

## FREEDOM OF INFORMATION REQUESTS – CONDITIONS OF USE

### Copyright and Re-Use of Public Sector Information

The information supplied to you continues to be protected by the *Copyright, Designs and Patents Act 1988*. You are free to use it for your own purposes, including any non-commercial research you are doing and for the purposes of news reporting. Any other re-use, for example commercial publication and subscription charge, would require the permission of the copyright holder. This can be obtained via an application for an open government licence (OGL) under the *Re-Use of Public Sector Information Regulations 2015*.

Use of information expressly made available under this license indicates your acceptance of the terms and conditions as set out in the OGL.

To make an application for re-use you must:

- Make a request in writing to the address below
- State the name of the applicant and an address for correspondence
- Specify the document to be re-used
- State the purpose for which the document is to be re-used

Email [kmicb.foi@nhs.net](mailto:kmicb.foi@nhs.net)

Postal Address:

NHS Kent and Medway ICB  
Unit 4, Markerstudy Business Park  
Thanet Way, Whitstable  
Kent. CT5 3FD

For information where the copyright is owned by another person or organisation, you must apply to the copyright owner to obtain their permission to re-use. Further guidance for re-users can be found at:

<http://nationalarchives.gov.uk/documents/information-management/ogl-user-guidance.pdf>

NHS Kent and Medway ICB complies with the *Re-use of Public Sector Information Regulations 2015* and we encourage the re-use of the information that we produce, hold and disseminate. We are open and transparent and treat all applications to re-use in a fair and non-discriminatory way.

### Privacy Notice (formerly known as Fair Processing Notice)

We will record your contact and request details in order to monitor and improve the service we provide and in order to discharge our statutory obligations under the Act.

This information will be handled in accordance with the *NHS Confidentiality Code of Practice* and the *Data Protection Act 1998*.

### Using Personal Data We Provide

You are required not to use personal data which is provided to you for electronic marketing (telesales, fax, e-mail) to our staff and comply with the *Privacy and Electronic Communications (EC Directive) Regulations 2003*. Provision of such personal data in response to a Freedom of Information or Environmental Information request does not constitute consent from the individual concerned.

The *Data Protection Act* gives individuals rights to prevent processing likely to cause substantial unwarranted damage or unwarranted distress (section 10) and to prevent processing for the purposes of direct marketing (section 11). You should be aware that selling, giving or sharing of personal data could breach the *Data Protection Act*. NHS Kent and Medway ICB advises staff of their rights.

### **Review Procedure**

If you feel that we have not met the requirements of the *Freedom of Information Act 2000*, you should contact the FOI Team at Kent and Medway ICB: [kmicb.foi@nhs.net](mailto:kmicb.foi@nhs.net)

If you remain dissatisfied, you can ask us to review our decision by making a written request for an internal review. In order to assist with the review, you should include your address, a description of the original request and the reasons why you are dissatisfied. Please send this to:

Email: [kmicb.foi@nhs.net](mailto:kmicb.foi@nhs.net)

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The review will be handled by more senior staff who were not involved in the original decision. Although this will not apply to Section 36 claimed exemptions in accordance with Department of Health Directive, your request will still be reviewed. We aim to complete all internal reviews within 20 working days. If you then wish to appeal you should contact the Information Commissioner for an independent review at the following address:

Telephone: 0303 123 1113

The Information Commissioner [www.ico.gov.uk](http://www.ico.gov.uk)

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

### **Feedback**

Your feedback is welcome to help us improve the service we provide. Please send comments or suggestions to our address