

# Freedom of Information Publication Scheme

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<b>Reference Number:</b>	325
<b>Author &amp; Title:</b>	Sue Cope Information Governance Officer
<b>Responsible Director:</b>	Director of Finance/Deputy Chief Executive
<b>Review Date:</b>	January 2019
<b>Ratified by:</b>	Sarah Truelove Director of Finance / Deputy Chief Executive
<b>Date Ratified:</b>	18 July 2014
<b>Version:</b>	3.0
<b>Related Policies</b>	Freedom of Information Policy

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## Amendment History

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Issue	Status	Date	Reason for Change	Authorised
3.0	Final	14/07/2014	Review and Update	Sarah Truelove – Deputy Chief Executive / Director of Finance

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# 1. Policy Summary

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## 1.1. Background

The Freedom of Information Act entitles members of the public to ask a public authority (including the NHS) in England, Wales and Northern Ireland for any recorded information they keep. It reflects a national policy shift in public administration from a culture of confidentiality to one of openness. The underlying principle is that all information held by a public authority should be freely available except for a small number of tightly defined items.

The Act is enforced by the Information Commissioner, a post that combines regulation of both the Freedom of Information Act and Data Protection Act.

## 2. Policy Statements

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- The Information Governance department deals with Freedom of Information requests.
- Information is available through the Freedom of Information Scheme to any person who supplies their name and makes a written request
- In addition to the Freedom of Information scheme this publication scheme refers you to nine key areas where information will be maintained and updated as far as possible on the RUH Trust Internet Site: [www.ruh.nhs.uk](http://www.ruh.nhs.uk)

## 3. Definition of Terms Used

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None

## 4. Duties and Responsibilities

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### **Information Governance and Health Records Audit and Compliance Manager**

- To act in the capacity of Trust Data Protection Officer/Freedom of Information Lead

### **Information Governance, Health Records Audit and Compliance Programme Support Officer**

- To act in the capacity of Trust Data Protection/Freedom of Information Act Support

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### **Freedom of Information Co-ordinator**

- Responsible for receiving, acknowledging, tracking and issuing responses to all Freedom of Information requests made to the Trust

### **All staff**

- It is the responsibility to forward Freedom of Information requests to the Freedom of Information Co-ordinator as soon as they are received.

## **5. Rights of Access to Information**

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The Freedom of Information Act recognises that as a member of the public, you have the right to know how public services such as the NHS are organised and run, how much they cost and how you can make complaints if you need to. You have the right to know which services are being provided, the targets that are being set, the standards of services that are expected and the results achieved.

In accordance with this legislative Act, the Trust will respond to requests about the information which it holds and will provide a right of access to that information. The rights to request and access this information are subject to some exemptions which the Trust has to take into consideration before deciding what information can be released.

### **5.1. Individual Rights of Access**

Individuals already have a right of access to information about themselves (personal data) which is held on computer and in some paper files under the Data Protection Act 1998, including their Medical Records.

In addition to the right to have a copy of any data held, it provides a right to have inaccurate data rectified, blocked, erased or destroyed.

In accordance with the requirements of the Data Protection Act, there is a small charge for accessing personal information held.

If you have any questions about accessing personal records that may be held, please contact the Trust's Data Protection Officer at the address below:

Data Protection Officer,  
John Apley  
Royal United Hospital NHS Trust  
Combe Park  
BATH  
BA1 3NG

Email: [s.cope@nhs.net](mailto:s.cope@nhs.net)

Telephone: 01225 826268

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To access your clinical records that are held about you, you can write to:

Medical Records Manager  
Medical Records Department  
Royal United Hospital NHS Trust  
Combe Park,  
Bath BA1 3NG

## 5.2. Our Publication Scheme

Under the Freedom of Information Act 2000, public authorities have to produce a Publication Scheme. Our Publication Scheme is a complete guide to the information routinely published by Royal United Hospital NHS Trust and wherever possible, provides an easy method of accessing this information. It is not a list of actual publications, since this will change as other things are published.

Under the terms of the Freedom of Information Act 2000, every public authority has a duty to specify what information they publish, how this information is made available and whether it is available free of charge or upon payment. The purpose of the Act is to promote greater openness by public authorities, of which Royal United Hospital NHS Trust is one. We will monitor the Scheme annually and how it is operating.

Our intention is to publish as much information on our internet service as possible on subjects where there is known to be public interest. However, exemptions under the Freedom of Information Act may prevent some information from being released.

It is important to us that this Scheme meets your needs and we have designed it to be a route map so that you can find information about Royal United Hospital NHS Trust easily.

The Publication Scheme will help you to find all the information which the Trust publishes.

The information is grouped into broad categories as follows:

- About Us: Who we are and what we do
- Money Matters: What we spend and how we spend it
- Our Priorities: What they are and how are we doing
- Decisions: How we make them
- Procedural Documents
- Lists and Registers
- The Services We Offer

The Freedom of Information Act does not change the right of patients to protection of their patient confidentiality in accordance with Article 8 of the Human Rights Convention, the Data Protection Act and at common law.

Maintaining the legal right to patient confidentiality continues to be an important commitment on our part. To help with this, we have appointed someone who is

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called a Caldicott Guardian, and who has responsibility to ensure the protection of patient confidentiality throughout the Trust in accordance with your legal rights.

At the Royal United Hospital NHS Trust, our Caldicott Guardian is the Medical Director:

Caldicott Guardian  
Royal United Hospital NHS Trust  
Combe Park  
BATH  
BA1 3NG

### **5.3. How to Obtain Information**

Our Publication Scheme has been designed to highlight information and publications that are currently available from Royal United Hospital NHS Trust. With a few exceptions, these can be downloaded from our website.

If the information you require is not published on the Trust's Publication Scheme, you should apply in writing to the Trust's Data Protection Officer (see P4):

Or email: [ruh-tr.FOIRequests@nhs.net](mailto:ruh-tr.FOIRequests@nhs.net)

When making a request for information, you are not required to mention the Freedom of Information Act or reason for wanting the information. Your request will be acknowledged and you can expect to receive the requested records (if held) within 20 working days.

All requests for information must be made in writing (e.g. letter, fax, email). You must state clearly what information you are requesting and supply your name and address in order for us to respond.

The Trust may ask you for further information, which it reasonably requires in order to identify and locate the information that is requested.

Every effort is made to make information contained within this Publication Scheme available to people with special or different needs.

In some cases, information may be exempt from disclosure. If some of the information is of personal and confidential nature, it will be excluded as will any other confidential material.

Material relating to the health and safety of specific individuals, as to law enforcement or criminal or regulatory enforcement or audit issues under certain circumstances may also be excluded from publication.

There may be circumstances where material cannot be released because the appropriate officer of the authority has taken the view that it may be prejudicial to the

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conduct of public affairs. Should this be the case, then we will state the reason why the information cannot be released and the course of action to appeal if not satisfied.

For a complete list of exemptions that may prevent disclosure, you are advised to refer to the Freedom of Information Act.

[www.ico.org.uk](http://www.ico.org.uk)

## 5.4. Schedule of Charges

Depending on the nature of the request a fee maybe payable. For the most part we will charge you only for hard copies or copying onto media (e.g. CD ROM). The charges will vary according to how information is made available. Charges are as follows:

- a) Via the Trust's Web Site [www.ruh.nhs.uk/](http://www.ruh.nhs.uk/). This is free of charge, although any charges for Internet Service provider and personal printing costs would have to be met by the individual.
- b) For those without internet access, a single print-out as on the website would be available free of charge by post from the Publication Scheme Manager at the address given above. Requests for multiple printouts or for archived copies of documents which are no longer accessible or available on the web may attract a charge for the retrieval, photocopying, postage, etc.

Should this apply, we will let you know the cost and charges that will have to be paid in advance and how a charge is arrived at i.e. printing, copying and postage. As a guide, any hard copy records requested, may incur a charge of 2p per sheet. We will not provide printouts of other organisation's websites

- c) Leaflets and brochures are free of charge unless otherwise stated. There is a charge for 'glossy' or bound paper copies, or in some cases a CD Rom, video or other media.
- d) E-mail will be free of charge unless it says otherwise.
- e) The charges will be reviewed regularly and are in accordance with guidance published by the Department of Health.

## 5.5. Copyright

The material available through this Publication Scheme is subject to the Trust's copyright unless otherwise indicated. Unless expressly indicated on the material to the contrary, it may be reproduced free of charge in any format or medium, provided it is reproduced accurately and not used in a misleading manner.

Where any of the copyright items in this Scheme are being republished or copied to others, you must identify the source of the material and acknowledge the copyright status. Permission to reproduce material does not extend to any material accessed

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through the Publication Scheme that is the copyright of third parties. You must obtain authorisation to reproduce such material from the copyright holders concerned. For Office of Public Sector Information (OPSI) Guidance Notes on a range of copyright issues, see the OPSI web site:

[www.opsi.gov.uk/](http://www.opsi.gov.uk/)

## **5.6. Re-use of Information**

Information routinely published by the Trust may be re-used by any individual or organisation. There is no charge for re-use of routinely published information, but in line with the 're-use of public sector information regulations (2005)', we ask that if you do re-use any information that you quote the document title and acknowledge that it was published by this organisation and remains our copyright. If there is specific information you require that is not published, you may make a written request under the terms of the Freedom of Information Act 2000

## **5.7. Equality and Diversity**

We are committed to equal opportunities, equality and diversity. We do not discriminate against staff or patients regardless of gender, race, sexuality, religion, faith, age, marital status or disability.

We believe that the Trust should be a place where all staff, whatever their differences feel valued and have a fair and equitable quality of working life where we accept the difference between individuals and value the benefits that diversity brings.

This is a vision that we continue to make good progress towards, partially through the diversity initiatives: diversity training for managers, supervisors, and staff, diversity poster campaign, flexible working training for managers and induction training.

Further information can be found here:

[Equality and Diversity](#)

Should you require a copy of our Publication Scheme in a different format such as Braille, audio cassette, large print or another language, please contact the Publication Scheme Co-ordinator at the address given above.

## **5.8. Feedback**

Any questions, comments, general enquiries about this Scheme should be sent in writing to Information Governance Manager at Royal United Hospital NHS Trust, Combe Park, Bath BA1 3NG and email [ruh-tr.FOIRRequests@nhs.net](mailto:ruh-tr.FOIRRequests@nhs.net)

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Please note that this is not a secure email address for the exchange of patient identifiable information, it must only be used for requests for information that is not routinely published within our Publication Scheme.

## 5.9. Making a Complaint

If you have a complaint about the operation of the Publication Scheme, or how the Royal United Hospital NHS Trust has dealt with your request for information from the Scheme, you can write to:

Chairman  
Royal United Hospital NHS Trust  
Combe Park  
BATH  
BA1 3NG

The Trust has an internal review procedure for dealing with complaints received under the Freedom of Information Act whereby your case is presented to the Chairman for an independent review/decision.

Alternatively, you do have the right to complain to the Information Commissioners Office. The Information Commissioners Office is an independent body that enforces the Freedom of Information Act, the Data Protection Act and the Environmental Information regulations.

The address of the Information Commissioner is:  
Information Commissioners Office,  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire, SK9 5AF

Email: [mail@ico-gsi.govuk](mailto:mail@ico-gsi.govuk)

Website: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk) (external)

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# Document Control Information

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## Ratification Assurance Statement

Dear Sarah Truelove

Please review the following information to support the ratification of the below named document.

Name of document: Freedom of Information Publication Scheme

Name of author: Sue Cope

Job Title: Information Governance Officer

I, the above named author confirm that:

- The Policy presented for ratification meets all legislative, best practice and other guidance issued and known to me at the time of development of the Policy;
- I am not aware of any omissions to the Policy, and I will bring to the attention of the Executive Director any information which may affect the validity of the Policy presented as soon as this becomes known;
- The Policy meets the requirements as outlined in the document entitled Trust-wide Policy for the Development and Management of Policies (v4.0);
- The Policy meets the requirements of the NHSLA Risk Management Standards to achieve as a minimum level 2 compliance, where applicable;
- I have undertaken appropriate and thorough consultation on this Policy and I have documented the names of those individuals who responded as part of the consultation within the document. I have also fed back to responders to the consultation on the changes made to the Policy following consultation;
- I will send the Policy and signed ratification checklist to the Policy Coordinator for publication at my earliest opportunity following ratification;
- I will keep this Policy under review and ensure that it is reviewed prior to the review date.

**Signature of Author:** Sue Cope **Date:** July 2014

**Name of Person Ratifying this policy:** \_\_\_\_\_

**Job Title:** Deputy Chief Executive/Director of Finance

**Signature:** \_\_\_\_\_ **Date:** 18 July 2014

### To the person approving this policy:

Please ensure this page has been completed correctly, then print, sign and **post this page only** to: The Policy Coordinator, John Apley Building.

The **whole policy** must be sent electronically to: [ruh-tr.policies@nhs.net](mailto:ruh-tr.policies@nhs.net)

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## Consultation Schedule

<b>Name and Title of Individual</b>	<b>Date Consulted</b>
Brigid Musselwhite – Director of Planning	22/01/2010
Helen Robinson Gordon –Head of Communication and External Relations	22/01/2010
Huw Thomas - Head of Financial Services	22/01/2010
Alexandra Lucas – Head of patient Safety	22/01/2010
Teresa Hegarty – Head of patient Experience	22/01/2010
Geoff Cross –Head of Information Services dept	22/01/2010
Shahrom Zohrehei – Workforce Information Manager	22/01/2010
James Rimmer	07/05/2010
Jane Rowlands – Head of Business Development	08/05/2014
Anita Houlding – Senior Communications Officer	08/05/2014
Tim Edmonds – Communications Manager	08/05/2014
Sue Griffin – Patient Experience Manager	08/05/2014
Jamie Wotley – Finance Systems Manager	08/05/2014
Edward Nicolle – Specialty Manager	08/05/2014
Steve Young – Database/Data Warehouse Developer	08/05/2014
Andrew Howse – Senior Workforce Analyst	08/05/2014
David Davies – Chief Information Officer	08/05/2014
Andrew Taylor – Consultant Clinical Biochemist	08/05/2014
Rachel Linegar – EPR Programme Manager	08/05/2014
Ian Troise – Technical Service Manager	08/05/2014
Simon Edwards – Information Governance Manager	08/05/2014

**The following people have submitted responses to the consultation process:**

<b>Name and Title of Individual</b>	<b>Date Responded</b>
Andrew Taylor	08/05/2014
Steve Young	08/05/2014
Jamie Wotley	08/05/2014
Sue Griffin	13/05/2014
Simon Edwards	13/05/2014
David Davies – Interim Chief Information Officer	14/07/2014

<b>Name of Committee/s (if applicable)</b>	<b>Date of Committee</b>

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## Equality Impact: (A) Assessment Screening

To be completed when submitted to the appropriate Executive Director for consideration and approval.

### Person responsible for the assessment:

**Name:** Sue Cope

**Job Title:** Information Governance Officer

Does the document/guidance affect one group less or more favourably than another on the basis of:	Yes/No	Comments
Race	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Ethnic origins (including gypsies and travellers)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Nationality	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Gender (including gender reassignment)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Culture	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Religion or belief	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Sexual orientation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Age	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Disability (learning disabilities, physical disability, sensory impairment and mental health problems)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is there any evidence that some groups are affected differently?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If you have identified potential discrimination, are there any valid exceptions, legal and/or justifiable?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is the impact of the document/guidance likely to be negative?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If so, can the impact be avoided?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
What alternative is there to achieving the document/guidance without the impact?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Can we reduce the impact by taking different action?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	