



No: 047
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One Minute Guide:

Freedom of Information Act 2000

What is this?

The Freedom of Information Act 2000 came into force in 2005. The purpose of the Act is to make recorded information, not only documents, held by public authorities accessible by the public.

Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

Who can make a request?

Anyone can make a request for information. However the following criteria need to be met:

1. Requests must be in writing. There is a process to assist people in making requests where appropriate.
2. The requester does not have to mention the FOI Act to make it a 'valid' request.
3. A real name must be supplied. The requester must not use a pseudonym.
4. An address for correspondence must be supplied - either email or postal.
5. Enough detail of the information being requested must be supplied

What happens next?

We have 20 working days from the day after receipt in the Council, in which to process the request and provide a response. This also includes any refusal of the request. We should endeavour to answer the request as soon as possible, and not wait until the 20th day to send a response. There is no extension to this time frame.

The Council closely monitors individual service area response rates, which are considered on a monthly basis by Management Board. The Information Commissioner has set an 85% benchmark in responses being sent out within 20 working days. Please do all you can to help us respond to requests within the permitted time.

Upon receipt, all requests are acknowledged by the Complaints Team within a couple of working days and sent onto the relevant team to deal with the response. When sending on, the standard response template is included for use. All drafted responses need to be cleared with the Managing Director of the Children's Trust, via the Complaints Team, before being sent out.

What else do I need to know?

Please ensure that when sending responses, that you use the standard response templates. These templates inform the applicant of their rights of appeal to the [Information Commissioner](#) amongst other information.

Make sure you only supply information that is held by LB Redbridge. Please do not seek the information out! If we are aware the information is held elsewhere, we can seek approval from the requester to transfer the request to that body. If you obtain the requested information, this then makes it our information.

You only need to supply the information that they have requested. Please do not anticipate what you think they want, or what you think they might need in the future. If in doubt ask the applicant for clarification.

We can 'stop the clock' on requests if clarification of the request is required. In order for us to do this, please notify the Complaints Team (Rose Hyman, Joe Addison) as soon as possible after receiving the request. This needs to be done ideally within the first week of receipt of the request.

In processing requests, you should also be mindful of and aware of other legislation that covers access to information, such as the Data Protection Act 1998, Environmental Information Regulations 2004 and other specific legislation that may apply, for example Access to Health Records Act and the Education (Pupil Information) Regulations and the Local Government Acts.

Can we refuse to provide the information requested?

There are 23 exemptions that can be used to refuse the provision of a response, although not all apply to the Council. The main ones we use are:

- That we do not hold the information
- That it is already available
- That it will take more than 18 hours to collect the information
- That the release of information is likely to prejudice the prevention of crime and disorder
- The request is for personal information and needs to be processed under the Data Protection Act 1998.

In terms of requests that cross multiple services, the ICO expects one coordinated response to be sent to the applicant. Within the Children's Trust, it is expected that heads of Service and Team Leaders coordinate and liaise regarding this. We do our best to identify and allocate the most suitable service/team to lead on the response in these cases.

Where you think a request will take more than 18 hours to collect the information, we again ask that you make the Complaints Team aware of this as soon as possible after receiving the request. There is a corporate proforma that must be completed which helps when we write and refuse the request giving estimate of costs. The applicant can then either agree to pay the costs, or resubmit a refined request for the information.

The applicant can ask for an internal review if they are not happy with the response and/or the information they have received relating to their FOI request. Upon receipt, this is allocated to another officer, usually within the service, but not directly involved with the

work to carry out a thorough investigation. This investigation should be completed within 20 working days, in accordance with ICO guidance.

How can I find out more?

Further information from the

Council FOI Team is available on:

Redbridge i

http://www2.redbridge.gov.uk/cms/the_council/about_the_council/freedom_of_information1.aspx;

and the Information Commissioner's Office website

www.ico.org.uk

[The ICO guide to Freedom of Information](#)

A revised set of FOI procedures is in process of being made ready for publication and should be available shortly on [TriX](#).

Additionally, you could contact the Complaints Team at childrenscomplaints@redbridge.gov.uk or http://www2.redbridge.gov.uk/cms/contact_pages/c/complaints_and_investigations.aspx