



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Caerdydd a'r Fro
Cardiff and Vale
University Health Board

Reference Number: UHB 256
Version Number:1
Date of Next Review: 31/03/2018

FREEDOM OF INFORMATION ACT 2000 AND ENVIRONMENTAL INFORMATION REGULATIONS 2004 POLICY

Policy Statement

The Freedom of Information Act, Re-use of Public Sector Information and Environmental Information Regulations are part of the Government's commitment to greater openness in the public sector. They give rights to the public to scrutinise the decisions of public authorities more closely.

In support of this the Cardiff and Vale University Health Board (the UHB) is committed to upholding the principles of citizen centred governance including *Living public sector values*. These values include a commitment to openness.

The purpose of this policy is to ensure that the provisions of the legislation, and the statutory Codes of Practice issued by the Department of Constitutional Affairs, are adhered to thereby ensuring the UHB fully discharges its legal responsibilities in respect of the Freedom of Information Act 2000 and the Environmental Information Regulations complying with the legislation and the codes of practice consistently working in an open and transparent manner as required.

This policy will be supported and underpinned by the Freedom of Information Act and Environmental Information Regulations Procedures.

Policy Commitment

The UHB will:-

- Be entirely open with the public and will provide as much information as possible and in alternative formats where requested, about its activities within the public domain, subject to the exemptions permitted under the Act and exclusions permitted under the Environmental Information Regulations, it will make all other information available on request subject to legislative restrictions.
- Actively publish information within our Publication Scheme, as defined within the definition document, as directed by the Information Commissioner, and continue to expand and increase information available to the public.
- Deal with all requests for information in accordance with the Lord Chancellor's Code of Practice on Discharge of Public Authorities' Functions.
- Deal with requests to re-use information in accordance with the Office of Public Sector Information guidance.
- Deal with all requests for environmental information in accordance with the Secretary of State's Code of Practice on the Discharge of the Obligations of Public Authorities under the Environmental Information Regulations 2004.

When we are unable to provide information Refusal Notices will be issued in accordance with the exemptions as set out in the Freedom of Information Act 2000 or exclusions laid down in the Environmental Information Regulations 2004.

Document Title: Freedom of Information Act 2000 & Environmental Information Regulations 2004	2 of 4	Approval Date: 31 Mar 2015
Reference Number: UHB 256		Review Date: 31 Mar 2018
Version Number: 1		Date of Publication: 13 Apr 2015

We will ensure that confidentiality in respect of the Data Protection Act 1998 is adhered to and will to keep confidential personal information about individual members of staff and patients, other legal and contractual obligations and materials detrimental to the safe and efficient conduct of the our operations, or which is commercially sensitive. In such situations Refusal Notices will be issued.

Supporting Policies Procedures and other Written Control Documents

This policy and the Freedom of Information Act and Environmental Information Regulations Procedure describe how the UHB will discharge its obligations in respect of the legislation.

Other supporting documents are:

- [Freedom of Information Act 2000](#)
- [Data Protection Act 1998](#)
- [Environmental Information Regulations 2004](#)
- [Re-Use of Public Sector Information Regulations 2005](#)
- [Information Governance Policy](#)
- [Records Management Policy](#)
- [Records Retention and Destruction Protocol](#)
- [WHC \(2000\)71 – For the Record: Managing Records in NHS Trusts and Health Authorities](#)
- [Secretary of State for Constitutional Affairs Code of Practice on the discharge of public authorities' functions under Part 1 of the Freedom of Information Act 2000 Issued under section 45 of the Act November 2004.](#)
- [Lord Chancellor's Code of Practice on the Management of Records under section 46 of the Freedom of Information Act 2000 \(July 2009\) Part I.](#)
- [Secretary of States Code of Practice section 45 \(datasets\)](#)

Scope

This policy applies to all of our staff in all locations including those with Honorary Contracts.

Equality Impact Assessment

An Equality Impact Assessment (EqIA) has been completed and this found there to be a positive impact. Key actions have been identified and these have been incorporated within the Procedure developed in support of this policy.

Health Impact Assessment

A Health Impact Assessment is not required for this policy

Policy Approved by

People, Performance and Delivery Committee

Group with authority to approve procedures written to explain how this policy will be implemented

Information Governance Sub Committee

Accountable Executive or Clinical Board Director

Medical Director

Document Title: Freedom of Information Act 2000 & Environmental Information Regulations 2004	3 of 4	Approval Date: 31 Mar 2015
Reference Number: UHB 256		Review Date: 31 Mar 2018
Version Number: 1		Date of Publication: 13 Apr 2015

Disclaimer

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the [Governance Directorate](#).

Summary of reviews/amendments			
Version Number	Date Review Approved	Date Published	Summary of Amendments
1	31/03/2015	13/04/2015	New UHB policy

Document Title: Freedom of Information Act 2000 & Environmental Information Regulations 2004	4 of 4	Approval Date: 31 Mar 2015
Reference Number: UHB 256		Review Date: 31 Mar 2018
Version Number: 1		Date of Publication: 13 Apr 2015