



POLICY DOCUMENT

Freedom of Information Policy

POLICY TITLE:	Freedom of Information
LEAD OFFICER:	Linda Milan
DATE APPROVED:	6 December 2009
APPROVED BY:	Board
DATE FOR NEXT REVIEW:	December 2011
ADDITIONAL GUIDANCE:	
TEAMS AFFECTED:	All SLHD Teams and Board Members
THIS POLICY REPLACES WITH IMMEDIATE EFFECT:	Not Applicable. Previous policy belonged to DMBC.

DOCUMENT CONTROL

For guidance on completing this section please refer to the document version control guidance notes

Revision History

Date of this revision:	December 2009
Date of next review:	December 2011
Responsible Officer:	Linda Milan

Version Number	Version Date	Author/Group commenting	Summary of Changes
0.1	Oct 2009		1 st Draft
1.0	Dec 2009		Approved by Board

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Freedom of Information Policy

1. Introduction

1.1 As a public body St Leger Homes of Doncaster Ltd is required to comply with the Freedom of Information Act 2000 (FOI).

The Act was introduced to help promote openness and transparency.

The Act enables the public to request information which would not normally be open to them provided that:

- The information is held by St Leger Homes
- It does not fall within the exemptions of the Act

2. Purpose

2.1 The purpose of this policy is to:

- Ensure that all Board members and staff are aware of the principles of the Freedom of Information Act 2000 and how this may influence operations of the Company regarding provision of information to members of the public.

3. Scope

3.1 This policy applies to all services provided by SLHD and any member of staff receiving a request for information under the Freedom of Information Act.

4. Responsibilities

4.1 It is the responsibility of all SLHD staff to adhere to this policy. The Freedom of Information Officer (Company Secretary) has responsibility for the co-ordination and provision (unless exempt) of all requests.

4.2 Background

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The FOI came into force at the beginning of 2005. It deals with the public access to official information. The Act is retrospective and applies to all information, not just information since the Act came into force.

SLHD has a Document Retention Policy which is based on good practise and guidance from the Records Management Society of Great Britain. At this time it is not possible to automatically cull information based on its age on the Anite Information system used by SLHD and the Council but this is being considered within the Anite Development Group. The company also holds records from the 1930's to 1994 on behalf of the Council on microfiche and no resources have been identified to destroy that information which is beyond its retention period from that which has to be stored.

The Publication Scheme

The Information Commissioner requires all public companies to have a Publication Scheme which is a commitment to make certain information available and a guide for the public on how to find the information. This is in place on the SLHD website.

5. Policy

5.1 The Freedom of Information Act requires that we are open in our dealing with the public and as such our adoption of this policy complements our company values of openness and honesty.

5.2 The Act provides individuals with the right to request information held by a public authority. They can do this by letter or E Mail

Some information is exempt from disclosure. There are 23 exemptions from the Act, some of these are "absolute" and some are "qualified".

"Absolute" exemptions cover potential disclosure of information where harm to the public interest may result e.g. disclosure of personal information which may result in a breach of confidence resulting in legal action, or court records

"Qualified" exemptions cover the release of information where releasing the information may damage the public interest more than withholding it e.g. Health and Safety issues or law enforcement.

5.3 St Leger Homes will make all appropriate information available apart from those items which fall within the guidance as being exempt. All requests for information will be dealt with in accordance with statutory timescales.

5.4 Although the Act does allow the company to make a reasonable charge for the provision of the information, St Leger Homes will follow the practise of the Council by making no charge for information provided under the Act other than in exceptional cases.

6. Monitoring and Review

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6.1 All SLHD Freedom of Information requests will be monitored on an ongoing basis to ensure that they comply with the legislation. A log of request and subsequent actions will be kept by the Company Secretary and reported to the Business Planning Committee on a six monthly basis.

7 Performance Standards & Reporting

7.1 There is a statutory 20 working days timescale for responses to requests under the Freedom of Information Act.

8. Further Guidance

Further guidance can be obtained from the Company Secretary on 01302 862703 or on the Information Commissioners Website at www.informationcommissioner.gov.uk.

9. Request for other information

Requests for information of a more personal or individual nature will be considered under the Data Protection Act. Please see separate SLHD policy and procedure.

10. Partnership issues

10.1 For consistency In the spirit of joint working and as outlined in the Memorandum of Articles of Association, SLHD Freedom of Information Policy is closely aligned to that of DMBC.

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