



Kent Fire &
Rescue Service

Information Management Framework

Freedom of Information Policy and
Regulations

Introduction	1
Scope	1
Policy	1
Regulations.....	2
Public and business requests.....	2
Requests from insurance companies/loss adjusters/solicitors etc	3
Requests from Courts or Police	3
Performance management.....	3
Complaints.....	4

Introduction

The Freedom of Information Act 2000 introduced a general right of access to information held by public authorities, in two main ways:

- By requiring public authorities to adopt and maintain publication schemes, which should have the effect of improving the amount and quality of information routinely made available to the public.
- By creating a right to make a request for information, anyone has the right to ask public authorities for any information they hold.

The Authority's publication and retention scheme can be found at:

<http://www.kent.fire-uk.org/EasySiteWeb/GatewayLink.aspx?allId=2732>

The Freedom of Information Act 2000 is intended to promote a culture of openness and accountability amongst public sector bodies. The Act is intended to facilitate better public understanding of how public authorities carry out their duties, why they make the decisions they do and how they spend public money. This has been further developed as part of the Government's transparency agenda, which requires more information to be made available as a matter of course.

Scope

This policy applies to all staff and all information held by the Authority. It should be read alongside the Authority's Transparency Policy, and the Authority's Data Security and Information Governance Policy.

Policy

- 1 The Authority will demonstrate and deliver, by words and action, commitment to openness and accountability and to servicing the public's general right of access to

information held by the Authority in accordance with the Transparency Policy, and the Authority's Publication and Retention Scheme.

- 2 The Freedom of Information Policy and Regulations and its commitment to openness, honesty and accountability will be delivered by a range of measures, including:
 - i. Continuously improving the degree to which the information the Authority publishes meets the needs of the public, by regular review of the Authority's publication scheme and the Transparency Policy.
 - ii. Publication of information will be primarily via the Authority's web-site (<http://www.kent.fire-uk.org>). The goal is for all relevant public domain information to be available online, particularly how we carry out our duties, why and how we make the decisions we do and how we spend public money.
- 3 Within the Freedom of Information Act 2000, there are a small number of absolute exemptions (notably that the information is available elsewhere, for example on the website, or its release would contravene the Data Protection Act), and some additional qualified exemptions (which are subject to a 'public interest' test).
- 4 As part of its normal duties, the Authority holds emergency plans and risk information. Prior to releasing any of this information into the public domain, the Authority will give consideration to whether its release, in full or part, poses any risk to public safety and security. Where it does, the information will not be released.
- 5 Under the Civil Contingency Act 2004 the Authority, as a Category 1 responder, has a duty to share information with other Category 1 and 2 responders to assist in emergency preparedness. Therefore, whilst information in relation to our emergency plans may not be made publicly available under the Freedom of Information Act, the Authority will control the level of information that it makes available and make balanced decisions with regards to sharing knowledge with other Category 1 and 2 responders to strengthen multi-agency planning.

Regulations

- 6 All FOI requests are dealt with through the FOI process defined in this document. Failure to comply with these regulations may constitute a disciplinary offence.

Public and business requests

- 7 Regulations 8 to 14 apply to any request for information held by the Authority, as set out in the Publication and Retention scheme, received from a member of the public or a business.
- 8 All FOI requests not sent directly to the Information Officer will be forwarded immediately to them [information.officer@kent.fire-uk.org]. They may be received in writing, emailed, taken verbally over the phone or via social media.
- 9 The Information Officer will review the request and forward it to the Assistant Director, Policy and Performance, to coordinate the development of a response and its transmission to the enquirer. Under no circumstances should responses to FOI requests be issued by any other officer, unless authorised to do so by a member of Corporate Management Board.

- 10 All responses will be made within 20 working days. Where formulating the response will take longer than this, the enquirer will be notified. Individuals required to provide information to support a response must ensure this is available within this timescale, or advise the Assistant Director, Policy and Performance, immediately if this is not achievable.
- 11 The Authority may charge for FOIs if the amount of work or officer time required is excessive. Where it is assessed that work required for an FOI would fall into this category, the enquirer will be notified of the cost and asked if they wish to proceed. The response will not be processed until any cleared funds have been received by the Authority. If no payment has been received within three calendar months of the initial request being made, the request will be considered closed.
- 12 Responses will be given in writing, either via email or a letter, depending on the enquirer's preference. Responses will not be made by social media.
- 13 Personal details will be redacted from all data supplied.
- 14 Requests which could identify an individual, or a very small group of individuals [defined as fewer than 10 employees] may be refused under the Data Protection Act, or an alternative way of providing the data [for example providing the total number of hours lost to a specific type of sickness, rather than the number of people that have a specific kind of sickness].

Requests from insurance companies/loss adjusters/solicitors etc

- 15 Requests from organisations such as those listed above will not be dealt with as FOI. Charges may be levied depending on the information requested, eg for interviews with officers.

Requests from Courts or Police

- 16 Requests from the Courts or Police in relation to investigations or ongoing court cases will not be processed as FOI, and will not be redacted.

Performance management

- 17 Corporate Management Board will receive a regular update on the number, type of FOIs received, and the number refused, partially refused or processed. This will also be reported to Members as part of the annual review of service users' feedback, and to each meeting in summary form. Data will also be published on the Authority's website.

Complaints

- 18 Any complaint about how the Authority processes a freedom of information request, or a subject access request will be channelled through the Authority's feedback process.

Introduced by	James Finch – Assistant Director, Policy and Performance
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