Freedom of Information Requests (FOIR) Procedure

Receiving requests

1. Requests can be received in three ways, letter, email or, the Trust preferred option, through it publication pages.
2. Log the request on the FOIR spreadsheet. If the request comes from the FOI publication page log the request with the reference number auto generated. If the request comes directly to the FOI inbox, or by letter add it to the spreadsheet and issue it with a reference number accordingly.
3. If the request is received by email or letter, log the request in the FOI 'WordPress' backend pages. (see guides in the FOI folders on the O drive)
4. Open up a folder for the FOIR on O Drive/Executive Management/Information Governance/ 13 FOIs/ FOI Requests (select the relevant year period).
5. Place a copy of the request in the newly created request folder, name the email '1 Initial request Email'. Any correspondence received, sent or gathered through the life of answering the FOI, including any documents, must be saved into this folder.
6. Carry out initial checks for exemptions:
   a. Has there have been previous responses related to the FOIR;
   b. Is this something we already publish, check the publication pages;
   c. Is this something planned to be published in the future;
   d. Is this something already published elsewhere, such as NHS Egland, DOH, Professional bodies pages, or other regulatory pages;
   e. Is this applicable to the Trust; and,
   f. Is there is any other exemption that can be applied. (see the list of exemptions folder 1 knowledge resources / FOI or the ICO's FOI guidance).

If there is a full exemption to be applied

7. Verify the exemption(s) to be applied with the Head or Deputy Head of IG.
8. Draft the final response, using the verified exemption(s), on the FOI 'WordPress' backend pages, and save as draft. Submit the draft for approval, to the Head or Deputy Head of IG.
9. Publish the approved response to the requester through the FOI 'WordPress' backend pages so it appears on the Trust's FOI publication pages. Send an email to the requester advising them their FOI response has been published. Provide them with a link to the response on the publication pages. Ensure the email notification to the requester includes the next steps standard response.
10. If the requester has asked for the response in a different format, follow the above, but also attach the response in the agreed format.
11. Close the FOI on the register and add the deletion date to the end of the FOI folder name, on the O Drive.

If there is a partial exemption to be applied

12. Verify the exemption(s) to be applied with the Head or Deputy Head of IG.

13. Note the question(s) the exemption(s) apply to in the register.
14. Send the remaining question(s) requiring answers, to the relevant person(s)/team(s) expected to respond to the request. Only the questions that are relevant to them, with a clear timescale for the response to be returned by, should be sent. (do not include the detail of the requester in the email, (A list of advised responders is held in the FOI O Drive folder)).
15. Ensure the subject line includes the FOIR reference number and the date when the response is needed back to the FOI inbox (see the indicative response time frame at Appendix 1).
16. Draft the final response from the responses received, apply the verified exemptions, on the FOI 'WordPress' backend pages, and save as draft. Submit the draft for approval, to the Head or Deputy Head of IG.
17. Publish the approved response to the requester through the FOI 'WordPress' backend pages so it appears on the Trust's FOI publication pages. Send an email to the requester advising them their FOI response has been published. Provide them with a link to the response on the publication pages. Ensure the email notification to the requester includes the next steps standard response.
18. If the requester has asked for the response in a different format, follow the above, but also attach the response in the agreed format.
19. Close the FOI on the register and add the deletion date to the end of the FOI folder name, on the O Drive.

If there is no exemption to be applied

20. Send the question(s) to be answered to the relevant person(s)/team(s), only the questions that are relevant to them, with a clear timescale for the response to be returned by, should be sent. (do not include the detail of the requester in the email, (A list of advised recipients is held in the FOI folder)).
21. Ensure the subject line includes the FOIR reference number and the date when the response is needed back to the FOI inbox (see the indicative response time frame at Appendix 1).
22. Draft the final response from the responses received, apply the verified exemptions, on the FOI 'WordPress' backend pages, and save as draft. Submit the draft for approval, to the Head or Deputy Head of IG.
23. Publish the approved response. to the requester through the FOI 'WordPress' backend pages so it appears on the Trust's FOI publication pages. Send an email to the requester advising them their FOI response has been published. Provide them with a link to the response on the publication pages. Ensure the email notification to the requester includes the next steps standard response.
24. If the requester has asked for the response in a different format, follow the above, but also attach the response in the agreed format.
25. Close the FOI on the register and add the deletion date to the end of the FOI folder name, on the O Drive.

Qualification questions

26. If the FOI officer or the person(s)/team(s) responsible for the response has some qualifying questions these should be emailed to the requester.

27. The clock at this point stops, until the clarification is received back.
28. If no response is received within 30 days, the request is to be closed.
29. Close the FOI on the register and add the deletion date to the end of the FOI folder name, on the O Drive.

Chasing and Escalation

30. Send a reminder email to the responder(s) on the 8^{th} working day.
31. If no response was received by the 12^{th} working day, on the 13^{th} working day send a chase email, with a clear expectation of the 15^{th} working day for the information to be received by. Ensure the chase email advises that after the 15^{th} working day it will be escalated.
32. If the responder advises that completion will be after the 15^{th} working day, but before the 20^{th} working day, or that the response will be after the 20^{th} working day. Escalate to the Head of IG and the Assistant Director of Corporate Governance.
33. If no response is received by the 15^{th} working day escalate to the Head or Deputy Head of IG.
34. Escalation email to be sent with a clear expectation of the 17^{th} working day for the information to be received by.
35. If no response is received by the 17^{th} working day, the Head or Deputy Head of IG will escalate to the Assistant Director of Corporate Governance, who will advise or escalate as needed.
36. If the responder advises that completion will be after the 17^{th} working day, but before the 20^{th} working day, or that the response will be after the 20^{th} working day. the Head or Deputy Head of IG will escalate to the Assistant Director of Corporate Governance, who will advise or escalate as needed.

Requests that go over the 20 working days

37. If a request is going to go over the statutory 20 working days the FOI must be escalated to the Head of IG and the Assistant Director of Corporate Governance.
38. The requester is also to be emailed and provided with an apology for the delayed response, the email must advise:
    - Why the request is going to go over, it must be specific and not generic, and,
    - When they will be provided with their response, it must be specific and not generic.
39. The final response to the requester must again include an apology for the delay.

Request for a review or a complaint

40. Should a request for a review or a complaint, relating to an FOI request or response, be received note it on the FOI spreadsheet.
41. Raise it with the Assistant Director of Corporate Governance, or the Data Protection Officer if the Assistant Director is not available.
42. Acknowledge the request.

43. The Assistant Director will initiate the review and appoint a person to undertake the review.
44. The appointed person will carry out the review, reporting the findings and proposed response to the Assistant Director, for approval.
45. The formal approved response will be issued by the reviewer.
46. Close the review on the FOI register, update the revised deletion date at the end of the FOI folder name, on the O Drive.

FOI Inbox

The in FOI inbox, FOI@ghc.nhs.uk is where requests are received, either directly or from the Trust's online request form. Additionally, all communication, in respect of FOIs, is through the FOI inbox.

47. A request is received in the inbox, the request in added to the FOI register, and an FOI folder is created in the FOI folder on the O Drive, in the relevant year period.
48. The FOI request email is saved to the newly created FOI folder on the O Drive, as '1 Initial request Email', mark the email with a tick once the email has been saved to the FOI folder on the O Drive.
49. Send an email to the responding person(s)/Team(s), with clear messaging on the required response date (in line with the Appendix 1). Copy the email to the relevant FOI folder, mark the email with a tick once the email has been saved to the FOI folder on the O Drive.
50. Send the reminder email at the 8th working day point, with a clear reminder of the due date. Copy the email to the relevant FOI folder, mark the email with a tick once the email has been saved to the FOI folder on the O Drive.
51. Response received, from the responder, such as qualification questions, or responses. Copy the email to the relevant FOI folder, mark the email with a tick once the email has been saved to the FOI folder on the O Drive.
52. All FOI correspondences must be copied to the relevant FOI folder, marking the email with a tick once the email has been saved to the FOI folder on the O Drive.
53. Emails should only be kept in the FOI folder inbox.
54. Emails should remain in the FOI folder for no more than 30 calendar days. After which the FOI officer should confirmed, by the tick, that the email has been copied to the relevant FOI folder, and delete the email.

Note: Remember to update the register with the actions taken, for example the detail of which questions were issued to whom for responding, the 12 working days point.

Appendix 1

Indicative response time frame for FOIs

Timeframe	Action
1 to 2	Receive, review request for exemptions
2 to 12	Allows 10 working days for the responder to assess, gather and provide the information back.
8	Send email reminder(s) to respondent(s)
13 to 15	Chase response
15 - 16	Escalate delay
17 to 20	• Draft the response; • FOI response review; and, • Publish response.

Notes

- if at any stage a request is from the Media it must be verified with the Assistant Director of Corporate Governance before publishing.

- All responses must follow the template format:

You asked:

What is your FOI Procedure

Our response:

This is our FOI Procedure

- All responses must have a complains/review guide for the requester as below:

Next Steps

Should you have any queries in relation to our response, please do not hesitate to contact us. If you are unhappy with the response you have received in relation to your request and wish to ask us to review our response, or make a complaint you should write to: -

Louise Moss
Associate Director of Corporate Governance
Gloucestershire Health and Care NHS Foundation Trust
Edward Jenner Court
1010 Pioneer Avenue
Gloucester Business Park
Brockworth
Gloucester GL3 4AW
Tel: 0300 421 8321
E-mail: louise.moss@ghc.nhs.uk

If you are not content with the outcome of any review, you may apply directly to the Information Commissioner's Office (ICO) for further advice/guidance. Generally, the ICO will not consider your case unless you have exhausted your enquiries with the Trust which should include considering the use of the Trust's formal complaints procedure. The ICO can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

- Keep the FOI inbox ticking over regularly to prevent a build-up.

- As the FOI Officer it is good practice to add to your weekly calendar, any FOI responses due back, with an alert, so the reminder or chase can be scheduled. If you do not, then check the FOI spreadsheet at the beginning of the week so you understand what responses are due a reminder or chase.

- As the FOI Officer it is good practice to add to your weekly calendar, with an alert, the FOIs that are due that week for a reminder. If you do not, then check the FOI spreadsheet at the beginning of the week so you understand what FOIs are due.

- All correspondence in relation to an FOI must be retained, including internal communications, and saved into the FOI folder, for Audit purposes.

- The retention for FOIs, including the supporting evidence, is 3 years, unless there has been a request for a review or a complaint where it is then 6 years.

- FOI resources are available in the IG folders, under knowledge and resources, as well as on the ICO pages [Freedom of information guidance and resources | ICO]