

Freedom of Information Policy

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Introduction

The Freedom of Information (“**FOI**”) Act 2000 (“**FOIA**”) provides a right of access to a wide range of recorded information held by public authorities, including the NHS. The purpose of FOIA is to promote greater openness and accountability between the public and public authorities.

Due to the nature of our activities, Imperial College Health Partners (“**ICHP**” and “we”, “our” and “us”) are considered to be a public authority covered by Schedule 1 of FOIA, and as such are covered by the FOIA and are required to duly respond to all requests for information.

In this Policy, you will find information on our responsibilities, on what you need to do if you want to make a request, how we handle FOI requests and what you can expect after submitting your request. The Policy will also cover the possible grounds for refusal and exemptions provided by FOIA and what you can do if you are dissatisfied with our response or decision to not comply with your request.

Our responsibilities

Our **Governance Lead** is the responsible party for this policy and its implementation within ICHP.

In the absence of the Governance Lead, the following person(s) will assume the responsibility of the Governance Lead for the purposes of processing requests:

Information Governance Services Ltd: As ICHP’s outsourced Information Governance service, Information Governance Services Ltd (“**IGS**”) will support us and the Governance Lead with any FOI requests received, from drafting responses, to the consideration of exemptions.

Communications Lead: The Communications Lead is responsible for assessing media interest and repercussions associated with FOI requests and for ensuring that the relevant Lead Director within ICHP signs off the final FOI request response.

Lead Director: The Lead Director is responsible for the final oversight of FOI requests, including the sign off of the response. The Lead Director will be the director in the relevant department within the FOI request relates to.

Making a request

As mentioned above, you have the right to make a FOI request. Please send your request to this email address: EA@imperialcollegehealthpartners.com or write to us at:

Imperial College Health Partners
Ferguson House
15 Marylebone Road
London
NW1 5JD

Please note that there are a number of requirements to fulfil for a FOI request to be valid. For the request to be valid, please make sure that the request:

- **is in writing:** The request can be handwritten or typed and can be submitted through any form of written communication with us, such as letter, email, social media accounts etc.

- **includes your real name:** The requirement of including the requester's real name is to give us the option of verifying your identity if that is deemed necessary to determine the integrity of the FOI request.
- **includes an address for correspondence:** The address is for correspondence purposes only. It does not need to be a residential or work address, and can be any address which you can be written to, including a postal or email address.
- **describes the information requested:** The description does not have to be exact or narrow. We will accept any genuine attempt to describe what information is sought as sufficient. Please try to be as clear as possible. This will help us to understand your request and will enable us to respond in a timely manner.

If we deem your FOI request as invalid, the Governance Lead will promptly respond and advise you on what is missing, what information is required to validate the request.

If you want further information, the Information Commissioner's Office ("ICO") has published a guide on how to access information from a public authority which can be found under this [link](#).

What you can expect after submitting your request

When we receive your request, we will send you a confirmation of receipt first. We will review your request to see whether it is valid. If it is not valid, we will contact you to state what is missing and what you need to do so that we can comply. We might also reach out to you to ask for more information to get a clear understanding of your request.

We aim at providing you with a response within 20 working days. If we are not able to meet this deadline, we will let you know as soon as possible.

We will usually be able to give you the information that you wish to receive. However, there are some exemptions that allow us to withhold certain types of information. Please see the section 'Refusals and Exemptions' of this Policy for more information on the reasons why we might refuse to comply with requests.

If this is the case with your request, we will write to you and explain why we cannot comply with your request. We will also let you know what you can do next if you disagree with our decision in the same communication (please see Section 'What you can do if you are not happy with our response or our decision' for more information).

How we handle requests internally

We at ICHP are dedicated to deal with your request in compliance with the FOIA. As such, we have set up internal procedures and policies to meet the legal requirements.

Here is an overview of the internal process divided into six different stages:

Stages	Actions
Stage 1: Receipt of FOI request	Once a FOI request has been identified by a member of staff, the request will be passed onto

	<p>the Governance Lead within 24 hours of noticing the request.</p> <p>The Governance Lead will immediately log the request to ICHP's FOI/IG register with all relevant information included.</p> <p>The Governance Lead will determine whether the request is valid.</p> <ul style="list-style-type: none"> • Where the request is valid, the Governance Lead will duly respond to the requester, acknowledging receipt of the FOI request and referring to the 20 working day response period. • Where the request is invalid, the Governance Lead will promptly respond to the requester advising them on what missing information is required to validate the request, or if not applicable, why the request is invalid. <p>Depending on the nature of the request, the Governance Lead will determine who the Lead Director will be to oversee the request.</p> <p>The Governance Lead will report the request to the AHSN Network central coordinating office. The coordinating office will contact all other AHSNs to establish if the same request has been sent to more than one AHSN in the network.</p> <p>If it is established that the request has been received by just one AHSN, the response will be coordinated by the receiving AHSN.</p> <p>If the theme relates to a nationally commissioned AHSN programme or an innovation that is subject to a Network theme, the recipient AHSN will inform the AHSN lead chief officer and invite them to help shape a response.</p>
<p>Stage 2: Meeting to discuss response</p>	<p>The Governance Lead will organise a meeting with all relevant internal team member representatives to discuss</p> <ul style="list-style-type: none"> • what information is requested and who is responsible for providing it; • what partner/client involvement is there (if any);

	<ul style="list-style-type: none"> • what exemptions may apply to the FOI request; • signing off responsibilities; and • potential communication sensitivities.
Stage 3: First draft coordinated for review	<p>The Governance Lead will collect and compile the requested information.</p> <p>The Governance Lead will make any necessary redactions to the documentation (where appropriate).</p> <p>The Governance will write the first draft and circulate it to all attendees of the meeting (in Stage 2). The attendees will review the first draft as soon as practicable and inform the Governance Lead of any issues.</p> <p>The Communications Team (by proxy of the Communications Lead) will internally consider any potential lines around media interest. If there are any media issues to be aware of, the Communications Team will make the attendees of the meeting in Stage 2 aware and take any necessary actions to mitigate or prepare for any media interest or repercussions.</p>
Stage 4: Amends and Review for sign off	<p>The Governance Lead will receive and review comments on the first draft from team members. The Governance Lead will make any necessary changes to the draft response.</p> <p>The Communications Team will sign off the response with the Lead Director assigned in Stage 1.</p> <p>The Communications Team will share details of the request with any partners/client communications teams where it is appropriate to do so.</p>
Stage 5: Sending out the response	<p>The Governance Lead will send out the final response to EA@imperialcollegehealthpartners.com for FOI requests with all necessary information and documentation.</p> <p>Those responsible for administering the inbox will send off the response to the requester as soon as practicable, after receiving the response from the Governance Lead.</p>

	<p>Where the FOI request has been received in writing other than email, the Governance Lead will co-operate with the Communications Team to send the response in the appropriate method of delivery.</p> <p>A record of the final response issued by the recipient AHSN will be copied to the chief officer theme lead (if relevant, see Stage 1) and the central coordinating office.</p>
Stage 6: Closing the response	<p>The Governance Lead will confirm with all those involved in Stage 2 that the response has been sent and completed.</p> <p>The Governance Lead will close the request on the FOI/IG register.</p>

Refusals and Exemptions

Usually, we will be able to comply with your request and provide you with the information that you request. However, there might be occasions where we can refuse to comply under the FOIA.

Grounds for refusal

The FOIA enables us to refuse a request if we believe the expense of compliance will surpass the limit of £450.

When considering costs, we will take into account:

- staff time spent on reviewing and responding to the request;
- cost of printing or photocopying, including ink and paper used;
- cost of postage and other forms of transmitting the information; and
- cost incurred with complying with Section 11 of FOIA, which places a duty on ICHP to provide information in accordance with the expressed preference of the requester, where this is reasonably practicable.

We may also refuse to comply with your request if we deem it as 'vexatious'. A request is vexatious where the request has no reasonable foundation for thinking that information sought would be of any value to the requester or to the public as a whole. We will be asking ourselves whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress.

If the request is identical or substantially similar to a request we have received previously from you, this would be another ground for us to refuse to comply with your request.

Exemptions

In addition to grounds for refusal, under Part II of the FOIA there are 23 exemptions that might apply. Some exemptions relate to a particular type of information, whilst other exemptions are based on the harm that would arise or would likely arise from disclosure. If the applicable exemption is 'absolute', we can automatically withhold information. If the applicable exemption is 'qualified', we will complete a balancing test and where the public interest in preserving the qualified exemption outweighs the public interest in disclosure, we will refuse to comply with your request. For a list of all 'absolute' and 'qualified' exemptions, please see Appendix A of this policy.

What you can do if you are not happy with our response or our decision

If you are unhappy with our response to your request or if you disagree with our decision to not comply with your request, please first complain to us in writing using the same contact details you used to make your request. We aim at reviewing your complaint within 20 working days.

If you still remain dissatisfied after receiving our response to your complaint, you can submit a complaint to the Information Commissioner's Office at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

You can also submit a complaint to the ICO online following the steps under this [link](#).

Publication Scheme

Our publication scheme is a document that sets out our high-level commitment to proactively and routinely make certain classes of information available to the public. It is a separate document to this policy and can be made available to you upon request.

Contact

As mentioned previously in this Policy, you can reach us either via email using this email address: EA@imperialcollegehealthpartners.com or by writing to our address at:

Imperial	College	Health	Partners
Ferguson House			
15 Marylebone Road			
London			
NW1 5JD			

Appendix A: Definitions

The following is a list of the exemptions under Part II of the [Freedom of Information Act 2000](#):

Absolute Exemptions:

- **Section 21** – Information is already in the public domain
- **Section 23** – Information is supplied by, or relating to, bodies dealing with security matters
- **Section 32** – Information relates to Court Records
- **Section 34** – Where Parliamentary Privilege applies
- **Section 40** – Information is also personal to the person making the request
- **Section 41** – Information was provided in confidence
- **Section 44** – Where disclosure of information is prohibited by any other law or regulation, or if it would be a contempt of court

Qualified Exemptions:

- **Section 22** – Information intended for future publication
- **Section 22A** - Research
- **Section 24** – Information likely to undermine national security (this requires a certificate signed by a Minister of the Crown)
- **Section 26** – Information likely to prejudice national defence or the activities of our armed forces, or those of allies
- **Section 27** – Information likely to prejudice the United Kingdom's international relations or interests, for example, information obtained in confidence from another State or international court
- **Section 28** – Information likely to prejudice relations between the United Kingdom Government, Wales, Scotland or Northern Ireland
- **Section 29** – Information likely to prejudice the economic interests of the United Kingdom or part of the United Kingdom, or the financial interests of the government
- **Section 30** – Information held for the purpose of criminal investigations and proceedings, and information obtained from confidential sources relating to these or civil proceedings arising out of them

- **Section 31** – Information not covered by section 30 above, and which is likely to prejudice a wider range of investigative activities
- **Section 33** – Information held by public authorities which have functions relating to audit (for example, the National Audit Office), or which examine the economy, efficiency and effectiveness of the use of resources of other public authorities. Information is exempt if its disclosure is likely to prejudice those functions.
- **Section 35** – Information held by a government department or the National Assembly for Wales, relating to the creation of government policy
- **Section 36** – Information that may inhibit the ability of the authority to conduct its business effectively should that information be made freely available in the public domain (use of this exemption requires sign off from the Chief Executive in receipt of a recommendation to do so by a National Director)
- **Section 37** – Information relates to communications with His Majesty, member of the Royal family or Royal household, or the conferring of honours
- **Section 38** – Information would, or would likely endanger the physical health, mental health or safety of an individual
- **Section 39** – Where the information is subject to the Environmental Information Regulations
- **Section 42** – Legal professional privilege
- **Section 43** – Commercial interests