

## FoI Co-ordinator Role

Thank you for taking on the role of FoI Co-ordinator.

This is an extremely important role in helping the council meet its responsibilities under the Freedom of Information Act 2000 (FoI) and the Environmental Information Regulations 2004 (EIR). Both these pieces of legislation give individuals the right of access to information held by a public authority, such as the Council.

Where someone asks for access to their own personal information, this is called a “subject access request” and is dealt with under the Data Protection Act 1998 (DPA) – there is a separate document which details the role of a DPA Co-ordinator.

You may not have heard about “EIR” – these are European regulations specifically relating to environmental information; we tend to use the generic term “FoI” for all non-personal information requested from the Council under the information access legislation, but this is just to make it less of a mouthful!

The Information Access Team (which is part of Legal, Governance & Monitoring, in the Directorate of Resources) logs and co-ordinates responses to all requests received by the Council.

### The Basics:

- The FoI Act and the EIRs allow anyone, anywhere in the world to request information from a public authority.
- The public authority has to respond to the request within 20 working days of receipt.
- FoI requests have to be in writing and they don’t have to mention the words Freedom of Information or make any reference to the legislation. EIR requests can be made verbally.
- Requests are deemed to have been received by the Council on the date they arrive – wherever that might be in the Council – it could be handed to a Park Ranger or at a reception desk, emailed to a Social Worker or posted direct to the Information Access Team.
- All Council employees have to be able to recognise an information access request and ensure it is passed through to the Information Access Team without delay, to give the Council the best chance of responding within the 20 working day deadline.
- We have to respond in writing to the applicant either providing them with the information or explaining why they cannot have it.
- The presumption is always in favour of providing the information, but there are a limited number of circumstances which allow us to refuse to provide it.
- The information access legislation refers to written information held, be it in emails, case files, electronic documents on the server, paper documents in a filing cabinet, handwritten notes, post-it notes, statistics in a spreadsheet ... you get the picture. It is not, however, about opinion or knowledge, ie information which is only in someone’s head.
- FoI & EIR are “applicant blind” and “purpose blind” – this means that it does not matter who is asking for the information nor why they are asking for it – we cannot take that into consideration when responding.
- In simple terms, when we receive a request we have to ask ourselves 2 questions:
  1. **Have we got it?**
  2. **Can they have it?**

The first of these questions is where you come in!

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### The Process:

- When an FoI / EIR request is received, the Information Access Team will log it on the Information Access Database, assign a unique number to it and send it off to the FoI Co-ordinator(s) for the Service(s) which the request relates to. It may be that two or more Services might hold relevant information.
- The Information Access Team will allocate the request to the relevant Co-ordinator(s) on the database (which means the request will show in your “inbox” when you log into the database).
- The Information Access Team will send you an email to which a copy of the request is attached.
- We need you to act quickly and collate all the information which falls within the scope of the request – you may know where it is and be able to access it yourself or you may know which colleague(s) to ask about it.
- You will need to ensure the search for information includes emails, electronic documents, paper documents, handwritten notes, notes held in electronic systems specific to your Service.
- If information is already in the public domain, for example, on the Council’s website or on an external website, we don’t have to provide a copy, but we do need to have the link to where the information is held so we can provide it to the applicant.
- All information requests are signed off by a nominated manager within Services – the Information Access Team will let you know who this is for your Service.
- When you have collated all the information your Service holds, you need to pass this on to your nominated sign-off manager and once they have signed-off the information, send it on to the Information Access Team.
- Responses need to be sent to the applicant as soon as possible within the 20 working days – **we cannot delay unnecessarily.**
- If you think that the requested information may be held by another Service – **let the Information Access Team know as soon as possible.**
- If you think that the requested information may need to be withheld \* – **let the Information Access Team know as soon as possible.**
- If your Service doesn’t hold the requested information – **let the Information Access Team know as soon as possible.**
- The Information Access Team will always ask you to get all the information to them by day 17 (you will be told when this is!) to allow sufficient time to prepare the response (especially important where two or more Services are providing the information and we have to collate it).

If you have any queries, please contact the Information Access Team:

- REDACTED, Information Access & Security Officer (Lync REDACTED)
  - REDACTED, Business Support Officer (Lync REDACTED)
  - REDACTED, Business Support Officer (Lync REDACTED)
  - REDACTED, Business Support Officer (Lync REDACTED)
- Civic Centre 3, High Street, Huddersfield, HD1 2TG  
Email: [freedom.info@kirklees.gov.uk](mailto:freedom.info@kirklees.gov.uk)

\* For more information about FoI exemptions and EIR exceptions, see the document **FoI & EIR – Hints for Practitioners handling FoI/EIR requests** which is available at:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/16868/foiguideance\\_may\\_08.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/16868/foiguideance_may_08.pdf)