

# The Freedom of Information Act (2000)

A pocket guide for staff

## What is it?

A law in England and Wales giving anyone the legal right to request information from public services.

The aim is to promote trust and confidence in public services and make us accountable to the public we serve.

## What are the rules?

This request must be in writing (including email), from a named individual, be clear in what they are requesting and have a method of correspondence.

We then have 20 working days to respond. If we fail to respond accordingly, the requester can ask for a review which can lead to hefty fines and legal action.

## What can be asked for?

A request can come from anyone, from anywhere in the world and be about anything, although each request is assessed individually according to government guidelines.

What is already available publically can be found on our website: <https://www.uhmb.nhs.uk/about-us/freedom-of-information-act/>

## What information can't be given?

There are a range of legal exemptions which are considered by the FOI Team.

Some of these include whether the information:

- Would take over a certain period of time to obtain
- Whether it is available elsewhere
- Whether it would prejudice any commercial interests or harm national security
- This also includes requests for personal information, which are dealt with under a Subject Access Request

## Where can I find more information?

The Information Commissioner's Office, which is the UK's independent body working to uphold information rights, can be viewed here: <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>

The Trust website has more detail and an interactive list of published requests: <https://www.uhmb.nhs.uk/about-us/freedom-of-information-act/>

Turn over to see a  
**STEP BY STEP**  
Guide to FOI Requests

Freedom of Information Office,  
Westmorland General Hospital,  
Burton Road, Kendal, Cumbria, LA9 7RG

Tel: 01539 715511 (Extension 45511)  
Email: [Freedom.Information@mbht.nhs.uk](mailto:Freedom.Information@mbht.nhs.uk)

## Step 1 - Receiving a Request

Any member of the Trust receives a written request (including email) for information. It is forwarded to the Freedom of Information Team to process.

The 20 working days start from when the request arrives into the Trust.

## Step 2 - Accepting the Request

The FOI Team check that the request makes sense, has a named individual and an address for correspondence (including email).

The request is logged onto the system.

## Step 3 - Locating the Information

The relevant services in the Trust are contacted to see if we have the information recorded. They are given a 10 working day internal deadline.

If they fail to meet this deadline, it is escalated to the Director of Governance.

## Step 4 - Information Received

If the information is held, and exemptions have been considered by the FOI Team, a response letter is compiled and sent to the Director of Governance for approval.

## Step 5 - Completed Request

Once approved and any amendments added, the request is sent to the requester before the 20 working day deadline with a feedback form to help us improve the process.

## Step 6 - Complaints

Should the requester have any complaints about the quality of the response, the request can be re-opened by the Director of Governance for an internal review.