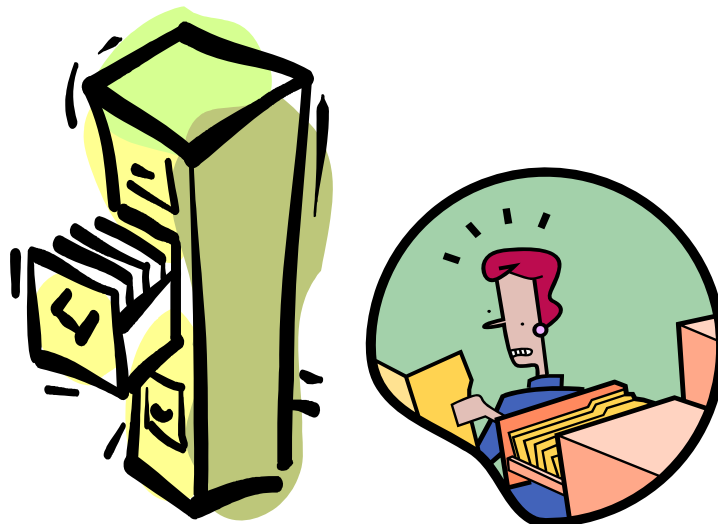




SOUTH EASTERN EDUCATION AND LIBRARY BOARD

Freedom of Information Act

Procedures for Dealing With Requests for Information



Version Control

| Version | Date | Notes |
|----------------|-------------|--------------------------------------|
| 1.0 | July 2005 | |
| 2.0 | 1 July 2009 | Approved by I.T. Executive Committee |

Freedom of Information Request Handling Procedure

Contents

| | Page No. |
|---|----------|
| Purpose, Aims and Scope | 3 |
| Roles and Responsibilities..... | 4 |
| FOI Request Handling Procedure Summary | 5 |
| Step 1 Receiving Requests for information | 6-7 |
| Steps 2 – 5 SEELB FOI Request Handling Procedure | 8-15 |
| Review / Appeals Procedure | 16 |
| Exemptions..... | 17 |
| Public Interest Test..... | 18 |
| Request for Information - Tracking Control Form..... | 19-22 |
| Information Release Authorisation Form..... | 23 |
| Manager’s Checklist..... | 24 |
| Template letters..... | 25-40 |
| FOIFT Transfer request to another authority (Full) | |
| FOIPT Transfer request to another authority (Partial) | |
| FOITU Information not held – not transferable | |
| FOIPD Information already in the public domain | |
| FOIMD More detail required | |
| FOIVR Vexatious request | |
| FOILP Legal proceedings ongoing | |
| FOICA 3 rd Party consultation notification to applicant | |
| FOICC 3 rd Party consultation Notification to consultee | |
| FOIFE Fee limit exceeded | |
| FOIAR1 Acknowledge request (no fee) | |
| FOIAR2 Acknowledge - exemption being claimed initially | |
| FOIAR3 Acknowledge request and request fee | |
| FOIFU Requested format unavailable | |
| FOIRI Release information | |
| FOIRD Acknowledge Request to review a decision (Appeal) | |

PURPOSE

This procedures manual supports the legislative framework for responding to requests for information under the statutory access regime established by the Freedom of Information Act (FOIA) and the Environmental Information Regulations (EIR)

AIMS

The aims of the procedures are:-

- To provide a framework that ensures that the Board complies with the requirements of the various statutory access regimes
- To promote transparency of decision making by the Board
- To improve and enhance the democratic process
- To build public trust and confidence.

These aims will be balanced by:-

- The requirement to maintain high standards of care in ensuring the privacy of personal and commercially confidential information;
- The requirement to preserve confidentiality where disclosure would not be in the public interest, or would breach personal privacy or the confidences of a third party;
- The requirement to prohibit the disclosure of information as may be necessary by law.

SCOPE

The procedures set out the general principles that will be adopted by the Board in response to any requests for information under any statutory access regimes, with particular reference to:-

- responses to requests for information
- the provision of advice and assistance
- the application of exemptions
- consultation with third parties
- refusal or part refusal of requests
- complaints about responses to requests for information
- recording & monitoring requests for information.

Roles and Responsibilities

Chief Executive

As the head of the organisation, the Chief Executive has ultimate responsibility for ensuring compliance with the current applicable legal framework

All Staff

All staff have a duty to provide advice and assistance to anyone requesting information.

Managers

Managers will be responsible for ensuring operational compliance with the Board's corporate standards in relation to the management of and access to information in all its forms. Key tasks are:

- Ensuring the legislation and Board procedures on disclosure of information in response to an Information request are applied
- Providing advice to staff on receiving requests for information
- Making arrangements for the search, retrieval and copying of requested information
- Contacting and consulting 3rd Parties (where the information requested relates directly to their area of work) regarding disclosure of information
- Assessment of possible exemptions that may be applied when information is requested.
- Arranging for copying of information before redactions are marked
- Redacting and sign-off before release
- Ensuring that the Board's Publication Scheme is updated on a regular basis to reflect any trends regarding requests for information

Unit Contacts

Each Unit has an identified officer who the FOI Unit will contact, in the absence of the Manager, to assist with search, retrieval and copying of information as identified in the Information Audit.

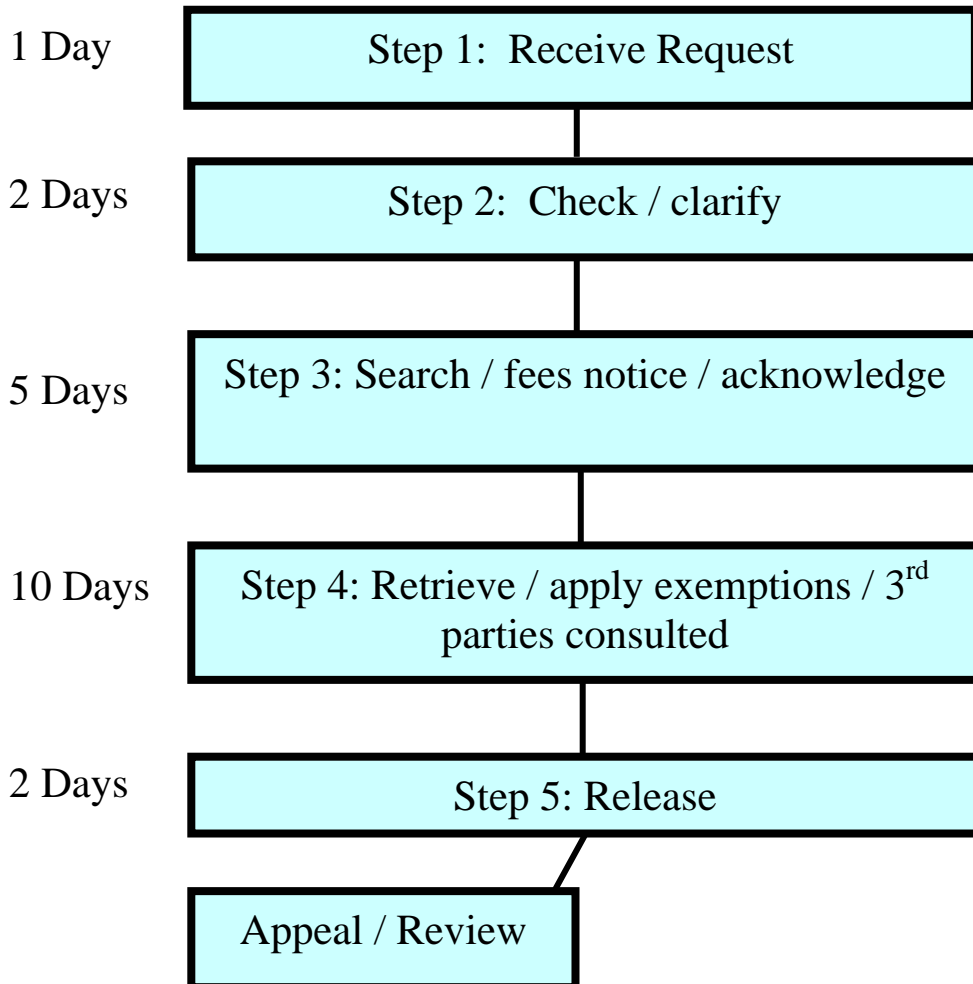
FOI Unit

The FOI Unit will provide advice and guidance in respect of compliance with the access to information regimes under the DPA & FOIA. This includes:

- Overseeing requests for access to information throughout the Board
- Monitoring and tracking requests to ensure that deadlines are met
- Providing advice and support to Managers and Senior Officers regarding application of the exemptions
- Co-ordinating the responses to requests for information that will involve 2 or more Units
- Ensuring that information is released in accordance with the procedures
- Final check on information before release
- Administering appeals
- Maintaining documentation

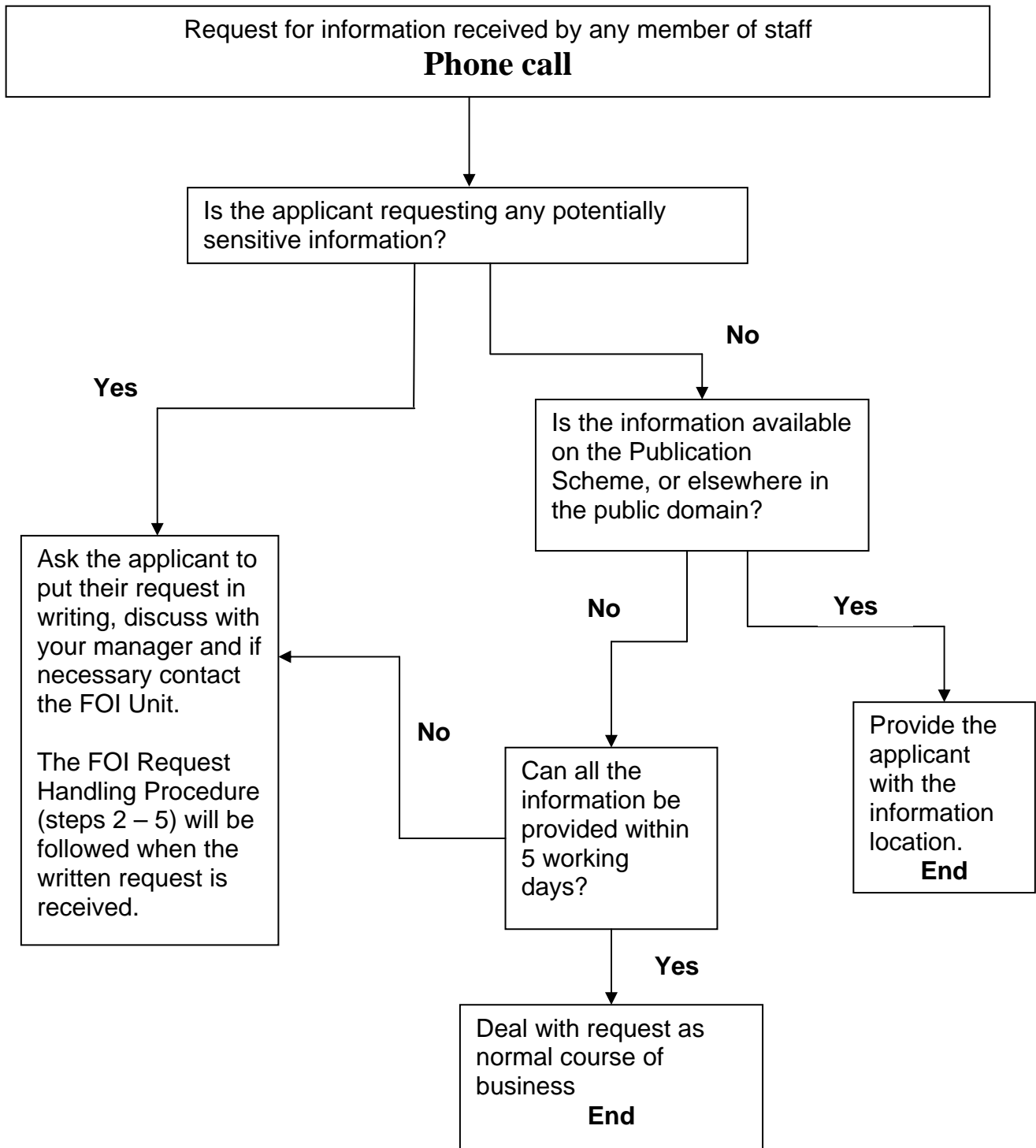
FOI Request Handling Procedure Summary

Compiled with reference to the Lord Chancellor's Code of Practice on Section 45 of the Freedom of Information Act 2000



NB. The time scales above are the upper limits for all requests, however simpler requests will pass through a number of stages much quicker.

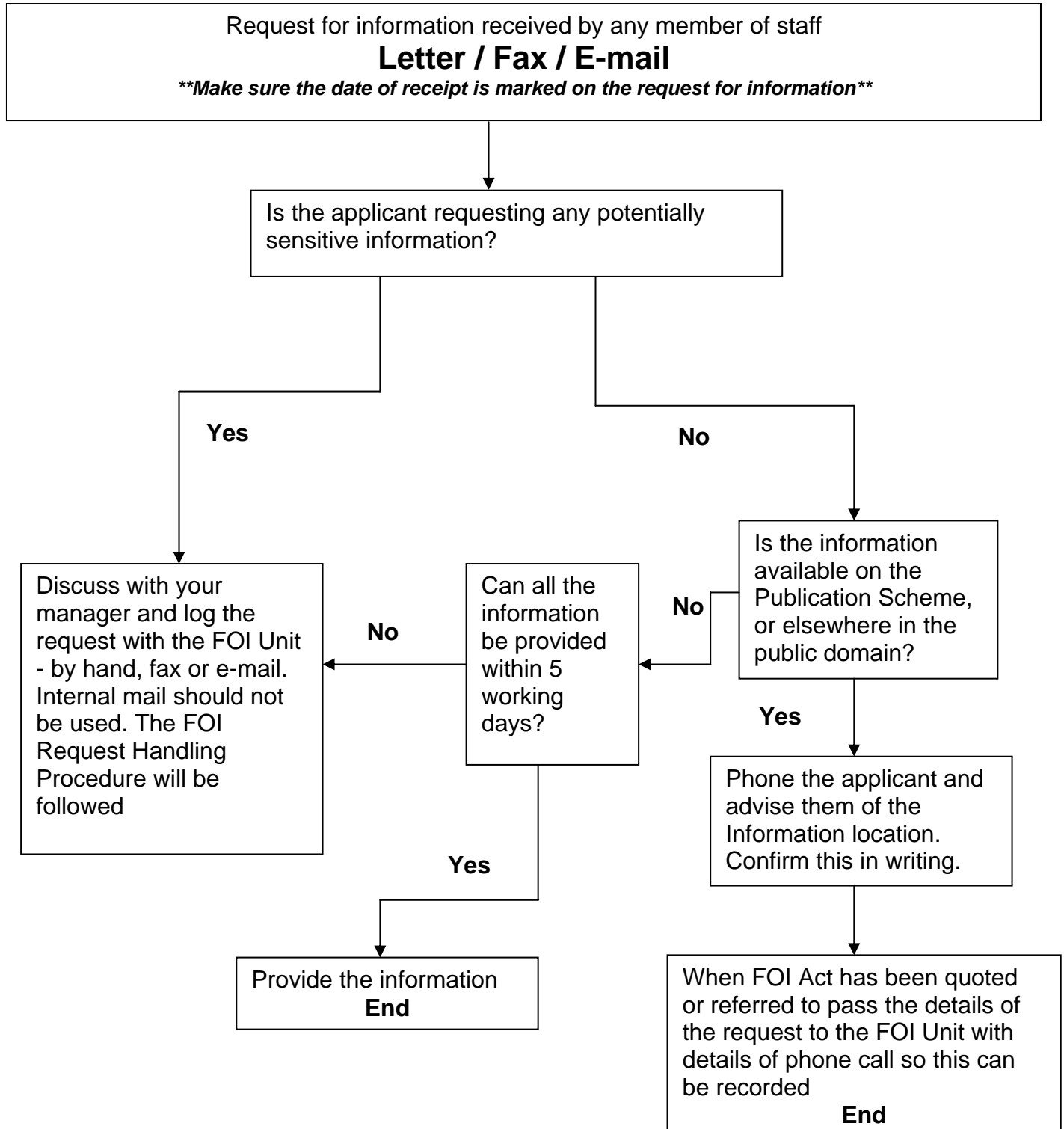
Step 1 - Receiving Requests for information (phone)



If an applicant is unable to put their request in writing record the details over the phone and then contact the FOI Unit if necessary.

Where a caller has phoned the wrong dept. they should be transferred to the correct dept. as usual. FOI should not be seen as a way to bureaucratise the provision of information.

Step 1 - Receiving Requests for information (written)



*Where requests for information are dealt with through normal course of business the 20 day response time should still be borne in mind. If the request is not dealt with within 20 days the applicant may return and apply the FOI Act. Where an applicant has referred to the FOI act in their request, but it can be easily dealt with through normal course of business – **you must notify the FOI Unit of this request so it can be recorded.***

Steps 2- 5 FOI Request Handling Procedure

Step 2- Check and clarify the request for information - 2 Days

| ref | Action | Who |
|------------|--|--|
| 2.1 | Manager/Contact logs request with FOI Unit | Manager contacts FOI Unit |
| 2.2 | Check/quick search to confirm relevant Board unit(s) | FOI Unit/Board Manager(s) |
| 2.3 | Check request is complete | FOI Unit discusses with Manager |
| 2.4 | Check if request should be dealt with by another authority | Manager confirms to FOI Unit if all or some of the request should be transferred |
| 2.5 | Check the publication scheme | Manager/FOI Unit |
| 2.6 | Check previous requests | Manager/FOI Unit |
| 2.7 | Check Solicitors for ongoing legal issues | FOI Unit/Manager |
| 2.8 | Contact FOI ELB Forum | FOI Unit |
| 2.9 | Contact the applicant by phone if clarification required | Manager (in cases where 2 or more units involved - FOI Unit will coordinate) |
| 2.10 | Write to applicant if unable to contact by phone | Manager (in cases where 2 or more units involved - FOI Unit will coordinate) |

Step 3- Search for information/calculate fees and acknowledge – 5 Days

| | | |
|-----|---------------------------------------|--|
| 3.1 | Initiate Search | Manager (in cases where 2 or more units involved - FOI Unit will coordinate) |
| 3.2 | Initial consideration of exemptions | Manager/FOI Unit |
| 3.3 | Calculate fees notice (if applicable) | Manager in discussion with FOI Unit |
| 3.4 | Respond to applicant in writing | Manager (in cases where 2 or more units involved - FOI Unit) |

Step 4- Retrieve information/apply exemptions/consult third parties– 10 Days

| | | |
|-----|--|--|
| 4.1 | Receive fee (if applicable) | FOI Unit |
| 4.2 | Retrieve and copy information and send to FOI Unit | Manager/Contact |
| 4.3 | Make decision on disclosure and mark on Search Schedule | Manager |
| 4.4 | Contact 3 rd Parties if required | Manager (in cases where 2 or more units involved - FOI Unit) |
| 4.5 | Carry out further review of disclosure decision – make redactions on photocopied set | Manager confirms with FOI Unit |

Step 5- Release information – 2 Days

| | | |
|-----|---|--|
| 5.1 | Transfer information to preferred format if “reasonable” to do so | Manager (in cases where 2 or more units involved - FOI Unit) |
| 5.2 | Confirm release authorisation | Manager/ |
| 5.3 | Issue information with explanation of exemptions | Manager (in cases where 2 or more units involved - FOI Unit will coordinate) |
| 5.4 | Final Check | FOI Unit |
| 5.5 | Consider inclusion in Publication Scheme | Manager/FOI Unit |
| 5.6 | File Papers | Manager - FOI Unit retain copy also |

SEELB FOI Request Handling Procedure

Step 2 Check & Clarify the Request for Information

2.1 *Log Request*

If the request cannot be processed within 5 working days then it must be logged with the FOI Unit. The FOI Unit will log the request on the FOI tracking system. A manual file for this request will be opened and a Tracking Control Form printed/used to monitor/check the request through the various stages.

2.2 *Check Request is complete*

The Manager, in discussion with the FOI Unit checks that all the necessary information has been provided to enable the request to be dealt with. If not, the manager should seek to obtain further information from the member of staff who received the request or the applicant.

2.3 *Should the request have been sent to another authority?*

A request can be transferred where the authority receives a request for information which it does not hold, but which is held by another authority. In these circumstances the Manager should check that the information is held by the other authority first and then notify the applicant. The transfer should be carried out without delay and with regard to any views expressed by the applicant e.g. whether the applicant is likely to have any grounds to object. If in doubt the manager should contact the applicant.

NB where the Board does hold some of the information requested this partial request should be dealt with in the normal way and the other authority notified.

See template letter FOIFT transfer request – full

See template letter FOIPT transfer request – partial

See template letter FOITU Information not held – not transferable

2.4 *Check the publication scheme*

The Manager should check again if the information requested is in the publication scheme or elsewhere in the public domain? If yes an exemption can be claimed and the applicant notified in writing.

See template letter FOIPD – public domain

2.5 *Check previous requests*

The FOI Unit in discussion with the Manager will check if the request has been answered before – if yes skip to Step 5 (page 12)

If a previous requests has been received from the same person this could be considered as a [vexatious request](#)

See template letter FOIVR – Vexatious request

2.6 Check Legal

The Manager or FOI Unit will check with the Board Solicitors if the applicant is involved in a related legal issue elsewhere in the organisation? If yes, this may inform who contacts the applicant to clarify the request or whether further legal advice is required before proceeding.

See template Letter FOILP – Legal proceedings

2.7 Contact ELB FOI Practitioners Network

The FOI Unit may check if any other organisation has received a similar request? If yes, the FOI Unit will seek to co-ordinate responses to ensure consistency.

2.8 Quick Search

The FOI Unit in liaison with the relevant staff (Managers and Contact Staff) will undertake a quick review of the scope of information, which the organisation is likely to hold in relation to the request and try to identify any major issues affecting the ability to respond to the request e.g.

- Sensitivity
- Retrieval difficulties affecting time-scale
- Cost

See template letter FOIFE – Fee limit exceeded

2.9 Contact the applicant

The Manager* contacts the applicant by phone if clarification is required on any of the below;

- To clarify any ambiguities in the request
- To outline the possible types of information available
- To discuss possible costs
- To discuss time-scales and staged release of information
- To consider focusing the scope of the request
- To discuss the preferred format for the delivery of the information

a record should be kept of all discussions including any agreements reached.

Note: the applicant is not obliged to explain why the information is required but if he/she is willing to do so it might assist with the search. But care should be taken not to give the applicant the impression that he/she will be treated differently if he/she does not give reasons for the request.

2.10 *If unable to contact by phone, write to the applicant*

The Manager* writes to the applicant covering the issues outlined in 1.9 and informing the applicant that the 20 day response time is suspended until they provide the required details – invite them to phone in.

See template letter FOIMD – More detail required

2.11 *Tracking Control Form*

Update the Tracking Control Form.

* where more than one Unit is involved in this FOI request, the FOI Unit will co-ordinate this function

Step 3 Search / fees notice / acknowledge

3.1 Initiate search

The Manager* initiates a search in their Unit to find where information relating to the request is. Completion time - 24 hours.

3.2 Preliminary Consideration of Exemptions

When the information has been identified the manager, in conjunction with the FOI Unit will consider if the request is likely to be exempt on cost grounds, policy in progress, confidentiality or other reason.

3.3 Fees Notice Calculated

An estimate of the time required to retrieve the information and approx. no. of photocopies etc, is provided by the Manager(s) in discussion with the FOI Unit. The FOI Unit apply this information to the fees regulation guidance and a fees notice calculated. (There will be no staff time charged for information that costs the Board less than £450 to retrieve and collate)

3.4 Respond to applicant in writing -

The Manager* writes to the applicant listing what information is held, whether an exemption is being claimed (at this stage probably only if a full exemption is being used) and include the fees notice (if applicable). The applicant should be informed that the 20 day response time is now suspended until payment of the fee (if applicable) and that the request will lapse if not paid within 3 months.

Where no exemption is being claimed and no fee is payable this communication will simply acknowledge the request.

See template letter FOIAR1 - acknowledge request

See template letter FOIAR2 - acknowledge exemption

See template letter FOIAR3 – acknowledge fee

* where more than one Unit is involved in this FOI request, the FOI Unit will co-ordinate this function

3.5 Tracking Control Form

Update the Tracking Control Form.

Step 4 Retrieve information / apply exemptions / third parties

4.1 **Receive Fee**

It may be prudent to commence retrieval in anticipation of the fee being paid. Where the applicant indicates that s/he is not prepared to pay the fee, the Board should consider whether there is any information that may be of interest to the applicant that is available free of charge. On receipt of the fee the Manager * should contact the FOI Unit immediately. The FOI Unit will lodge the fee with Cashiers and attach receipt to request. **(This section would be skipped if the request does not incur a charge)**

4.2 **Retrieve and copy – Unit Contacts/Managers**

The Manager* will ask staff identified as holding information relevant to the request to now retrieve the information and make a paper copy available. **All** information is collated by the unit and provided to the Manager

4.3 **Decision on disclosure/application of exemptions**

The Manager should identify any information which should not be disclosed stating the relevant exemption being applied. The exemptions should be recorded on the Information Release Authorisation Form.

4.4 **Contact 3rd Parties – FOI Unit/Unit Contact/Unit Manager/ELB Solicitors**

Where the requested information includes references to 3rd Parties (whether organisations or individuals) the Manager, with assistance from the FOI Unit if necessary, must decide whether the release of that information could constitute an actionable breach of confidence.

If YES: consent should be obtained before disclosure where possible

If NO: the Board should consult with the 3rd parties where:

- the views of the 3rd party would assist in deciding whether an exemption applies; **or**
- the views of the 3rd party may assist in determining where the public interest lies.

See template letter FOICA - 3rd Party consultation notification to applicant

See template letter FOICC - 3rd Party consultation Notification to consultee

Note: the clock does not stop ticking while consultation is underway (although the time-scale may be extended for complex public interest considerations)

Note: In all cases it is for the Board, not the 3rd party, to determine whether information should be disclosed – even where consent is withheld.

* where more than one Unit is involved in this FOI request, the FOI Unit will co-ordinate this function

4.5 *Review of Information*

The Manager undertakes a detailed review and identifies potential areas for full or partial redaction based on the exemptions.

Reasons for partial redactions should be noted on the photocopied papers and the information hidden (tippex/black marker), then photocopied again to completely obliterate.

NB: an unredacted copy of all papers should be retained in case a review is required.

NB: a record of exemptions to be applied and reasons must be maintained on file in case an appeal is required.

Manager's Checklist acts as aid for review process.

4.6 *Tracking Control Form*

Update the Tracking Control Form.

Step 5 Release information

5.1 Preferred format

The Manager* will make arrangements to have the information transferred to the preferred format where the applicant has requested this.

See template letter FOIFU – Requested format unavailable

5.2 Confirm release authorisation

The Information Release Authorisation Form should be completed, noting any exemptions or particular issues, and signed by the Manager. Where an issue of considerable public interest is at stake the senior officer should be informed.

5.3 Issue the information

The Manager* will write to the applicant with the information requested. This letter should also clearly explain the reason for any information non-disclosure or redaction, detailing the exemption applied and its interpretation. The letter will also provide the applicant with details of the Boards review / appeals process.

See template letter FOIRI – Release Information

5.4 FOI Unit Final Check

Where the request has been co-ordinated by the FOI Unit the Manager should forward two copies of the (redacted) information to be released, along with the completed/signed Information Release Authorisation Form, to the FOI Unit.

On receipt of the Information Release Authorisation Form and copies of information, the FOI Unit will undertake a final review of the information to be release against the exemptions to be applied.

See template letter FOIRI – Release Information

5.5 Publication Scheme

Consider posting the request and results information in the publication scheme.

5.6 File papers

The FOI will retain all information and papers relating to the request for at least 1 year after the last action– (the time limit for completion of the appeals process)

5.7 Tracking Control Form

Update the Tracking Control Form.

*** Where more than one unit is involved in the FOI request, the FOI Unit will carry out this function**

Step 6 Review / Appeals procedure

Applicants who consider that their request has not been properly handled, or who are otherwise dissatisfied with the outcome, may request to have the decision reviewed/appealed.

This review will be carried in line with the Board's Comments and Complaints Policy.

Applicants wishing to have their request reviewed should be informed of the authorities review/appeals procedure.

The Tracking Control Form should be used to progress the review/appeal through the process.

6.1 *Log the request for review and open a file*

Contact the FOI Unit immediately to log the review request.

6.2 *Acknowledge the request*

The FOI Unit will acknowledge the request for review in writing to the applicant

See standard letter FOIRD

6.3 *Pass the complaint file and original request file to the reviewing Officer*

The reviewing officer should be an appropriate level within the Board and not been involved in the initial decision.

6.4 *Review undertaken*

The reviewing officer should review the original decision, taking into account the comments of the applicant, within 10 days.

If it becomes apparent that the review will take longer than 10 days then the applicant should be notified and given an estimated completion date.

The reviewing officer must keep a log of all action taken.

6.5 *Notification of Review Decision*

Once the review is complete, the applicant should be notified of the review decision and provided with details of his/her rights of appeal to the Information Commissioner.

6.6 *Tracking Control Form*

Update the Tracking Control Form.

Absolute and Qualified Exemptions

Exemptions where the public interest test does not apply ('absolute exemptions')

[Section 21 Information accessible to applicant by other means](#)

Section 23 Information supplied by, or relating to, bodies dealing with security matters (a certificate signed by a Minister of the Crown is conclusive proof that the exemption is justified. There is a separate appeals mechanism against such certificates)

[Section 32 Court records, etc](#)

[Section 34 Parliamentary privilege](#) (a certificate signed by the Speaker of the House, in respect of the House of Commons, or by the Clerk of the Parliaments, in respect of the House of Lords is conclusive proof that the exemption is justified.)

[Section 36 Prejudice to effective conduct of public affairs \(only applies to information held by House of Commons or House of Lords\)](#)

[Section 40 Personal information \(where the applicant is the subject of the information. The applicant already has the right of 'subject access' under the Data Protection Act 1998; where the information concerns a third party and disclosure would breach one of the Data Protection Principles \)](#)

[Section 41 Information provided in confidence.](#)

[Section 44 Prohibitions on disclosure where a disclosure is prohibited by an enactment or would constitute contempt of court.](#)

Exemptions where the public interest test applies (qualified exemptions)

[Section 22 Information intended for future publication](#)

Section 24 National security (other than information supplied by or relating to named security organisations, where the duty to consider disclosure in the public interest does not arise.)

[Section 26 Defence](#)

[Section 27 International relations](#)

[Section 28 Relations within the United Kingdom](#)

[Section 29 The economy](#)

[Section 30 Investigations and proceedings conducted by public authorities](#)

[Section 31 Law enforcement](#)

[Section 33 Audit Functions](#)

[Section 35 Formulation of government policy, etc](#)

[Section 36 Prejudice to effective conduct of public affairs](#) (except information held by the House of Commons or the House of Lords)

[Section 37 Communications with Her Majesty, etc and honours](#)

[Section 38 Health and safety](#)

[Section 39 Environmental information as this can be accessed through the Environmental Information Regulations.](#)

[Section 42 Legal professional privilege](#)

[Section 43 Commercial interests](#)

The Public Interest Test

Where the public interest test applies to exemptions the circumstances of each particular case and the exemption that covers the information will require careful consideration.

The Freedom of Information Act does not define '**the public interest**' and the following information is merely indicative.

Some examples of the kinds of public interest considerations that might be taken into account include:

In favour of disclosure -

- (i) The right of the public to have access to information;
- (ii) Disclosure will reveal reasons for decisions;
- (iii) The accountability of administrators and scrutiny of decision making processes;
- (iv) The need for the public to be better informed and more conversant on public affairs;
- (v) The information will make a valuable contribution to the public debate on an issue;
- (vi) Accountability for the use of public funds.

In favour of non-disclosure

- (ii) The need to preserve confidentiality having regard to the subject matter and the circumstances of the information;
- (iii) Where release of the records could impair a future decision;
- (iv) Where premature release could contaminate the decision making process;
- (v) Where release of the records could impair the integrity and viability of the decision making process to a significant or substantial degree without a compensating benefit to the public;
- (vi) When broader community interests must be considered, as distinct from those of the applicant and the subject of the information;
- (vii) The need to avoid serious damage to the proper working of government at the highest level.

Request For Information Tracking Control Form

This control form is to be used by both Board Managers and FOI Unit to support the tracking of requests for information in accordance with the Board's procedures.

Request Type*: FOI Data Protection Environmental

Managers should note that there are different timescales for meeting requests: FOI & Environmental are 20 working days, Data Protection Subject Access requests are 40 calendar days.

Stage 1: Receive request

(Stage 1 should be completed within 1 working day of request received date)

FOI/Environmental information requests which take longer than 5 working days to respond must be logged with FOI Unit. ALL Data Protection Subject Access requests must be logged with FOI Unit.

| | | |
|-------------------------------|------------------|--|
| Request Received: | Date/Time | Officer's Name |
| | | |
| Required Respond Date: | | FOI: 20 working days Data Protection: 40 calendar days Environmental: 20 working days |

Stage 2: Check/Clarify/Confirm

Conduct Checks:

| | | | | | | |
|--------------------------------|--------------------------|-----|--------------------------|----|--------------------------|-----|
| Quick search done: | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | n/a |
| Transfer to another authority: | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | n/a |
| Publication scheme: | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | n/a |
| Previous request: | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | n/a |
| Ongoing legal issues: | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | n/a |
| Age assessment required:* | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | n/a |
| Proof of identity confirmed:* | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | n/a |
| Clarification required:* | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | n/a |
| Fees Applicable (see below):* | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | n/a |

Checks OK: Yes No n/a

*For checks marked * - If 'Yes' suspend clock and record below.*

| Age Assessment: | Date/Time | Reason |
|-----------------|-----------|--------|
| Suspend Clock | | |
| Restart Clock | | |

Stage 2: Check/Clarify/Confirm (cont'd)

| | | |
|--------------------------------|------------------|---------------|
| Proof of Identity: | Date/Time | Reason |
| Suspend Clock | | |
| Clarification Required: | Date/Time | Reason |
| Suspend Clock | | |
| Restart Clock | | |
| Fees Applicable: | Date/Time | Reason |
| Suspend Clock | | |
| Restart Clock | | |
| Checks completed by: | Name: | Date: |
| | Signature | |

Stages 3 Search/Fees /Acknowledge/Exemptions etc

| | | | |
|---|------------------------------|-----------------------------|------------------------------|
| Search Initiated | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Fees Calculated | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> n/a |
| | Record Amount: | | |
| Exemptions apply | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| <i>State which exemptions are being considered:</i> | | | |
| | | | |
| Acknowledgement: | Date Sent: | | |

Stage 4 Retrieve information/Apply exemptions/Consult 3rd parties

| | | | |
|---|------------------------------|-----------------------------|------------------------------|
| Fee Received* | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> n/a |
| Information Retrieved | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Exemptions apply | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| <i>State which exemptions are being considered:</i> | | | |
| | | | |
| Contact 3rd Parties | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> n/a |
| Detailed Review of information completed | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Redaction Undertaken | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |

**Fees received should be lodged with Cashiers and receipt attached to this control form.*

Stage 5 Release Information

| | |
|---|--|
| Information Release Authorisation Form completed | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Preferred Format:* | <input type="checkbox"/> Hardcopy <input type="checkbox"/> Electronic <input type="checkbox"/> Other <i>If other please state:*</i> |
| Photocopies made | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Final Review (FOI Unit) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Information Released | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Method of Delivery | <i>Please state delivery method used:</i> <input type="checkbox"/> Email <input type="checkbox"/> Post:** <input type="checkbox"/> Ordinary post <input type="checkbox"/> Recorded Delivery <input type="checkbox"/> Special delivery/courier <input type="checkbox"/> Hand delivered <input type="checkbox"/> Other (<i>please specify</i>) |
| Papers filed | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Publication Scheme | <input type="checkbox"/> Yes <input type="checkbox"/> No |

**Format: Personal data must not be released electronically unless it is encrypted.*

***Post: for personal data Special Delivery Post must be used.*

| |
|--------------------------|
| Additional Notes: |
|--------------------------|

Request Completed

| | |
|------------------|--|
| Name | |
| Signature | |
| Date | |

Stage 6 Review / Appeals

ONLY TO BE USED IN THE EVENT OF A REQUEST FOR AN INTERNAL REVIEW

Stage 6: Internal Review

(The time limit for requestors to ask for an internal Review is 2 calendar months from the date of the Board's response)

(For use by FOI Unit:)

| | |
|--|--|
| Date review requested: | |
| Review logged: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Request acknowledged: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Has 2 calendar months passed since Board response? * | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Name of reviewer: | |
| Date information passed to reviewer: | |
| Review conducted: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Date review conducted: | |
| Outcome of review: | <i>(please record review outcome)</i> |
| Review decision notified to applicant: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Date notification issued: | |
| Checked by: | Name: Signature: Date: |

* If two calendar months have elapsed since the response, template letter FOIRD2 should be used to inform the requestor that the time limite for requesting an Internal Review has expired. **Only in extenuating circumstances (e.g. incapacitation of the requestor), can discretion be used when enforcing this time limit.**

SOUTH EASTERN EDUCATION AND LIBRARY BOARD

Information Release Authorisation Form

Request Type: **FOI** **Data Protection*** **Environmental**

Part 1: (To be completed by appropriate Board Service Unit Manager)

All relevant information extracted:

Information has been checked for release of information provided by third parties:

Information has been redacted, where appropriate:

Two copies provided:

Exemptions to be applied in relation to this request are:

I can confirm that the information provided is in compliance with the FOI Act 2000/Data Protection Act 1998. The information is complete and any necessary third party information has been checked for release and where appropriate personal details redacted. I can confirm the copies provided to the FOI Unit are ready for release.

Printed Name (Board Service Manager): _____

Signature: _____

Date: _____



Part 2: (To be completed by FOI Unit)

Information copies received: Assurances received:

Check on copy sets completed:

Date Information Released: _____

Date Information delivered: _____

Printed Name (FOI Officer): _____

Signature: _____

*** Data Protection Subject Access Form must have been completed**

FOI Request / Data Subject Access Requests

Manager's Checklist for Review of Information

(Guide to checking information before authorising release)

| Description | Tick |
|---|------|
| FOI Request/Data Protection Subject Access Request available <i>(in the case of a subject access request – form should have been completed)</i> | |
| Check timescale for responding to FOI/Subject Access request is within legal timeframe | |
| Identity has been verified (subject access request only) | |
| Third party consent received (if required) | |
| All relevant information has been identified, extracted and copied for review (including electronic & hardcopy) | |
| <p><u>Information should be checked for the following:</u></p> <ul style="list-style-type: none"> • Reference to third parties (redaction may be required); • Information supplied by third parties (consent may be required); • Information which could potentially identify another individual (redaction may be required); • Exemptions to be applied & reasons for non-disclosure (see Exemptions pg17. If unsure then consult FOI Unit); | |
| Two copies prepared for FOI Unit (of information to be released) | |

Template letters

FOIFT - Transfer request to another authority (Full)

Dear

Re Request ref....

Having reviewed your request for information we have identified that this would be more appropriately responded to by [Name of organisation] However, before we transfer the request, we request your permission to notify the recipient organisation of your name and contact details.

If you are in agreement with this, please sign and return the declaration below.

Yours sincerely

[Signatory]

I
hereby authorise.....
to transfer my information request to
As expressed in the attached document (information request)

Enc : Information Request

FOIPT - Transfer request to another authority (Partial)

Dear

Re Request ref....

Having reviewed your request for information we have identified that this would be more appropriately responded to by [] However, before we transfer the request, we request your permission to notify the recipient organisation of your name and contact details.

We will, however, be able to respond to the issues raised in your questions in relation

to:

.....
.....
.....

If you are in agreement with this please sign and return the declaration below.

Yours sincerely

[Signatory]

I
hereby authorise.....
to transfer my information request to
As expressed in the attached letter.

Enc: Information Request

FOITU - Information not held – not transferable

Dear

Re Request ref....

Thank you for your information request dated [date]

The Board does not hold the information that you have requested and is not aware of any organisation that could respond to your request.

If you could provide further information we would be pleased to review our decision.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

FOIPD – Information already in the public domain

Dear

Re Request ref....

Having reviewed your request we wish to notify you that the requested information is currently in the public domain. Please find below details of how to obtain the information you require.

If you would like any further clarification or assistance do not hesitate to contact me.

Information Location

.....
.....
.....

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board’s Comments and Complaints Policy

Yours sincerely

[Signatory]

Enc : Information Request

FOIMD – More Detail Required

Dear

Re : Request Ref....

Having reviewed your information request, I regret that it is unclear precisely what information is being requested. The Board has been unable to contact you by phone [or email] to clarify your request and I would therefore request that you contact me on:

Phone
Email
Fax
Address

Until you do so, we consider that this information request is suspended and that the 20 day response timescale will not recommence until the request is clarified. If we do not hear from you within 30 days of the date of this letter I will assume that you no longer want this information and I will therefore take no further action.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

FOIVR - Vexatious Request

Dear

Re: Request Ref....

Having reviewed your information request in the context of previous requests, we consider that we have responded previously to a substantially similar request you have made and therefore, under section ... of the FOI legislation, we decline to respond.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

FOILP – Legal proceedings ongoing

Dear

Re : Request Ref....

Having reviewed your information request, we consider that the issues to which you refer are subject to legal procedures already in progress. We are therefore not in a position to respond to your information request other than through the legal processes to which this matter relates.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

FOICA – 3rd Party Consultation Notification to Applicant

Dear

Re: Request Ref....

Thank you for your information request dated (date).
The information you want is subject to an exemption for information supplied in confidence and I need time to consult third parties before I can consider releasing it.

I will write to you again before (date). In the meantime do not hesitate to contact me on [ph number & email address] if you would like an update on the progress of your request.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

FOICC – 3rd Party Consultation Notification to Consultee

Dear

Re: Request Ref....

We have received a request for information under the Freedom of Information Act/Environmental Information Regulations/Data Protection Act* (delete as applicable) from (name/details).

Information that we believe to be relevant to the request and which we need to consider for release to the applicant includes documentation that you have previously provided to us.

This information may be subject to third party duty of confidentiality and we would be grateful for your views on the potential disclosure of it to the applicant. You will be aware that the Board is under a legal obligation to respond to requests for information within 20 days/2 months/40 days** (delete as applicable) and in view of this if I do not hear from you within 5 days/14 days/7 days** (delete as applicable) I will assume that you have no objections to the disclosure of the information.

The Board will take any views that you express into consideration, but will not automatically withhold information unless there are clear legal grounds to do so.

** In order to assist you in responding to this letter the information that you provided is attached (electronic or hard copy, edited/redacted as necessary).
OR

** In order to assist you in responding to this letter a brief summary of the information that you provided is detailed below.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

FOIFE – Fee Limit Exceeded

Dear

Re Request ref....

Thank you for your information request dated (date).

Unfortunately, the Board has estimated that the time it will take to undertake the necessary search, retrieval and preparation work that will enable us to respond to your request will exceed the fee limit as set out in the Fees and Appropriate Limit Regulations. Therefore, the Board is not obliged to provide a response. For information purposes, the fee limit set down by the Lord Chancellor is £450 and in our case this equates to a maximum of [number] hours' of search and retrieval time.

However, you should be advised that a modified request will be given due consideration provided the work involved does not, again, exceed the fee limit. Any modification to your request will be treated as a new request for the purposes of the Freedom of Information Act.

Please contact me on [phone and email] if you require any further assistance on this matter and I will do my best to provide relevant help and advice.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

FOIAR1 - Acknowledge request (no fee)

Dear

Re Request ref....

Thank you for your recent information request, which is currently receiving attention.

We wish to advise that we do hold information relating to your request, and we envisage that all the requested information can be provided to you in the desired format, free of charge.

We are currently considering your request in more detail and will forward the information you have requested as soon as possible but not later than [date of 20 working day expiry]

If for any reason this situation changes, we will notify you as soon as possible.

Yours sincerely

[Signatory]

FOIAR2 – Acknowledge - Exemption being claimed initially

Dear

Re Request ref....

Having initially reviewed your request for information we have identified that an exemption may exist prohibiting the release of the requested information. Please find below details of the exemption and how this may be applied.

.....
.....
.....

We will be in contact again when the request and all related information has been fully assessed, to advise you of the Board's decision

Please contact me on [phone and email] if you require any further assistance on this matter and I will do my best to provide relevant help and advice.

Yours sincerely

[Signatory]

FOIAR3 - Acknowledge request and request fee

Dear

Re Request ref....

Thank you for your recent information request, which is currently receiving attention.

We wish to advise you that we do hold information relating to your request, however there will be a charge for providing the information to you in the requested format.

Please find below details of the information available, quantities requested and a breakdown of charge;

.....
.....
.....

This information request is now suspended until payment is received and the 20 day response time scale will recommence once payment is received. Please provide payment, by cheque made payable to the **South Eastern Education and Library Board** at the address below or contact me to arrange an alternative payment method.

If we do not receive payment within 3 months of the date of this letter I assume that you no longer wish to have this information.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

FOIFU - Requested format unavailable

Dear

Re Request ref....

Thank you for your information request dated (date).

The Board does hold the information that you have requested but, unfortunately, we are unable to provide it in the format that you require. As an alternative, I have enclosed (existing version) of the information and hope that this satisfactorily meets your requirements.

Please contact me on [phone number & email] if you require any further assistance with your request and I will do my best to provide relevant help and advice.

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

FOIRI – Release information

Dear

Re Request ref....

Thank for your recent request for information. Please find enclosed the following documents;

1. Copy of your initial request
2. Contents sheet listing all the information relating to your request identified and held by the SEELB. Details of any exemptions, which have been applied together with an explanation of their application
3. Released information

Please note that the Board's FOI Request Handling Procedures are available on the Board's website on www.seelb.org.uk

I hope you find the information useful. Please do not hesitate to contact me on [phone and email address] if I can be of any further assistance

If you have any complaints in respect of your information request, please write to the Chief Executive at the address below and your complaint will be handled in accordance with the Board's Comments and Complaints Policy

Yours sincerely

[Signatory]

FOIRD – Acknowledge Request to review a decision (Appeal)

Dear

Re Request ref....

Thank for your request for the Board to review the decision initially made regarding release of information you requested. The Board is now undertaking a formal review of this decision in line with its Comments and Complaints Policy. I enclose for your information a copy of the SEELB Comments and Complaints Policy.

The Board will take 10 working days to carry out this review and you will be notified in writing of the result of this review. Where it is likely to take longer than 10 working days, I will write to you to give an indication of the timescale involved.

Please do not hesitate to contact me on [phone and email address] if I can be of any further assistance

Yours sincerely

[Signatory]

Enc : SEELB Comments and Complaints Policy