

Freedom of Information Act 2000 Supplementary Information

What is the Freedom of Information Act 2000?

The Freedom of Information (FOI) Act gives a general right of access to all types of recorded information held by public authorities. The Act sets out exemptions to that right and places certain obligations on public authorities.

The Act places two main duties on all public authorities, including NHS organisations:

- Firstly, we are required to set up and maintain a Publication Scheme that tells you what information we hold.
- Secondly, the Act gives you the right to request information that we hold. Unless an exemption under the Act applies, we have a duty to confirm whether or not the information exists and to provide it to you.

More information about the Act and how it is applied can be found from the website of the Information Commissioner's Office (ICO) at www.ico.gov.uk. The ICO is the UK's independent public body set up to promote access to official information and protect personal information by promoting good practice, ruling on eligible complaints, providing information to individuals and organisations, and taking appropriate action when the law is broken

Freedom of Information Act Publication Scheme

The Publication Scheme is a guide to the information routinely published by The Shrewsbury and Telford Hospital NHS Trust. It is a description of the information about the Trust that is made publicly available. The Trust reviews the Scheme at regular intervals and monitors how it is operating.

The Publication Scheme helps individuals to find information which the Trust publishes. 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 Act, the Data Protection Act and common law. Maintaining the legal right to patient confidentiality continues to be an important commitment by the Trust.

We routinely publish information in the following classes:

- Who we are and what we do
- What we spend and how we spend it
- What are our priorities and how are we doing
- How we make decisions
- Our policies and procedures
- Lists and registers
- The services we offer

Our Publication Scheme is published as a series of web pages which can be accessed at www.sath.nhs.uk/about/foi.asp. For those without Internet access, a single printout from the website can be provided by post by personal application to the Freedom of Information Officer at the Trust.

General Rights of Access to Information

The Freedom of Information Act also gives you the right to request information held by The Shrewsbury and Telford Hospital NHS Trust. The Freedom of Information Act covers corporate information (e.g. who we are and what we do). It does not cover personal information (e.g. about your individual care and treatment).

If you would like to request information from the Trust, you should first refer to the Publication Scheme (previous page) to see if the information is already available routinely.

If the information is not listed within our Publication Scheme then you can request it from the Trust.

For example:

- you can request it by email to xxxx@xxxx.xxx.xx
- you can request it by post by writing to Freedom of Information Officer, The Shrewsbury and Telford Hospital NHS Trust, Royal Shrewsbury Hospital, Mytton Oak Road, Shrewsbury SY3 8XQ

When you request information, unless an exemption applies:

- we will confirm whether or not we hold the information you have requested
- if we do hold the information, our aim is to provide this within 20 working days unless there is an exemption (for example, because we believe it would not be in the public interest to provide the information)
- if we believe that an exemption applies, we will explain this to you.

If the information is refused:

- if we do not supply the information that you have requested, then you can ask us to reconsider your request. Please contact us using the contact details above, stating the reasons why you wish us to reconsider your request.
- you also have the right to complain to the Information Commissioner's Office, which is the national body overseeing implementation of the Freedom of Information Act in public authorities. Generally, the Information Commissioner's Office cannot make a decision unless you have exhausted the complaints procedure provided by the Trust.

You can find out more information about your rights and responsibilities under the Freedom of Information Act from the Information Commissioner's Office, including a set of useful factsheets (www.ico.gov.uk).

Cost of information

For the most part, the Trust will charge only for hard copies (to cover printing, photocopying and postage) or copying onto a different media (e.g. if we provide information on our website but you have requested this on DVD). Current photocopying costs are 25p per copy and postage is charged at cost. Copying onto other media will incur a charge to cover material costs (e.g. DVD) and postage.

There may also be a charge if more than 2.5 days are spent in supporting a request for information.

You will be advised of any charges that apply, and payment will be required before your request for information can be considered further.

Specific and additional costs for access to information:

- Website: Information from the Trust's website is free, although any charges you incur to gain access to the internet (e.g. Internet Service Provider and personal printing costs) will have to be met by you. For those without Internet access, a single printout from the website can be provided by post, by personal application to the Freedom of Information Officer at the Trust.
- Requests for multiple printouts, or for archived copies of documents which are no longer accessible or available on the web, will attract a charge for, photocopy and postage. The Trust will advise on cost and charges that will have to be paid in advance. The Trust does not provide printouts of other organisation's websites.
- Leaflets and brochures: Single copies of the current editions of leaflets and brochures about the services we offer to the public are available free of charge.
- There may be a charge for certain bound or other paper documents (including the costs of printing, photocopying and postage mentioned above). Where documents incur other charges this will normally be specified in our Public Scheme.
- E-mail: The provision of information by email is free of charge unless stated to the contrary in our Publication Scheme otherwise.
- Archive Deposit: Information falling into the Classes will be retained in line with the Trust's retention and disposal schedules, which comply with circular HSC1999/53 and Public Record Office Guidance. Some of this information is not stored on Trust premises, and incurs a charge to the Trust if it is requested from the archive.

Where your request for information would incur such a charge, we will let you know before we proceed with your request.

Re-use of public sector information and copyright

Unless otherwise stated, The Shrewsbury and Telford Hospital NHS Trust owns the copyright in all material on its website www.sath.nhs.uk and all documents and information provided under the Freedom of Information Act.

Subject to the following conditions, the Trust has no objection to organisations:

- downloading copyright-protected materials from the site (the 'Materials') and reproducing them in their own publications, or on their internal computer networks
- reproducing other copyright-protected materials provided in accordance with the Freedom of Information Act in their own publications, or on their internal computer networks.

Organisations using the Trust's materials must adhere to the following criteria:

- organisations must ensure that they are using the latest version of the Materials available
- any publication or internal network which incorporates the Trust's Materials must include an acknowledgement of the source of such materials
- the Material must be clearly separated from any comment made on it by the organisation or others

- readers of the Material must not be given the impression that the Trust is responsible for, or has in any way approved, the publication or network in which our Materials are reproduced
- the Materials may not be altered or amended unless such material is clearly marked as altered or amended by the organisation or others
- any public sector body that holds the Trust materials may only charge for re-use of the Trust Materials in line with the Re-use of Public Sector Information Regulations (2005). The public sector body may only charge the cost of collection, reproduction and dissemination of documents. They may not make a 'reasonable return on investment'. Organisations in receipt of the Trust's Materials that are not subject to Freedom of Information Act (2000) or Re-use of public sector information regulations (2005) may not charge a fee to third parties for either direct access (e.g. a cost per item for the purchase of materials) or indirect access to the Materials (e.g. where the materials are provided through a subscription service or other charged service to third parties).
- when reproducing the Trust's Materials, organisations must have regard to any qualifying statements or descriptions attached to the Materials, (for example, descriptions such as 'consultation document', 'discussion paper', or 'preliminary view' are important as are statements concerning the audience at which the Material is directed)
- if the Material is reproduced in full, or substantial extracts are reproduced, any qualifying statements attached to the Material must be included
- any reproduction of the Trust's official forms, other than for the purpose of submitting information to the Trust, must be clearly marked 'SPECIMEN' unless otherwise expressly agreed by the Trust
- there is no charge for the reproduction of Materials made in accordance with these conditions
- where these conditions are met, organisations may share the Materials with other organisations on the condition that these other organisations are advised that they in turn must also adhere to these criteria.

The Re-use of Public Sector Information Regulations 2005 provide a framework for deciding issues relating to the re-use of information held by public bodies. Subject to the conditions set out above, the Trust has no objection to organisations reproducing in their own publications Materials available from the Trust website or otherwise provided in accordance with the Freedom of Information Act.

In accordance with the Regulations recommendation of an asset list, the main documents available for re-use are listed in the Trust's publication scheme.

Where an organisation wishes to re-use the Trust's Materials but the proposed re-use would contravene any of the conditions set out above, the organisation should contact the Trust's Freedom of Information Officer to determine whether the proposed re-use would be permitted and what, of any, additional conditions may apply.

The application should be in writing, specifying name and address of the applicant, identifying the documents to be re-used and the purpose for re-use.

If you are unhappy with the process or response taken by the Trust please write to the Freedom of Information Officer (address above).

Regulation 17 of the Re-use of Public Sector Information Regulations 2005 requires us to respond to a complaint within a reasonable time and we aim to do this within 20 working days. We will notify you in writing of the determination of the complaint, giving reasons for the decision taken.

If you remain dissatisfied once you have exhausted the internal complaints process, you may refer your complaint to the Office of Public Sector Information.