

# **Heathgate Medical Practice Policies and protocols Freedom of Information**

## **Introduction**

This document sets out the Practice policy on its legal requirement to comply with the Freedom of Information Act 2000 (FOI).

Under the FOI Act, all public authorities are required to have a 'Publication Scheme' approved by the Information Commissioner. GPs providing medical services with NHS England are classed as public authorities in respect of information relating to those services.

It is the intention of the Information Commissioner that all public authorities should adopt and operate one model scheme that has been approved by the Commissioner.

## **Policy**

The Practice will fully comply with the FOI Act and sees it as an opportunity to enhance public trust and confidence in the Practice.

In Accordance with the intention of the Information Commissioner, the Practice will maintain a comprehensive 'Publication scheme' in line with the model scheme. It will contain the relevant information about the Practice and is readily accessible to enquirers without the need for a formal FOI request.

Requests for information that is not contained within the 'Publication Scheme' will be handled in accordance with the general principles of the FOI Act.

The Practice will seek to satisfy all FOI Act requests promptly and within 20 working days. However, if necessary we will extend this timescale to give full consideration to a public interest test. If we do not expect to meet the 20 day deadline, we will inform the requestor as soon as possible of the reasons for the delay and when we expect to have made a decision.

The Practice will continue to protect the personal data entrusted to us by disclosing it only in accordance with the Data Protection Act.

The Practice will provide advice and assistance to requestors when they enquire about the FOI Act. Where necessary we will clarify with requestors the specific nature of the information they are seeking from us.

We will provide copies of Practice policies, protocols and procedures where necessary.

The Practice will liaise with South Norfolk Clinical Commissioning Group, NHS England (East Anglia Area Team) and other health bodies, when we are asked for information that may involve or be associated with those organisations.

We will also work with these organisations and other Practices if it is clear from the FOI request that such a request has been made to a number of organisations on the same matter.

The Practice will consult with third parties before disclosing information that could affect their rights and interests but in accordance with the FOI Act, the Practice must make the final decision on disclosure.

The Practice will apply the exemptions provided in the FOI Act and where exemptions exist, the Practice will disclose the information unless it is perceived to be in the public interest not to disclose it.

In accordance with the FOI Act Fees Regulations and the Data Protection Act, we will charge for information requests (providing requestors, in advance, details of the charge) - £10.

The Practice will keep a register for all FOI requests and responses.

We will ensure that all staff are aware of our obligations under the FOI Act and will include details of this in our annual Information Governance training sessions.

The Practice has produced an information leaflet for patients outlining the FOI Act and how an access request is made and handled.

The Practice updates its 'Publication Scheme' annually with financial information contained within the Practice Accounts relating to its contract for providing NHS services.

Requests under the FOI should be made in writing to the Managing Partner at the Practice address.
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Policy reviewed by Garry Whiting  
For review no later than

19<sup>th</sup> March 2016  
19<sup>th</sup> March 2017