

MALDON ROAD SURGERY

Practice Freedom of Information Policy

The following policy sets out the Practice approach to the Freedom of Information (FoI) Act 2000.

This practice will:

- Routinely make information available to the public under the model publication scheme.
- Respond appropriately to freedom of information requests from the public.
- Seek to respond to FOI requests **within 20 working days**.
- Respect patient confidentiality and data protection law.

Freedom of information law

The [Freedom of Information Act 2000](#) (FOI) aims to make public bodies more accountable and increase public confidence.

The Act applies to information held by public authorities in England, Wales, and Northern Ireland, as well as UK-wide authorities based in Scotland. The [Freedom of Information \(Scotland\) Act 2002](#) applies to public bodies in Scotland.

Under the law, public bodies, including GP practices, must:

- Proactively publish and update information about their activities
- List the information routinely published.
- Describe how the information can be accessed (mainly through our website)
- Respond to requests for information from members of the public.
- Outline what charge, if any, will be made for access to the information

Our Publication Scheme states

- Who we are and what we do – the doctors and clinical staff in the practice, contact details, opening hours and other staffing details.
- What we spend and how we spend it (current and previous financial year) – total cost of contracted services to the NHS.

- What our priorities are and how we are doing (current and previous year) – our plans for developing and providing NHS services within and outside our Primary Care Network.
- How we make decisions (current and previous year) – records of decisions, usually in meeting minute form, made in the practice affecting the provision of NHS services.
- Our policies, protocols and procedures concerning the employment of staff; delivery of services; equality and diversity; health and safety; complaints; and records management (e.g., retention and destruction), data protection, the handling of requests for information, the patients' charter.
- We do not hold publicly available lists and registers of patient data.
- Details of the services we offer, including all current NHS services provided and any charges, information leaflets and out-of-hours arrangements.

This information can be found on our website and/or at our premises. We review and update this information annually.

Please note that certain information is exempt from FOI requests, notably where disclosure is prevented by law, and, also, where confidential personal information is involved. Exceptions are also made for information which is still in draft form or archived/difficult to access.

Responding to FOI requests for information

Under the FOI act, we seek to respond to all requests for information from the public and release information for all requests made under the provisions of the Act within 20 working days. **If we do not expect to meet the deadline, we will inform you as soon as possible of the reasons for the delay and when we expect to meet it.:**

- Please make your request in writing, including your name and a correspondence address and describe the information that you are seeking..
- If the request is not valid under the provisions of the Act we will explain why and may suggest ways in which your request can be met.
- Please note that if you are seeking your own personal data, this is best dealt with as a 'subject access request' under data protection law (Data Protection Act 2018)
- We do not provide information that can lead to the identification of any other patient, nor release personal information.

- If the information is not easily available, we may raise a charge for its production, but will agree this with you beforehand. We follow the guidance from the Information Commissioner's Office (ICO) which charges should be 'justifiable, clear and kept to a minimum'. Such charges might include staff time for the data's production, photocopying and postage.

Refusing a request

There are circumstances in which we may refuse an FOI request:

- We do not hold the information – If we believe it is held elsewhere, we will advise you accordingly.
- The information is exempt, e.g., it is confidential data about a patient as above.
- It would cost too much or take too much staff time to deal with the request.
- The request is vexatious.
- The request repeats a previous request.

If we refuse your FOI request, we will send you a written refusal notice explaining why your request is being refused. This refusal will contain details of our complaints procedure and your right to complain further to the ICO.