

Freedom of Information Requests Handling procedure

Issue sheet

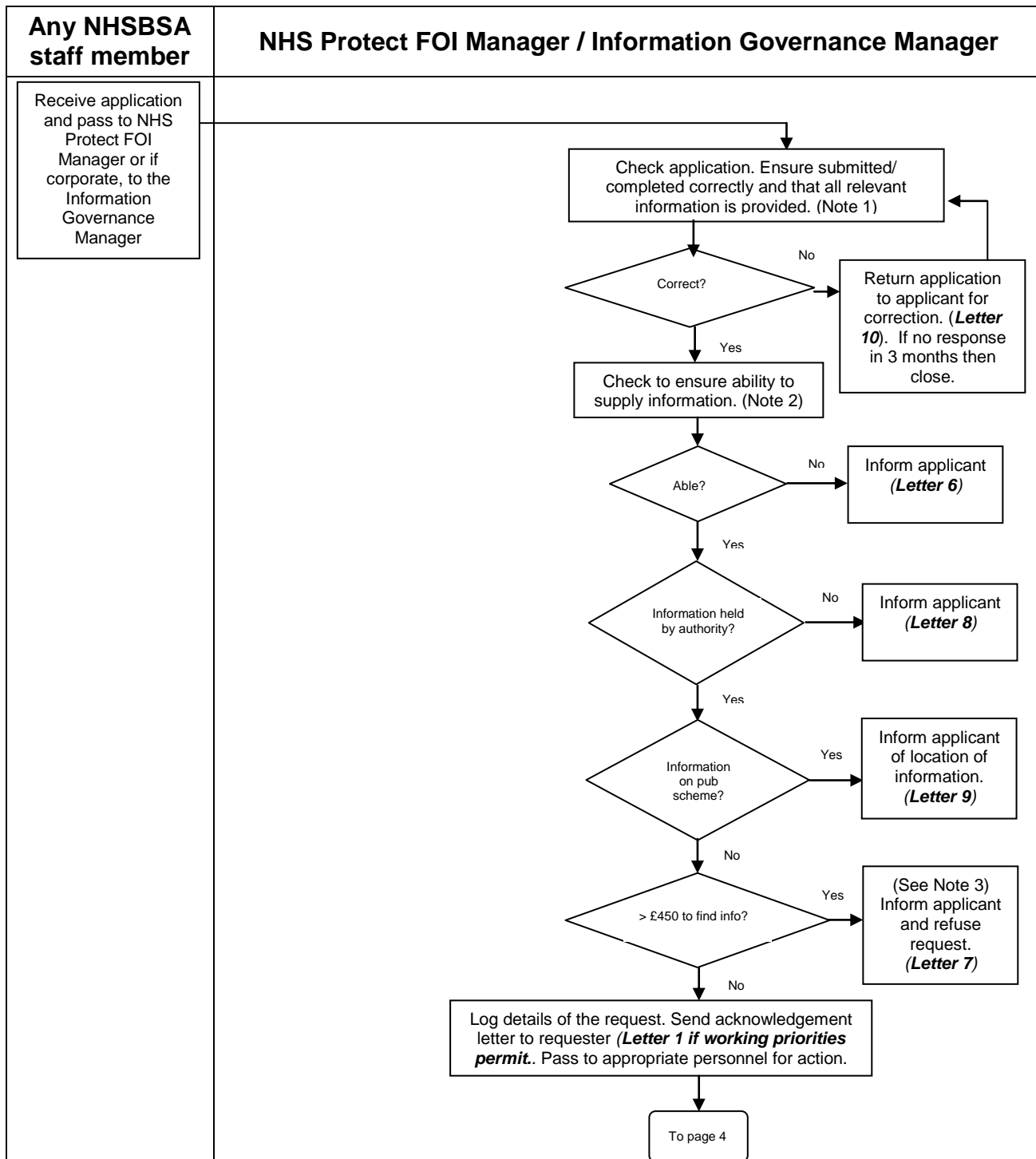
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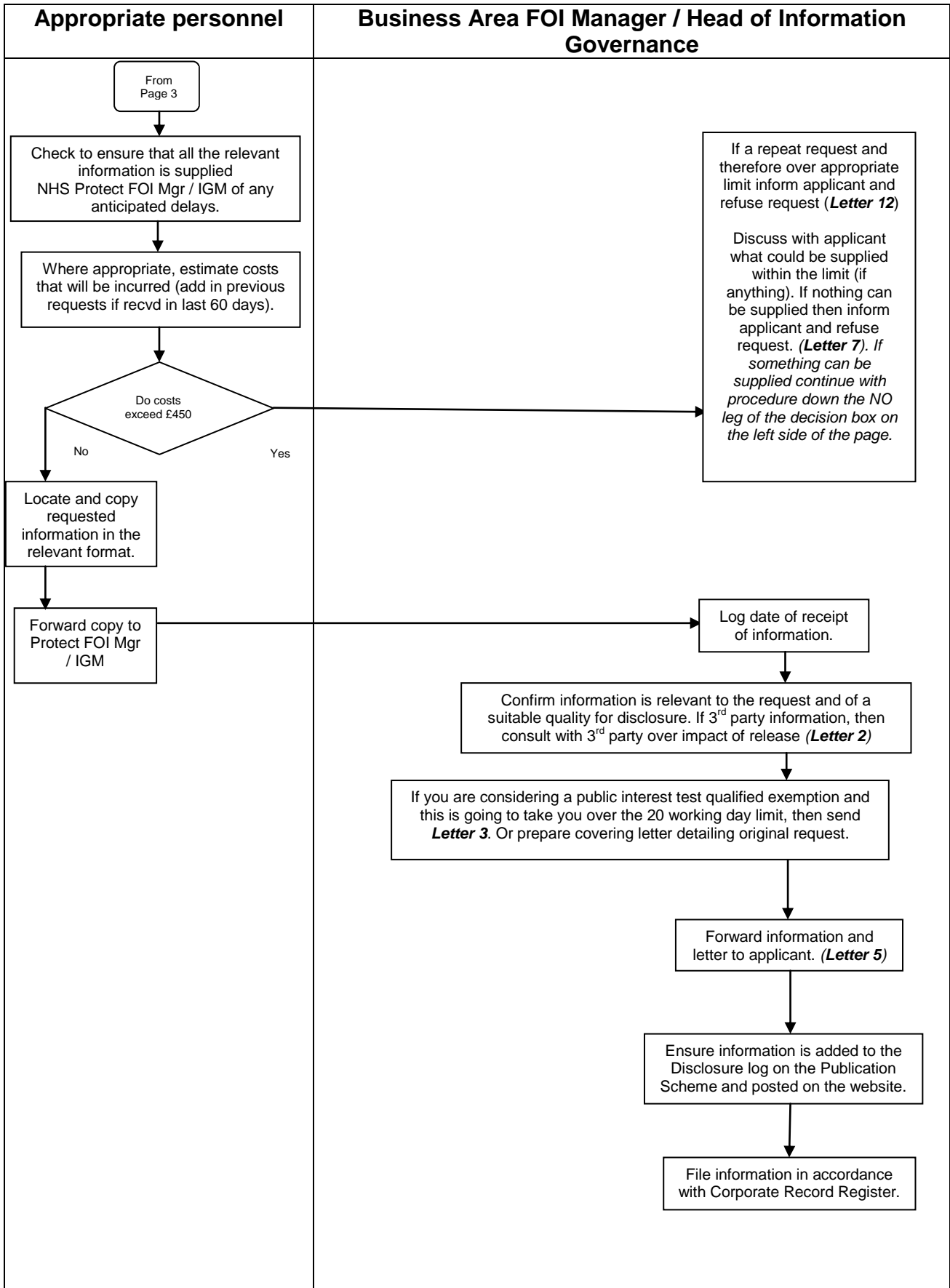
Revision details

Version	Date	Amended by	Approved by	Details of amendments
Initial release	31.05.2007	-	IGSG	On page 4 of 6 of the procedure, the box arrived at on the right hand side of the page, due to an affirmative response from the decision box on the left hand side of the page is to be amended to ensure that what can be provided within the appropriate limit is discussed with the requester The third bullet point of note 2 to have added "if applicable".
a	14.07.2009	G Wanless	IGSG	<i>Information Governance Manager (IGM) changed to Head of Information Governance (HoIG)</i>
b	3.11.2010	G Wanless	IGSG	<i>Addition of letter 12 for repeat requests</i>
c	28.2.2014	C Gooday	APF	Reflect centralised process
	23.3.2015	C Gooday	APF	Annual Review to reflect working practice

The following flow chart identifies the steps followed by the Information Governance Manager/ NHS Protect FOI Manager in response to an application for information received under the Freedom of Information arrangements within the NHS Business Services Authority (NHSBSA).

Any person, including a limited company or other legal entity, can make a request for information. There is no requirement for them to state the reason for their application. If personal information is requested, the provisions of the Data Protection Act 1998 will apply.





Notes

- 1) When checking an application, the following criteria should be met:
 - The request has been made in writing (this may be electronic) and that it is legible and able to be used in the future for subsequent reference.
 - The name of the applicant and an address for correspondence has been provided.
 - Enough detail is provided to enable the identification and location of the required information.
- 2) On receipt of correctly submitted applications the Information Governance Manager / NHS Protect FOI Manager will check the details to ensure that the NHSBSA's duty to supply the information is not disapplied by any provision in Part II of the Freedom of Information Act 2000.

Where it is identified that the requested information is exempt from the requirements of the Act, a refusal notice should be prepared and sent to the applicant **within 20 working days**. The refusal notice should include:

- notification of the decision not to provide the information.
 - the appropriate exemption.
 - the reason why the exemption applies (if applicable).
 - information relating to the corporate complaints / internal review procedures for use where the applicant is unhappy with the decision.
 - information relating to the right to apply for a decision by the Information Commissioner.
- 3) The Government's fees regulations as laid down before Parliament in November 2004 are as follows:
 - There will be no charge for information that costs public bodies less than £450 to produce.
 - For information that costs between £450 and £600 to produce a 10% fee could be charged up to a maximum of £60.
 - Information requests that cost more than £600 to produce can be refused.
 - 4) The NHSBSA Internal Governance Manager and NHS Protect FOI Manager and must maintain a log of the requests they handle.

Logging of application details must include (*as a minimum*):

- reference code
- date of receipt of the application
- name and address of requester
- the location of requested information, method and responsibility for retrieval
- copies of any letters sent or received in connection with the request
- date of response to requester (within 20 working days of receiving the request).