

Exemptions

Information published on the publication scheme and disclosed through requests for information are subject to 22 exemptions: some examples are given below.

Absolute Exemptions:

- Section 21 – Information accessible by other means i.e. Via the Publication Scheme
- Section 23 - National Security
- Section 32 - Court Records
- Section 34 - Parliamentary privilege
- Section 40 - Personal data
(Still covered under the Data Protection Act 1998 for the data subject)

Non-absolute Exemptions:

- Section 22 - Information intended for future publication
- Section 24 - National Security
- Section 42 - Legal professional privilege
- Section 43 - Commercial Interest (trade secrets)

If you make a request for information and an exemption applies you will be informed of which exemption and an explanation given if appropriate.

How To Access Your Health and Social Care Records

The Freedom of Information Act applies to corporate records. The Data Protection Act 1998 allows you to find out what information is held about you. It applies to your health and social care records. If you want to see them, you can make a written request to the organisations where you are being, or have been, treated.

You are entitled to view your records and if you wish, receive a copy but you should note that a charge will usually be made.

For further information regarding accessing personal records please see our leaflet titled "How we use your information."

Further Information

Please contact the Information Governance Team for further information regarding the procedures under the Freedom of Information Act. Alternatively you can refer to the Cluster's website at:
<http://bcc.smart-hosting.co.uk>

If you would like this leaflet in another format, please ring the Information Governance Team on 01384 361714.



How Can You Access Information?

Freedom of Information Act 2000



This leaflet explains how you can access documents that have been created and used by the Organisation.

What Types of Information do we Produce?

The Organisation produces a variety of documents including:

- Policy documents
- Procedures
- Leaflets
- Web pages
- Finance documents
- Service information

How Information is Stored?

Records are stored in various formats:

- Electronic, including emails, word documents and databases.
- Manual, including published leaflets

Rights of Access under the Freedom of Information Act 2000

The Freedom of Information Act gives you the legal power to request any information that the Organisation holds. This may be minutes of meetings, access to service requirements or how the Organisation has spent money.

The Freedom of Information Act 2000 came to force in stages:

Stage 1 – Publication Scheme
Stage 2 – replying to requests for information

Publication Scheme

This is a catalogue of documents produced by the Organisation which is readily available for the public to access. Links to NHS Dudley, Sandwell PCT, NHS Walsall and Wolverhampton City PCT's publication schemes can be found at:

<http://bcc.smart-hosting.co.uk/>

The Organisation is committed to maintaining the information contained within the Publication Scheme, ensuring that the public access the most relevant and up to date documents.

Requests for Information

Anyone can request information under Freedom of Information that the Organisation holds and can expect a reply within 20 working days unless there is a good reason why this can not be done.

Information Readily Available

The documents that are currently available through the publication scheme include information on:

- What We Spend
- How we make decisions
- Policies and Procedures
- The Services We Offer
- Public Information

How to Make a Request for Information

If you require information which is not within the publication scheme you can request this from the Organisation. Your request for information must be in writing including:

- Your Name
- Forwarding address; postal address or email address
- Clear description of the information you are requesting
- Telephone number; this is useful as it enables us to contact you quickly and efficiently if clarification is needed regarding your request (however you do not have to provide this).

Forward your request to:

NHS Dudley
The Information Governance Team
St Johns House
Union Street
Dudley
West Midlands
DY2 8PP

Email NHS Dudley:
foi@dudley.nhs.uk

All information, not covered by an exemption, will be released within 20 working days of the receipt of the request; this period may be extended up to 3 months if a fee is required.