



Wiltshire Fire & Rescue Service

Wiltshire and Swindon Fire Authority

Policy Statement (DRAFT)

Freedom of Information Act 2000



Your Safety: Our Priority

Wiltshire and Swindon Fire Authority

Policy Statement

Freedom of Information Act 2000

Wiltshire and Swindon Fire Authority is committed to full compliance with the Freedom of Information Act 2000 (FOIA) and is ultimately responsible for determining and establishing the policies that shall apply to information held by Wiltshire Fire & Rescue Service (Wiltshire FRS), and for the instigation of procedures and guidance for the administration of requests for that information in compliance with the provisions of the Act.

Implementation of this policy ensure Wiltshire and Swindon Fire Authority is sensitive to citizens' needs and expectations and listens to their informed views and reacts quickly to meeting changing demands and wishes.

Wiltshire FRS will ensure that contractors and bodies working under service level agreements and partnership agreements are made aware of their FOIA responsibilities to Wiltshire FRS and that they have in place sufficient and effective means to ensure that they can competently carry out their responsibilities.

This policy will be reviewed annually by the Data Controller to ensure that it remains up to date, effective and takes account of emerging good practice. Where new legal directions come into force, the policy will be reviewed in line with the commencement date of that legislation.

The requirements of the Freedom of Information Act 2000

The Freedom of Information Act 2000 requires all public authorities to:

make information available to the public via a publication scheme which will be available on the website;

provide information held within 20 working days from the date of the request;

tell applicants when information is not held;

apply appropriate exemptions where information exists, but is not supplied;

ensure information is accurate and, where necessary, kept up to date;

ensure we do not keep, for longer, than is necessary information we have for specific purposes;

process information in accordance with the rights of data subjects under the Data Protection Act 1998;

protect information from unauthorised or unlawful processing, accidental loss, destruction or damage by appropriate technical and organisational measures.

Aims of the policy

To assist disclosure of information under the FOIA, by setting out good administrative practice when handling requests for information;

To protect the interests of applicants by clearly setting the standards for the provision of advice and assistance they can expect, including procedures under which an applicant may complain about decisions taken under the FOIA;

To ensure that the interests of third parties who may be affected by any decision to disclose information are considered, by setting out standards for consultation;

To ensure that the Authority considers the implications of the FOIA before agreeing to confidentiality provisions in contracts and accepting information in confidence from a third party.

Roles and Responsibilities

Wiltshire and Swindon Fire Authority has devolved responsibility for the implementation of the FOIA to Wiltshire FRS.

The Management Board is responsible for ensuring that information held fully complies with the policies and procedures set by the Authority, including information processed by contractors, partners or other bodies working under service level agreement.

The Management Board

The Management Board is responsible for ensuring that staff under their direction and control are aware of the policies, procedures and guidance laid down by the Authority and for checking that those staff understand and appropriately apply policies, procedures and guidance in carrying out their day to day work.

The Corporate Information Manager

The Corporate Information Manager is responsible for administering all requests for information made to Wiltshire FRS. The Corporate Information Manager will also provide a point of contact for all members of staff in Wiltshire FRS who require advice on FOIA matters. The Corporate Information Manager will, where possible, provide advice directly to staff on FOIA matters or otherwise refer to a competent person to obtain such advice.

All staff are to be responsible for processing information in accordance with the Freedom of Information Act 2000 and the policies, procedures and guidance that are laid down by Wiltshire FRS.

The Data Controller

Specific responsibility for compliance with the FOIA lies with the Deputy Chief Fire Officer who is the Data Controller. The Data Controller will ensure that everyone fulfilling a role for or on behalf of the Authority

understands that they are legally and contractually responsible for following good data protection practice whilst managing and handling personal information and has easy access to relevant Guidance;

is appropriately trained to manage and handle information;

is appropriately supervised to manage and handle information;

The Data Controller will ensure that

Guidance is readily available to anybody wanting to make enquiries about the information held by the Authority;

enquiries about the information held by the authority are promptly and courteously dealt with;

methods and protocols for handling information are clearly described in a readily accessible form;

an annual review and audit is carried out of the way information is managed;

methods of handling information are regularly assessed and evaluated and appropriate action taken;

an annual assessment of compliance with the Freedom of Information Act 2000 takes place;

legal obligations to publish the model publication scheme detailing all the information required by the Information Commissioner are met;

legal obligations to specify the reasons for withholding information are met;

appropriate information is collected and processed to the extent that it is needed to fulfil operational needs or to comply with any legal and statutory requirements;

the quality of the information held and used is maintained to a high standard;

checks are applied to determine the length of time information is held;

the rights of people about whom information is held can be fully exercised under the Data Protection Act 1998.

Monitoring, review and evaluation

Wiltshire FRS will maintain and publish a register of all requests made for information under the Freedom of Information Act and the action taken on each application. The register will identify whether the same or similar information has previously been requested and provided, or refused and the reasons for refusal. This will ensure consistency in dealing with similar requests and identify repeated, duplicate or vexatious requests.

Wiltshire FRS will also identify recurring requests for the same or similar information not already published and to consider whether such information should be routinely published on the website or in another medium. Performance in dealing with such requests will be monitored by the Corporate Information Manager and reported to the Management Board.

Wiltshire FRS will put in place procedures for systematically reviewing its arrangements for administering and managing requests for information. These procedures will include systems for auditing compliance with the Act by Wiltshire FRS and those who hold data on Wiltshire FRS' behalf.

Wiltshire FRS will maintain a register of all complaints received about its Freedom of Information arrangements and will ensure that any learning points that arise from such complaints are used to improve related policies, procedures and guidance.

Issue Control: Policy Statement Freedom of Information Act 2000		
Owner:	Data Controller (Deputy Chief Fire Officer)	
Author:	Director Corporate Planning	
Review	This policy will be reviewed annually. Next review date June 2011.	
Equality Impact Assessment		Hyperlink
Version	Date	Description
Version 1.0	11 June 2010	Linked to policy approved by the Fire Authority March 2003
Version 1.1	16 July 2010	Amended and approved by Standards Committee on 15 June 2010. To be approved by Combined Fire Authority in September 2010.