



“An Excellent Authority”

APPENDIX C

Service Instruction 0437

FREEDOM OF INFORMATION REQUESTS/ PUBLICATION SCHEME

Document Control

Description and Purpose

This document is intended to give guidance to all MFRS personnel about the process of dealing with requests for information under the Freedom of Information Act 2000

Active date	Review date	Author	Editor	Publisher
27/11/08	20/10/2013	Julie Yare	Deb Appleton	Sue Coker
Permanent	x	Temporary	If temporary, review date must be 3 months or less.	

Amendment History

Version	Date	Reasons for Change	Amended by
N/A	N/A	N/A	N/A
0.1	Nov 2014	Review of SI	Julie Yare

Risk Assessment (if applicable)

Date Completed	Review Date	Assessed by	Document location	Verified by(H&S)
N/A	N/A	N/A	N/A	N/A

Equalities Impact Assessment

Initial	Full	Date	Reviewed by	Document location
N/A	N/A	N/A	N/A	N/A

Civil Contingencies Impact Assessment (if applicable)

Date	Assessed by	Document location
N/A	N/A	N/A

Related Documents

Doc. Type	Ref. No.	Title	Document location
Old SOP	ADM0033		Document Archived
Service Instructions	SI0435	Data Protection Instructions	Portal
Policy	STRPOL09	Information Governance & Security	Portal

Contact

Department	Email	Telephone ext.
Knowledge & Information Management	Knowledge&informationManagement@merseyfire.gov.uk	

Target audience

All MFS		Ops Crews		Fire Safety		Community FS			
Principal officers		Senior officers		Non uniformed					

Relevant legislation (if any)

Freedom of Information Act 2000
Protection of Freedoms Act 2012

Instruction

FREEDOM OF INFORMATION REQUESTS/PUBLICATION SCHEME

INTRODUCTION

Since the 1st January 2005, all public authorities have had a legal obligation under the Freedom of Information Act 2005 to provide information through an approved publication scheme and in response to requests made by anyone regardless of age, location or nationality. **Those requesting information do not need to mention the FOI Act in their request.**

This applies to all information held by the Authority but personal information will also be subject to compliance under the Data Protection Act 1998. All staff have a responsibility to comply with the Freedom of Information Act 2000. Under the Act staff do not have the right to ask why the information is required but, can ask for more details to assist in locating the information.

PROVIDING ASSISTANCE

If an individual contacts any department within **MFRA** for information (either in person or by telephone) direct them initially to the publication scheme, which is available on www.merseyfire.gov.uk (then click on to the "About Us" link, then into the "Access to Information" link) or in hard copy at **MFRA** locations or from the Corporate Information Sharing Officer in Strategy & Performance.

The Publication Scheme is a guide to information that the Authority holds which is routinely available to the public. It informs the public:

- The classes of information we publish or intend to publish
- The manner in which information will be published
- Whether the information is available free or chargeable

If the publication scheme does not answer their request then the individual may choose to request the information. **MFRA** must provide assistance if required. **Staff should always bear in mind people's abilities and any disabilities when dealing with requests for information and provide additional help if required, to ensure the individual is able to request the information they require. For further guidance on this please contact foiteam@merseyfire.gov.uk**

Section 102 of The Protection of Freedoms Act 2012 adds new provisions to FOIA (in particular sections 11 and 19) regarding datasets. The new provisions are about how information is released. They only relate to information that the public authority holds as a **dataset, which is defined in the new provisions. They are about the re-use of those datasets that the public authority provides in response to a FOIA request.**

If the public Authority is providing information that constitutes a dataset and the requester has expressed a preference to receive the information in electronic form, the public Authority must provide it in a re-usable form so far as reasonably practicable.

A dataset is a collection of factual information in electronic form to do with the services and functions of the authority that is neither the product of analysis or interpretation, nor an official statistic and has not been materially altered. Please see the Corporate Information Sharing Officer for further advice.

DEALING WITH REQUESTS

Requests for information can come in several forms:

- Written form – in both a formal letter and informal hand written note
- Fax
- E-mail

The Freedom of Information Act only applies where the request is in written form (Including e-mail and fax).

Guidance is available on the Portal at [Strategy & Performance](#)/Information Governance or by e-mailing the Freedom of Information Team (foiteam@merseyfire.gov.uk). All types of information may be requested, although some exemptions may apply for example; Section 21 of the act states that requested information is exempt if the information is accessible to the applicant by other means e.g. it could be available through the website or on request from a department for a fee.

Section 40 states requested information is exempt if it is personal information as defined in the Data Protection Act 1998 and the applicant is not the data subject.

From the moment a written request is received a 20 working day countdown begins, so staff must take some action immediately. If the recipient cannot deal with the request themselves or has any doubts as to what information can be provided, then forward the request promptly to the Freedom of Information Team at Headquarters.

Freedom of Information Team
Merseyside Fire & Rescue [Authority](#) Headquarters
Bridle Road
Bootleg
L30 4YD

Tel: 0151 296 4474/4479

E-mail www.foiteam@merseyfire.gov.uk

This Service Instruction also refers to the following service instructions and policies.

STRPOL09 Information Governance & Security Policy.

SI 0437 Freedom of Information requests and Publication Scheme

SI xxxx CCTV Use

SI 0759 Destruction of Information Assets (including protectively marked document)

SI 0687 Preparing & Transferring Records to Storage in RM Archive Store Vesty Building.

ICTPOL03 Acceptable use policy

SI0703 Internet Access and Usage

SI0699 Using Social Media

SI0730 Email

STRPOL (to be agreed) – Protective Security Policy – in draft

Protective Marking SI in draft

Personal Security SI in draft