request access to corporate information and as such scrutinise and question the decisions of public authorities more closely and ensure that the services provided are properly delivered.

The organisation wishes to create a climate of openness and dialogue with all their stakeholders; improved access to information about the organisation will help to support this aim. The organisation will make such information available in a range of formats as required to meet the needs of the person requesting the information.

The organisation recognises that individuals also have a right to privacy and confidentiality. This
policy does not overturn the common law duty of confidence or the statutory provisions that prevent disclosure of personal identifiable information. The release of such information is covered by the Data Protection Act 1998 and is dealt with in the Clinical Commissioning Group’s Confidentiality and Data Protection Policy and associated Clinical Commissioning Group Subject Access procedures.

This policy does not forfeit the Clinical Commissioning Group’s duties to:

- keep confidential personal and sensitive information as per the Data Protection Act 1998;
- protect other legal and contractual obligations;
- ensure the safe and efficient conduct of the Clinical Commissioning Group’s operations; and
- protect commercially sensitive information.

On the occasions where the Clinical Commissioning Group does not disclose requested information the Clinical Commissioning Group will always state the reasons why, using the exemptions detailed in the Freedom of Information Act and apply the public interest test where required by that exemption.

3. Purpose

The policy will provide a framework within which the organisation will ensure compliance with the requirements of the Act and will underpin any operational procedures and activities connected with the implementation of the Act.

4. Duties and Accountability

The Clinical Commissioning Group Accountable Officer has the ultimate accountability for the organisation’s compliance with the Act. The Accountable Officer will ensure that responsibility for bringing Freedom of Information issues to the Governing Body is delegated to an appropriate Director (or equivalent).

NHS Newark and Sherwood Clinical Commissioning Group and NHS Mansfield and Ashfield Clinical Commissioning Group have commissioned Freedom of Information services from Arden & Greater East Midlands Commissioning Support Unit who provide a locality Freedom of Information lead to liaise directly with the Clinical Commissioning Groups.

NHS Nottingham North and East Clinical Commissioning Group, NHS Nottingham West Clinical Commissioning Group and NHS Rushcliffe Clinical Commissioning Group have all nominated an internal co-ordinator (Freedom of Information Lead) to process Freedom of Information’s internally with their organisation with an option to seek (if required) advice and guidance from NHS Nottingham City Clinical Commissioning Group in regards to compliance with the Act and use of exemptions as outlined in a SLA.

The Freedom of Information Lead is responsible for the operational management of Freedom of Information process and ensures compliance with the Act through appropriate processes and procedures.

The duties of the Freedom of Information Lead include:

- providing a centralised point of contact for handling all Clinical Commissioning Group related Freedom of Information enquiries, liaising with colleagues across the organisation to agree
responses;
- providing advice and assistance as required by the Act to applicants requesting information under the Act;
- production and maintenance of Freedom of Information policy and procedures (see Appendix A and B);
- promotion of Freedom of Information awareness across the organisation through training and the dissemination of the Freedom of Information procedures to all staff;
- ensuring that all staff and the general public are provided with information about their rights and responsibilities under Freedom of Information, in an accessible format;
- monitoring the Guide to Information required under the Publication Scheme (i.e. the Clinical Commissioning Group’s Freedom of Information website);
- maintaining appropriate records of requests for information;
- production of monitoring reports;
- supporting the appeals/complaints procedure in respect of Freedom of Information.

All Clinical Commissioning Group staff including Governing Body members are obliged to adhere to this policy. They should be familiar with the requirements of the Act and be aware of their personal responsibilities under the Act.

In certain circumstances, to support equality and diversity, line managers will need to consider individual requirements of staff to support good practice in complying with this policy.

5. Environmental Information Regulations 2004

The organisation recognises that, in addition to the Act, there is also an obligation on public authorities to respond to requests for environmental information under the Environmental Information Regulations (EIR) 2004.

The organisation will, as far as possible, respond to requests for environmental information using the same procedures as for responding to Freedom of Information (Freedom of Information) requests, while recognising that there are some differing legal requirements between Environmental Information Regulations and Freedom of Information on the provision of information. These include rules governing what environmental information may be disclosed (exceptions under Environmental Information Regulations) and the requirement to respond to requests for environmental information whether the request is verbal or in writing.

6. Equality and Diversity

The Clinical Commissioning Group aims to design and implement policy documents that meet the diverse needs of the services, population and workforce, ensuring that none are placed at a disadvantage over others. It takes into account current UK legislative requirements, including the Equality Act 2010 and the Human Rights Act 1998, and promotes equal opportunities for all.

This document has been designed to ensure that no-one receives less favourable treatment due to their personal circumstances, i.e. the protected characteristics of their age, disability, sex (gender), gender reassignment, sexual orientation, marriage and civil partnership, race, religion or belief, pregnancy and maternity. Appropriate consideration has also been given to gender identity, socio-economic status, immigration status and the principles of the Human Rights Act.
In carrying out its functions, the Clinical Commissioning Group must have due regard to the Public Sector Equality Duty (PSED). This applies to all the activities for which the organisation is responsible, including policy development, review and implementation.

7. **Freedom of Information Act 2000**

7.1 **Main Features of the Act**

The main features of the Act are:

- a General Right of Access from 1 January 2005 to recorded information held by public authorities, subject to certain conditions and exemptions;
- a duty on public authorities to inform the applicant whether they hold the information requested (considering if it is appropriate to use ‘neither confirm or deny’ if information is held) and communicate the information to them, subject to certain conditions and exemptions;
- a duty on every public authority to adopt and maintain a Publication Scheme. This duty has been applicable to the NHS since 31 October 2003;
- the establishment of the office of Information Commissioner with wide powers to enforce the rights created by the Act and to promote good practice; and
- a duty on the Lord Chancellor to establish Codes of Practice for guidance on specific issues, such as Records Management (Ref 3).

7.2 **Publication Scheme and Guide to Information**

Section 19 of the Act makes it the duty of every public authority to adopt a Publication Scheme.

The Clinical Commissioning Group has adopted the Model Publication Scheme issued by the Information Commissioner in 2008 (Ref 4) which gives an overview of the information that the organisation publishes and intends to publish in the future. It details the format in which the information is available and whether or not a charge will be made for the provision of that information. The Publication Scheme is available on the public website. The Clinical Commissioning Group’s compliance with the requirement to publish information as set out in the ICO Definition Document for Health Organisations will be regularly reviewed by the Freedom of Information Lead in accordance with ICO guidelines and the content of the website should be updated accordingly.

Information in the Publication Scheme will be made automatically and proactively available. In most cases information which is made available via the Publication Scheme will be downloadable from the Clinical Commissioning Group website. In the event that an enquirer is unable to download the information, applications for the information to be supplied in another format may be made verbally or in writing.

7.3 **Requests for Information (General ‘Right to Know’)**

Section 1 of the Act gives a general ‘right to know’ and request access from 1 January 2005 to recorded information held by the Clinical Commissioning Group, subject to certain conditions and exemptions. Any person making a request for information to the organisation is entitled to:

- be informed in writing, or any other appropriate format on request, whether the organisation holds the information described in the request **unless** it is appropriate to use ‘neither confirm or deny’ if information is held; and
• have that information communicated to them if it is held by the organisation and in an appropriate format on request unless an appropriate exemption applies; and
• receive the information in a re-usable format.

The provisions are fully retrospective, meaning, that if the organisation holds the information when the request is received, it must be provided, subject to certain conditions and exemptions.

The Act states that requests for information under the general ‘right to know’ must be received in writing and include the real name of the applicant, an address for correspondence, and a clear description of the information requested. This includes email, which is the preferred method of correspondence for the majority of Freedom of Information enquirers.

7.4 Charges and Fees

Charges and fees will only be levied in exceptional circumstances, for example where large volumes of hard copy materials are requested, in which case the Clinical Commissioning Group will follow the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (see Appendix E).

In general, no charge will be made for responding to requests.

7.5 Time Limits for Compliance with Requests

The Clinical Commissioning Group will establish systems and procedures to ensure that the organisation complies with the duty to respond to requests within 20 working days of receipt of a request, in accordance with Section 10 of the Act. All staff will be required to comply with the requirements of these procedures; failure to do so may result in disciplinary action.

7.6 Re-use of information (Re-use of Public Information Regulations 2015)

The Re-use of Public Sector Information Regulations 2015 provides a framework for public sector organisation to license the re-use of their information.

Accordingly, if the information has been made available for re-use under the Open Government License (OGL) a request to re-use is not required, but the license conditions must be met.

A statement regarding the Re-use of any previously unreleased information without having the consent of the Clinical Commissioning Group is contained within the cover note when issuing the response to a Freedom of Information as below.

‘All information we have provided is subject to the provisions of the Re-use of Public Sector Information Regulations 2015. Accordingly, if the information has been made available for re-use under the Open Government License (OGL) a request to re-use is not required, but the license conditions must be met. You must not re-use any previously unreleased information without having the consent of the Clinical Commissioning Group. Should you wish to re-use previously unreleased information then you must make your request in writing (email will suffice) to the Freedom of Information Lead. All requests for re-use will be responded to within 20 working days of receipt.’

8. Provision for dealing with Freedom of Information Requests

8.1 Management

The Freedom of Information Lead within Arden & GEM CSU manages the provision of this service for
NHSH Newark and Sherwood Clinical Commissioning Group and NHS Mansfield and Ashfield Clinical Commissioning Group.

The Internal Clinical Commissioning Group Coordinator (Freedom of Information Lead) manages the provision of this service for NHS Nottingham North and East Clinical Commissioning Group, NHS Nottingham West Clinical Commissioning Group and NHS Rushcliffe Clinical Commissioning Group.

8.2 Receipt of a Request

It is accepted that requests for information can come from many sources and it is important for all members of staff to be able to recognise a Freedom of Information request so it can be processed quickly and appropriately. All staff has a responsibility to ensure that all Freedom of Information applications are identified and reported.

Not every application will clearly indicate the nature of the request as being Freedom of Information.

For all requests for information, staff must follow the ‘Requests for Information Flow Chart’ which can be found at Appendix A and the Procedure to Process Freedom of Information Requests Appendix B.

8.3 Advice and Assistance to Applicants

The Freedom of Information Lead will act as a key contact point for Applicants for the Clinical Commissioning Group and will provide advice and assistance to potential and actual applicants for information under the Act.

The Freedom of Information Lead will act as a source of advice and support for staff in regard to the Act.

8.4 Circular or “Round Robin” requests

If circular or ‘Round robin’ requests are received within the Nottinghamshire Clinical Commissioning Group Area the Freedom of Information Lead will liaise with the Clinical Commissioning Groups across the area to ensure that a cohesive approach will be taken and a consistent response for all Clinical Commissioning Groups can be provided to the applicant.

9. Complaints/Internal Review

Requests for review or complaints about handling of applications for information under the Act are specifically exempt from the NHS Complaints Regulations (NHS Complaint Regulations Part II, para 7(g)). A separate complaints/appeals process applies to such requests for review or complaints (see Appendix D).

10. Records Management

The Clinical Commissioning Group and other organisations holding information on behalf of the Clinical Commissioning Group will have systems and processes in place for managing their corporate records in both electronic and paper format in order to respond effectively to requests for information.

In line with NHS guidance on retention periods (Ref 12), electronic and paper records of Freedom of Information requests will be retained for three years and then destroyed, with the exception of requests where any information requested was refused and an exemption applied, in which case they should be retained for 10 years.
11. Monitoring Compliance

The Clinical Commissioning Group will regularly review their Freedom of Information arrangements to ensure compliance with this policy and national updates. A quarterly assurance compliance report is present to the IGM&T Committee.

The Freedom of Information Lead will maintain records of all Freedom of Information requests to assess performance in meeting the standards and statutory timeframes set out in the Lord Chancellor's Code of Practice.

Review findings will also be used by the Freedom of Information Lead to inform measures for improvement, including identifying any communications and training needs and whether new or revised procedures are needed to comply with the policy.

12 Due Regard

This policy has been reviewed in relation to having due regard to the Public Sector Equality Duty (PSED) of the Equality Act 2010 to eliminate discrimination, harassment, victimisation; to advance equality of opportunity; and foster good relations.

13. Training, Distribution and Implementation

Training

The Freedom of Information Officer (Arden& GEM CSU) will provide training to those managers within NHS Newark and Sherwood Clinical Commissioning Group and NHS Mansfield and Ashfield Clinical Commissioning Group tasked with handling Freedom of Information requests within the Clinical Commissioning Group and will consider specific training to identified groups as required or requested by the Clinical Commissioning Group.

IG Leads within NHS Nottingham North and East Clinical Commissioning Group, NHS Nottingham West Clinical Commissioning Group and NHS Rushcliffe Clinical Commissioning Group will organise the provision of training to those managers tasked with handling Freedom of Information requests within the Clinical Commissioning Group and will consider specific training to identified groups as required or requested by the Clinical Commissioning Group.

Distribution

This policy will be published on the Clinical Commissioning Group website and intranet.

All staff will be notified of this and any new or revised document via the email policy alert system.

Implementation

It is the responsibility of line managers to ensure that their staff is aware of this policy and procedure and how to deal with a Freedom of Information request should they receive one.
14. Related Policies/Organisational Functions

A number of other policies are related to this Freedom of Information Act Policy and all employees should be aware of the full range:

- Complaints Management Policy and Claims Management Policy;
- Confidentiality and Data Protection Policy;
- Data Quality Policy;
- Records Management Policy;
- Subject Access Request Procedure.

15. Review

The policy will be reviewed every two years or as required by organisational change or national policy changes.

16. References

- Data Protection Act 1998
- Freedom of Information Act 2000
- The re-use of Public Sector Information Regulations 2015


11. UK Parliament website http://www.parliament.uk/

Freedom of Information contacts for further Information:

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<tr>
<th>Clinical Commissioning Group</th>
<th>Contact</th>
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| **NHS Newark and Sherwood Clinical Commissioning Group** | Freedom of Information Lead  
NHS Arden and Greater East Midlands Commissioning Support Unit  
Scarsdale, Nightingale Close, Newbold Road, Chesterfield, Derbyshire, S41 7PF  
Email: FOI.Notts@ardengemcsu.nhs.uk |
| **NHS Mansfield and Ashfield Clinical Commissioning Group** | Freedom of Information Lead  
NHS Arden and Greater East Midlands Commissioning Support Unit  
Scarsdale, Nightingale Close, Newbold Road, Chesterfield, Derbyshire, S41 7PF  
Email: FOI.Notts@ardengemcsu.nhs.uk |
| **NHS Nottingham North and East Clinical Commissioning Group** | Freedom of Information Coordinator  
NHS Nottingham North & East Clinical Commissioning Group  
Civic Centre  
Arnold Hill Park  
Arnold  
Nottingham  
NG5 6LU  
Email: FOI.NNE@nottinghamnortheastccg.nhs.uk |
| **NHS Nottingham West Clinical Commissioning Group** | Freedom of Information Coordinator  
Nottingham West Clinical Commissioning Group  
Stapleford Care Centre  
Church Street  
Stapleford  
Nottingham  
NG9 8DB  
Email: FOI.NW@nottinghamwestccg.nhs.uk |
| **NHS Rushcliffe Clinical Commissioning Group** | Freedom of Information Coordinator  
Rushcliffe Clinical Commissioning Group  
Easthorpe House  
165 Loughborough Road  
Ruddington  
Nottingham  
NG11 6LQ  
Email: FOI.RCCG@rushcliffeccg.nhs.uk |
Appendix B – Detailed Procedure to Process Freedom of Information Act Requests

Introduction

The purpose of this procedure is to give staff a clear guide on how to manage incoming Freedom of Information Act 2000 (Freedom of Information) requests. The request must be made in writing (this includes emails, letters, faxes). A request for information does not need to quote the FOA.

Legal Requirement

The Organisation has 20 working days from the date of the request being received to comply with the legal requirements.

This requires staff to act without delay on receiving a request following the guidance below:

Steps to Follow:

1. Freedom of Information’s are processed centrally within the Clinical Commissioning Group by the Freedom of Information Lead

   NHS Mansfield and Ashfield Clinical Commissioning Group FOI.Notts@ardengemcsu.nhs.uk

   NHS Newark and Sherwood Clinical Commissioning Group FOI.Notts@ardengemcsu.nhs.uk

   NHS Nottingham North & East Clinical Commissioning Group FOI.NNE@nottinghamnortheastccg.nhs.uk

   NHS Nottingham West Clinical Commissioning Group FOI.NW@nottinghamwestccg.nhs.uk

   NHS Rushcliffe Clinical Commissioning Group FOI.RCCG@rushcliffeccg.nhs.uk

   The most appropriate transmission method must be considered in relation to the format of the original request (electronic or paper) and any delay will impact on the 20 working days.

2. Acknowledgement of Request

   Acknowledgement of the request should be made by the Clinical Commissioning Group Freedom of Information Lead within two-working days of receipt.

3. Providing the Information Requested

   The person/service that was identified holding the information will be notified of the details of the request and given a deadline date for supplying the information to the Freedom of Information Lead.

   The Freedom of Information Lead will then review the information and, if necessary, liaise with the person who provided the information in relation to further clarification or the potential application of exemptions.

   Where it is considered that an exemption applies to release information the Clinical Commissioning Group Freedom of Information Lead will seek guidance from the Clinical Commissioning Group
Head of Information Governance support function.

4. Response Monitoring and Logging

This will be carried out by the Clinical Commissioning Group Freedom of Information Lead who will liaise with the holder of the information and the person/agent who has lodged the request.

5. Collection of Costs

If applicable the Clinical Commissioning Group Freedom of Information Lead will request, collect and deposit any fees received with the Finance Department prior to the release of the records.

6. Information Release

The information will be brought together and a response in form of a Decision Notice will be sent to the applicant by the Clinical Commissioning Group Freedom of Information Lead.
Appendix C - Exempt Information under Part II of the Freedom of Information Act 2000

Freedom of Information Absolute Exemptions

s 21 Information reasonably accessible to the applicant by other means
s 23 Information supplied by, or relating to, bodies dealing with security matters
s 32 Court records
s 34 Parliamentary privilege
s 36 Prejudice to the effective conduct of public affairs (but only absolute in relation to information held by the Commons or House of Lords)

s 40 Personal Information
s 41 Information provided in confidence (but only if this would constitute an actionable breach of confidence)

s 44 Prohibitions on disclosure

Freedom of Information Qualified Exemptions subject to Public Interest test

s 22 Information intended for future publication
s 24 National Security
s 26 Defence
s 27 International relations
s 28 Relations within the UK
s 29 The Economy
s 30 Investigations and proceedings conducted by public authorities
s 31 Law enforcement
s 33 Audit functions
s 35 Formulation of government policy etc.
s 36 Prejudice to effective conduct of public affairs
s 37 Communications with Her Majesty etc. and honours
s 38 Health and Safety
s 39 Environmental information
s 42 Legal professional privilege
s 43 Commercial Interests
Public Interest Test

The public interest will be considered in every case where a qualified exemption may apply. When applying the public interest test in the Freedom of Information context it means the public good, not what is of the interest to the public, and not the private interests of the requester. In carrying out the public interest test the organisation should consider the circumstances at the time of the request or within the normal time of compliance.

Public interest arguments for the exemption must relate specifically to that exemption and the organisation must consider the balance of public interest in the circumstances of the request.

When considering the public interest to reach a decision on a qualified exemption, the organisation will seek legal advice when necessary. The organisation will aim to use the qualified exemptions sparingly and will, in accordance with Section 17 of the Act, justify their use.
Appendix D - Freedom of Information Appeals (Internal Review) Procedure and Appeals Panel Terms of Reference

1. Introduction

The right to appeal is a fundamental part of the Freedom of Information Act and the Environmental Information Regulations. This right can be exercised in two ways: by an internal review using the organisations appeal procedures and by an external appeal to the regulatory the Information Commissioner's Office (ICO). The ICO will not usually investigate any appeal which has not been thoroughly investigated through the organisation’s internal process.

Dissatisfied applicants therefore have the opportunity for an initial review of how their request for information was handled. Having gone through this process, applicants who are still unhappy can complain to the ICO and will be dealt with in accordance with the ICO procedures.

2. Freedom of Information (Freedom of Information) Internal Review Procedure

Appeals must be submitted in writing within 40 days after receiving the organisation's response. After this time period, the organisation will not hear appeals and applicants will be advised to contact the ICO directly.

On receipt, the request for internal review will be acknowledged before it is assigned to one of a panel of reviewers, who are usually senior members of staff. The Freedom of Information Lead will provide the reviewer with a summary and details of the original handling of the request. The job of the internal reviewer is threefold:

1. To assess whether the authority has complied with its responsibilities under the Act, including timeliness and the duty to advise and assist;
2. To consider the information released against the information requested and make a full review of the papers associated with the original application, if appropriate, discussing the decisions with staff who dealt with the initial application;
3. To re-consider any public interest in disclosure and determine whether the information should be disclosed.

The internal review constitutes a fresh inquiry into the request, rather than taking as a starting point the decision already reached and submitting it to a test of reasonableness. Reviews are also undertaken in the light of the general presumption in the Freedom of Information in favour of release of information. Useful procedural guidance and advice on the application of the exemptions can be obtained from the Clinical Commissioning Group’s Freedom of Information Lead or the Information Commissioners Office. The ICO recommends that an internal review should take no longer than 20 working days.

The internal reviewer sets out their decision in the form of a document outlining their conclusions and recommendations. Following management approval, the outcome of the review is communicated to the applicant.

On completion of the review, records relating to the review are returned to the Freedom of Information Lead. They are retained in order to assist in any investigation by the Information Commissioner.
3. Complaints and Appeals

**Complaints** - Applicants of information may complain to the Clinical Commissioning Group about how the Clinical Commissioning Group has managed their request, e.g. they may wish to complain about the:

- Failure to respond to their request within 20 working days (or failure to explain why longer than 20 working days is needed);
- Failure to provide information in the form in which they requested it;
- Failure to provide them with proper advice and assistance.

**Appeals** – If the Clinical Commissioning Group has declined to provide information; then an applicant will have been sent an explanatory Refusal Letter. The reasons may include:

- Failure to provide all/part of the information that they requested;
- Failure to correctly apply an:
  - Exemption under the Freedom of Information Act 2000 and/or;
  - Exception under the Environmental Information Regulations 2004.
- Failure to properly explain any reasons for refusing their request.

The proposed appeals procedure set up by Re-Use of Public Sector Information Regulations 2015 works in the same way as the appeals procedure under the Freedom of Information Act 2000/Environmental Information Regulations 2004, in that the Information Commissioner is the ultimate authority to which to complain for Re-Use of Public Sector Information Regulations 2015 appeals.

The applicant can complain to the [Office of Public Sector Information](#) (external) only after their complaint has first been sent to the Clinical Commissioning Group (as the authority to which their request for re-use of information was made) and if they are not satisfied with the response to their complaint/appeal.

If an applicant is unhappy with the way the Clinical Commissioning Group has handled their request, they may ask for an internal review. Applicants are advised to contact the Information Governance Team for the Clinical Commissioning Group, who will arrange an internal review of their case.
Appendix E – Fees for Applications under The Freedom of Information Act 2000

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 indicate that the scheme set in place by the Act is not expected to be self-financing. These Regulations provide than an applicant would be charges the full cost of the authority’s ‘disbursements’ (such as costs for photocopying, printing and postage)

The following charges may apply:

Photocopies:
A4 Black and White 10p per sheet
A3 Black and White 20p per sheet
A4 Colour £1.00 per sheet
A3 Colour £1.50 per sheet
Fax:
To UK and Ireland £1.00 per page
To Europe £1.75 per page
To Rest of the World £2.00 per page
Print-Outs from a Computer
Black and White: 10p per page
Colour 50p per page
Photo Quality Paper Prints £1.00 per page
Electronic Media:
CD-R Disc in a Plastic 'Jewel' Case £1.00
Floppy Disc (1.44MB) £1.00
Scanning of A4 Paper Records £1.40 per image
Scanning of A3 Paper Records £2.10 per image
Email Attachment No Charge
Appendix F - Re-use of Public Sector Information Regulations 2015

This creates a general legal right by the worldwide public, hereafter referred to as applicants, to re-use that information that has already been requested from public authorities through the Freedom of Information Act 2000/Environmental Information Regulations 2004.

Rights under the Re-use of Public Sector Information Regulations - see section 7.4 above. For further guidance in regards to this please contact the Clinical Commissioning Group Information Governance Lead.