

Handling a Request for Information

Purpose

This is guidance for anyone in Natural England handling a request for information.

Your first point of contact for advice should always be your Team's (KA). Your KA will also be able to seek specialist advice from the who coordinates Natural England's policy on access to information issues.

Audience

Anyone who creates, stores, processes and publishes information should have an understanding of the different implications of the Access to Information legislation and the extra requirements on Natural England to operate openly and transparently. Because the legislation affects everyone in Natural England, it is important that all staff are aware of it and understand its requirements.

Major roles

You	All Natural England staff are responsible for responding to a request for information.
Knowledge Adviser (KA)	The person in each Team responsible for coordinating the response and providing advice
Enquiry Service	They are responsible for provide help and assistance to the general public and advising on where information may be held. They deal with all general and national enquires either directly or via Area Teams. They are also the preferred supply point for free publications.
Access to Information Specialist	The person who maintains an overall view of the types of information held by Natural England. They are the lead on Access to Information and provide corporate advice and coordinates legal advice via the framework contract.
National Programme Delivery – Advice and Customer Service Team	They are responsible for ensuring the internal complain procedure is followed.
Information Champion	The person who leads on all information issues and play a key role in all information management projects. Director of Finance and Corporate Services

It is very important that everyone follows the recommended procedure as there is a 20 working day service standard deadline for all responses and external penalties for failing to provide information, as well as for destroying or altering information requested to avoid its release.

Doing it right, doing it wrong...

Benefits	Risks
Build public trust and confidence	Damage to Natural England's corporate reputation
Bring Natural England closer to its customers	Censure from the Information commissioner, including the possibility of legal action.
Challenge the image of Government as old-fashioned and secretive	Criticism from Parliament, the media and/or NGO's
Greater transparency leading to better policy-making	Loss of public trust in Natural England
Increases the recognition that good records management is required for compliance	Erosion of the corporate memory and public records

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Please go carefully through each section with the help of the notes and the [handling requests flowchart](#) to see whether it is relevant to the particular request you are handling. But also remember that the legislation should **not** change or interfere with the ways we normally provide information to the public. We only have to answer for information we hold. We do **not** have to get new information to answer a request.

Section A

Identifying a request (you)

From January 2005, all requests for information are subject to the:

the Data Protection Act 1998

the Environmental Information Regulations 2004 (EIRs)

the Freedom of Information Act 2000 (FOIA)

Key points to note are:

- any request for information we hold is likely to count under at least one regime;
- the form of the request is unlikely to matter – letters, emails and faxes all count as written requests, and under the EIRs oral requests, by telephone or in person, are also allowed;
- the person asking does not have to mention the legislation when making a request or give reasons for asking but must provide valid contact details which can include an email address;
- it is our job to determine which regime a request falls under;
- we are obliged to provide help and assistance to the applicant;
- this should not add another layer of bureaucracy onto the normal conduct of our business.

Although, there are some differences on handling requests under FOIA and under EIRs (particularly in relation to refusals), requests under both regimes should be handled in broadly the same way. However, Subject Access Requests under the Data Protection Act require a different procedure.

There are two types of requests **routine** and **complex**. You **will** only need to keep a proper record on the casework tracker of complex requests, see Section 9

If someone is asking for **routine** information you hold about Natural England's business or the services we provide, there is no need to change the way you would provide the information, and no need to log such requests in the Casework Tracker. FOIA and EIRs are not intended to turn routine provision of information into a bureaucratic process. We do not want to spend time logging requests when the time spent logging is more than the time spent supplying the information. Therefore when requests are quickly answered in full (ie in a couple of minutes eg over the telephone, by-return to an email or posting a leaflet, then this procedure doesn't apply.

If the request is partly for routine information, and partly for more sensitive information that will need to be considered carefully before a decision is reached, you should release the routine material without delay and inform the applicant that the other part of their request is under consideration.

Response times

We are required to respond to requests for information as soon as possible.

The 'clock starts' as soon as the request is received by Natural England. Our general response target time under our **Service Standards** is **within 20 working days of receipt** of

a request. If the request is complex, an acknowledgement must be sent within 5 working days, saying who is dealing with the request and when a full reply can be expected.

We have a **maximum of 20 working days** under the legislation to provide the response or notify of a refusal.

We can stop the clock when we have asked for further information to help us locate the information as part of our duty to provide advice and assistance. The clock is reset when this information is received.

In exceptional circumstances, because of the complexity and the volume of the information requested, an extension of time may be appropriate. An example might be where there is a need to search extensively to gather the requested information. You will need to take advice from the Access to Information Officer, if you feel that you need an extension. The applicant must be informed as soon as possible. The maximum extension is 40 working days.

Helping those requesting information already available (you or KA)

If the information is already available (ie in the public domain) then in most cases all you need to do is tell the applicant where it is and how to get it. If the location is not obvious to you or you are unsure, you can see whether the information is readily available by:

- Asking your Knowledge Adviser (KA).
- Looking on our [publication scheme](#) and [website](#).
- Asking the Enquiry Service.
- Contacting the Access to Information Specialist

If the information is already available, you do not need to log such requests on the Casework Tracker.

Recording oral requests (you)

If someone asks for information over the telephone or in person, you should ask the applicant to put it in writing since it will make it easier for us to help them. If they are unable or unwilling to do so, you should write down their request and ask them to confirm what you have recorded is accurate.

Marking and dating the request (you)

If you are the first recipient of the request within Natural England, (this does not include the post room or the person in your Team which deals with the incoming post), you should clearly mark on it at the top of the email, letter or the record you have made:

INFORMATION REQUEST - RECEIVED DD/MM/YY.

This date is vital as it marks the start of the 20 working day period in which we must reply, and is the date received in Natural England not the date you received it.

Helping those requesting information (you)

We are obliged to provide advice and help to people who want to ask for information. This may include:

- Explaining what is available on our [publication scheme](#) and [website](#).

- Explaining procedures for asking for information, helping people to put their request in writing if needed.
- Answering questions, for example, about how long it will take to provide the information asked for.
- Providing contact details to help people track their request.
- Helping people identify the exact information they need.
- Making people aware of their rights under the legislation.

It is not to determine the aims or motivation of the applicant. There is no obligation for an applicant to disclose the nature of their interest, and we must be careful not to give the impression that they must do so.

Section B

Seeking advice from your Knowledge Adviser (you)

All Teams have a Knowledge Adviser (KA) and is available on the Intranet as to who is responsible for which team. They are the contact person within the Team responsible for coordinating the response. Note the coordinating, NOT making the decisions on the information or providing it.

eg if a request comes in about a site the KA can help the Adviser collate the information, but it is up to the Adviser to decide what is to be released and to draft the letter of response and to justify why information needs to be withheld, if any.

Your KA should be informed of all formal requests for information, so they can be entered on the casework tracker.

Identify Subject Access Requests (KA)

If someone is **asking for information about themselves**, this should be treated as a Subject Access Request under the Data Protection Act. You should forward it immediately to the . They will help coordinate the Subject Access request and give you advice on what you can do, please see our [Data Protection](#) pages.

Helping those requesting information held by other bodies (you and KA)

If Natural England does not hold the information requested, but you think another public body may do, you should inform the applicant promptly providing contact details for the other body. Transfers cannot be carried out if we hold the data. However, we can inform the applicant if there is a more appropriate source for information, in carrying out our duty to advise and assist.

You must get the applicants permission as to whether they wish us to transfer the request or only provide contact details for the information source to them. Transferring a request counts as a formal refusal and should be logged as such on the casework tracker.

Recording and logging complex requests (KA and you)

It is important to create an audit trail for all **complex** requests by keeping a proper record of:

1. requests which fall outside your normal course of business;

2. requests for information where you might refuse eg sensitive, confidential information or a repeat request;
3. requests for information related to the **policy making process**;
4. requests on which it may be necessary to consult with others either within Natural England or outside;
5. requests for large amounts of information or information which may be difficult to locate;
6. requests which seem unclear or too general to deal with, and where you will need to seek clarification from the applicant;
7. requests for information where a search is made but none is found.

Your KA must put a copy of every paper request (or a print out in the case of an electronic request) on a **registered file**. The file should be logged on TRIM or with RMS with the file title *Access to Information-[Calendar Year]* and filed in date order. All requests should be put on this file unless it is very complex or involves a large amount of information or is appealed then it can have a separate file called *Access to Information - [Calendar Year] – [Case Number]*. It also needs to be logged electronically on the **Casework Tracker**.

Once you have logged the request, it will be sensible to assess how difficult it is likely to be to find the information and how complex it will be to decide how to respond. The more difficult the request, the sooner you need to act to allow time for a response within the deadline, and the more likely you are to need advice from your KA. If you think you are likely to need specialist advice it will be essential to inform your KA as early as possible.

Parliamentary Questions (PQs) are excluded from monitoring as they have a different timeframe for responses.

Section C

Referring on requests to other parts of Natural England (KA)

Natural England advertises the Enquiry Service as the main point of contact for customers seeking information. The Area Team should only deal with requests about local issues. However, if all or part of the request concerns more general or national issues then these should be transferred to the Enquiry Service or if known the National Team.

If you do not hold the information requested in your Team, or are not confident that yours is the most appropriate Team to respond, it is important that you act quickly.

If you think someone else in Natural England may hold the information, and you know where, you must transfer the request **at once**. If you don't know where, you can:

- use the **Who Does What** on the Intranet, or
- contact the Enquiry Service. They will be able to help you identify where the request should go.

Then you should fax and post the request to the KA of that Team marked: URGENT: INFORMATION REQUEST RECEIVED DD/MM/YY. When forwarding the request you should always include your own contact details in case there are any queries.

If the request is seeking information from several different Teams, then the lead and collating Team is that which holds the majority of the information.

If the request is transferred internally then the applicant should be informed of the new contact details.

Acknowledging requests and seeking clarification from applicant (you)

All requests should be logged and acknowledged as per *our Service standards*, saying who is dealing with the request and the deadline for your response.

If the request is unclear, or very general (so that complying with it might place a substantial and possibly unreasonable burden on resources), then you should contact the applicant, preferably by telephone, as soon as possible to seek clarification. The Codes of Practice implementing FOIA and the EIRs require public authorities to offer advice and assistance in such circumstances. It may turn out that the applicant is actually interested in something much more specific which we can readily provide.

If you try and contact the applicant for clarification you should log this onto the Casework Tracker. If there is a delay in providing clarification (eg the applicant is unavailable or on holiday), the 'clock' stops until clarification is received.

If the applicant can clarify or narrow down the request in a way which makes it manageable to deal with, any resultant changes should be recorded in writing and sent to the applicant for confirmation, along with the date when they may expect to receive a reply as the 20 working day clock will have to be reset.

Estimating the work involved (you and KA)

Whilst we are **not charging for information requests** (see charging policy), we still need to be able to calculate how much a request would 'cost' even though we do not charge. This is so we are able to refuse a request for information. FOIA impose a statutory limit on the amount that can be spent on locating and extracting the information required to answer a request. This limit is currently set at £450, which the legislation says is equivalent to 18 hours of staff time

When estimating the cost of complying with a request for information, we can take into account the staff time reasonably incurred, when involved in the following activities:

- determining whether we hold the information,
- locating the information or a document which may contain the information,
- retrieving the information, or a document that may contain the information, and
- extracting the information from a document containing it.

Steps to calculate the 'cost':

1. Take the chargeable time spent by the members of staff involved.
2. Multiply by £25. This is the hourly charge laid down by the Fees Regulations.

Section D

Locating the information (you and KA)

It is important that you identify as far as possible **all** of the information relevant to the request, whether or not you think it is likely to be released. Natural England currently

requires everybody to manage corporate records in a paper format, with a 'print to paper' policy for all significant emails and electronic documents. So the first point of call should be TRIM to look for the **registered paper files**. Your KA can provide this for you.

However, information can be stored in a range of places other than paper files - many important documents are not currently placed on registered files in the proper way. You may therefore need to check that additional information is not held, for example: within personal sets of papers held by individuals on or within their desks; in papers held by the Team generally, eg on top of filing cabinets or elsewhere; offsite archives or storage contractors.

You will also need to be sure that additional information is not held **electronically**. This may require searches of:

- local PCs;
- R and S-Drives;
- P-Drives;
- floppy disks or other areas where electronic files are archived;
- emails (including attachments, email archives, email inboxes and outboxes, email saved in cabinets and even those emails that have not been deleted from deleted folders);
- video, tape, microfiche or any other media.

For information on managing your records more effectively to meet access to information requirements, please contact the Records Management Services.

Remember that it is illegal to deliberately destroy, conceal or alter information in order to frustrate a request. It is also criminal offence and you can be personally liable.

Sensitive information

On occasion 'sensitive' requests will be received and you will need to take advice. They may be sensitive in that they attract media attention or other publicity for Natural England. Examples may include some requests from pressure groups, media sources or MPs.

Just because a request may be sensitive does not mean we will not provide the information. We will consider carefully the factors in applying the public interest test in these situations.

In other cases the sensitivity may arise from the fact that it relates to a contentious issue, for example over a particular site.

The requested information may also fall into categories where we have knowledge that there are significant implications and concerns. Requests may be sensitive if they are particularly unusual, novel or set a precedent, or may cause future consistency problems. They may cross our relationship with, or impact on, other public bodies (eg DEFRA, Environment Agency), or if they may be a 'round robin' request designed specifically to test different bodies approach to implementing the legislation.

Sensitive information includes environmentally sensitive. Detailed guidance has been produced by the Countryside Agencies Open Information Network for assessing the release of environmentally sensitive information. We believe that it is in the public interest to publish the locations at which species are known to occur. However, the exact location of some rare species and in particular those sensitive to human disturbance or persecution by a minority,

may not be made available unless a clear and reasonable need is satisfactorily demonstrated. We believe the protection of these species outweighs the benefit of general release to the wider public. The **Access to Wildlife Information Statement** explores this in more detail.

If the request is thought to possibly fall into these categories then you should take advice.

Consulting internally on whether to release information (you and KA)

Given the 20 working day deadline you will probably need to approach **all** the bodies you wish to consult at the same time **and** without waiting to assemble all the information requested.

You must consult your KA and Access to Information Specialist at an early stage on:

- All requests for sensitive or confidential information. All releases of such information must be discussed with the Access to Information Manager before disclosure;
- Any cases where you think it may be appropriate to refuse a request. The Access to Information Manager will wish the opportunity to comment on all refusal letters before they are issued;
- If you are proposing to edit, redact or summarise information from existing documents.

You should also consult:

Procurement and/or Finance if considering disclosure of information on contracts, procurement or finance.

Press office if the request is likely to give rise to media attention

National Team Specialist if the request is likely to affect their work area.

Legal advisers if you wish to request legal advice. If you think you may require specialist FOI/EIR legal advice you should talk to Access to Information Specialist, who is the Framework contract contact for this type of advice.

Consulting externally on whether to release information (you and KA)

It is good practice to consult any affected third parties when appropriate. Lack of consent, or lack of response to consultation, does not necessarily mean we will not disclose. It is our decision and we should be conscious of our duty to reply within our service standards.

Consultation may not be appropriate where the cost/work involved in doing so is disproportionate. Consider any earlier consultation, the sensitivity of the information and the number of third parties involved. Consultees include:

DEFRA, other Government Departments, devolved authorities, agencies or NDPBs which may have an interest in the request. Their comments may be of great help in weighing the public interest when applying an exemption.

External stakeholders such as NGOs or businesses. If, for example, you are considering disclosure of information that may be commercially confidential, it is generally good practice

to inform the business concerned and give them the opportunity to tell us what commercial harm might be caused by disclosure. This may help you in weighing up the public interest.

Ministers have also made clear that they wish to be consulted on all requests for information relating to the policy-making process (eg ministerial correspondence, advice to Ministers including submissions, and notes of meetings with other Ministers, officials or external stakeholders related to policy development). If you think it may be necessary to seek Ministers' views you should inform the Access to Information Manager who will in turn inform Private Office and DEFRA. In cases where consultation with Ministers is necessary, you should allow at least 5 days for this.

Clearing House. The Government is establishing a central 'clearing house', based in the Department for Constitutional Affairs. The clearing house will seek to ensure a consistent Government-wide position on round robin and potentially precedent-setting requests, and on sensitive cases with a potentially high public profile. If you are dealing with a request which may require consideration by the clearing house you should inform your KA as soon as possible (do not wait until you have carried out other consultations). Consultations with the clearing house will be channelled to DEFRA through the Access to Information Manager.

Section E

Reaching a decision (you)

The Legislation includes over twenty categories of exemptions from the requirement to disclose information all of which require careful consideration before applying. In addition, requests can be refused if:

- the cost of supplying the information would exceed the 'appropriate limit' of £450 for FOIA;
- we cannot understand the request (in spite of our best efforts to clarify it with the applicant);
- the request is too broad or vexatious for EIRs;
- we have previously responded to a request and the same person makes an identical or similar request not long afterwards.

The basic position is that information must be released unless it falls under one of the exemptions.

Absolute exemptions. Requests for information falling into this category of exemption can be refused without consideration of the public interest.

Qualified exemptions. These exemptions are subject to the public interest test. The information requested must be released unless in all the circumstances of the case, the public interest in maintaining the exemptions outweighs the public interest in disclosure. If the interests are equally balanced then the information should be disclosed.

Considering the exemptions. A systematic consideration of the exemptions, which might apply, should be undertaken. If a number of exemptions apply, there may be no need to consider them all in detail but care should be taken to consider the main ones. If an exemption is relevant, you will need to consider whether it is an absolute exemption or one where the public interest test applies.

With each request for information you will need to determine:

- exactly what information you are being asked for;
- whether we hold the information;
- whether there is an issue about confirming or denying that the information exists and is held by Natural England;
- whether all or part of the information can be released.

In considering the last two points, you will need to determine whether any exemptions may be relevant, bearing in mind that information should only be withheld where there is a **compelling** reason for this. It is possible that the requested information may fall within several exemptions or that an exemption may only apply to part of the information requested.

When requested information is exempt and we have decided that it is not in the public interest to disclose, then the relevant confidential information should be split from any non-confidential information that we can provide eg by masking the confidential information in a document.

Section F

The public interest test

The majority of the exemptions are subject to the public interest test, meaning that they can be overruled if the public interest will be best served by disclosing, not withholding, the information. FOIA states, we must withhold information **only if**, “In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information”. Where the balance between disclosure and withholding the information is seen as equal the information must be released.

An important matter to address is the timescale required to complete this process. If more than the 20 days is needed, then if appropriate notice has not been given to the applicant, such notice should now be sent.

Factors in favour of disclosure can include:

- The information supplied voluntarily in support of an application for a regulatory benefit, including a licence, a permit or a grant and what impact on the application if it had not been supplied.
- Individuals having access to information that helps them understand the reasons why actions were taken by public bodies that affect them and in individuals having the ability to challenge those decisions,
- Understanding the nature of the relationship between the public body and the third party.
- Furthering the understanding of and participating in the public debate of issues of the day.
- Promoting accountability and transparency by public bodies for decisions taken by them.
- Promoting accountability and transparency in the spending of public money.
- Bringing to light information affecting public health and public safety. The prompt disclosure of information by scientific and other experts may contribute not only to the prevention of accidents or outbreaks of disease but may also increase public confidence in official scientific advice.

- Information being released if it could contribute towards scientific advancements or research
- Understanding the circumstances under which the information was obtained ie using public funds.
- Whether the information is already public.

Factors in favour of withholding can include:

- Protecting an individual from malicious complaints and avoiding the waste of public resources investigating such complaints.
- In safeguarding the free flow of information to the public body, which it relies on in order to carry out its regulatory and statutory functions under legislation.
- In ensuring that people are not deterred from volunteering information if they are concerned that their identity could be revealed and that this would hinder the ability of the public body to deal with its regulatory and statutory functions.
- The potential damage to relationships.
- The potential for unnecessary external pressures (this is normally time limited).
- The 'strength' and number of exceptions applicable
- Whether sensitive information can be separated from discloseable information that meets the requesters' needs.

Factors, which should not be taken into account, are:

- the public interest does not simply mean, that which interests the public.
- potential or actual embarrassment to government/organisation/employee or loss of confidence is not a valid factor in determining the public interest.
- risk of the information being misunderstood (eg because it is incomplete or may be overly technical) is not an argument against disclosure. It is recommended that if information could be possibly misunderstood then an explanation should be added to information to provide some context.

Recent decisions of the Parliamentary Ombudsman where the public interest in disclosure outweighed harm caused:

- Public interest in knowing how legal aid money is spent.
- Public interest in up to date cost estimates on spending of public funds on a proposed wetland habitat.
- Public interest in impact of Ilisu Dam on human rights.

In carrying out the Public Interest Test, you must remember that the applicant is not required to state their circumstances or the reason for their request. However, in giving advice and assistance, comments relevant to the public interest may be made.

Section G

Refusing

Natural England operates on a presumption in favour of disclosure and openness, as we regard access to information as an important part of achieving our goals and as essential to

the credibility of our statutory functions. Therefore, refusing a request for information is not taken lightly. The grounds for refusing a request or part of a request must be clearly defined.

If you intend to refuse a request in part or in full you must always seek advice from your KA before refusing a request. The KA should in turn consult the Access to Information Manager.

If appropriate, the applicant should be contacted in order to find out whether the request could be re-formulated into a request that we can answer.

All refusals to supply information must be in writing. You should explain as clearly and helpfully as possible the reason(s) for the part/full refusal and where relevant, how the public interest test was applied and the factors that were taken into account. The letter must include:

- The appropriate ground(s) for refusal (*eg the quote from exception summary*).
- Why we believe the ground has been applied (ie the effect of disclosing this information will be...).
- The public interest factors (for and against disclosure) that have been taken into account before reaching the decision.
- The reasons for claiming that the public interest in maintain the exception outweighs the public interest in disclosure.

Each refusal must inform the applicant of our complaints procedure. Please use the following.

If you are not satisfied with our decision not to supply [all of] the requested information you can contact us to ask for our decision to be reviewed. Please contact [insert your Team Manager's Contact details here]. Our **Complaints procedure** is set out in our **Customer Charter** which is on our website. If you are still not satisfied following this, you can make an appeal to the [Information Commissioner](http://www.ico.gov.uk), (www.ico.gov.uk), who is the statutory regulator.

If you have released information then you must also give the following copyright notice.

Please note that the information we have supplied to you is subject to copyright protection under the Copyright Designs and Patents Act 1988. You may re-use this information (not including logos) free of charge in any format or medium, for the purposes of research for non-commercial purposes, private study, criticism, review and news reporting. You must re-use it accurately and not in a misleading context. The material must be acknowledged as Natural England copyright and you must give the title of the source information/publication. However, if you wish to re-use all or part of this information for commercial purposes, including publishing you will need to apply for a licence. Applications can be sent to us at:

[insert Access to Information Specialist contact details]

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

It is essential to keep a full record as part of the audit trail in the event that an appeal is made, and we are called on to justify our decision. Copies should be kept of all the information considered in relation to the request, including the refusal letter, any file notes and the information that was withheld.

Refusing for burdensome requests (you and KA)

If the applicant cannot clarify or narrow down the request in a way which makes it manageable to deal with then it may be necessary to refuse the request if,

the 'cost' of responding goes over the appropriate level of £450 for FOIA requests. the request if it is formulated in too general a manner or is manifestly unreasonable for EIR requests.

You must always seek advice from your KA before refusing a request. The KA should in turn consult the Access to Information Officer.

Whilst we **do not charge for information requests** we still, where necessary calculate how much a request would 'cost'. This allows us to place the request into a charging band and the action which should be taken (see table below).

Request less than £450 (<18hrs) We must respond to request.
Request between £450-£1000 (18-40hrs) FOIA – we will refuse all requests. EIRs – we can refuse the request if it is formulated in too general a manner or is manifestly unreasonable or we have reason to believe that the requests are cumulative or campaign requests.
Request greater than £1000 (>40Hrs) FOIA – we will refuse all requests. EIRs – we will refuse all requests as formulated in too general a manner or manifestly unreasonable or we have reason to believe that the requests are cumulative or campaign requests.
There is a presumption here that we have attempted to refine or narrow down the request by providing the applicant with reasonable advice and assistance.

If the request is over a limit, you must tell the applicant what you can supply up to the limit.

You must make every effort to provide help to the applicant to get the request into a band where we can supply some of the information. This will enable you to respond to the request and to narrow your search to information that can be readily provided.

If it is agreed that the request should be refused you should log this onto the Casework Tracker, quoting the appropriate exemption.

Section H

Disclosing information (you)

Information can be disclosed either in the form of existing documents or by extracting the specific information requested. The legislation **gives a right of access to information rather than documents**. Sending applicants copies of existing documents will often be the best and easiest approach, there may be circumstances in which it could be necessary to edit out (or redact) sensitive information (such as the names of individuals) or to release summaries of the information contained in documents rather than the documents themselves.

If you decide to send copies of electronic documents you must check that you do not inadvertently include additional and possibly sensitive hidden information (eg in the form of tracked changes), which may be recovered by the applicant. To check to see if there is any hidden data in a MS Word document Select [View][Markup].

If you decide to edit or redact or summarise documents before disclosure you will need to explain to the applicant what you have done and why and ensure the text make sense even when exempt material has been removed. The information should also be clearly presented and any acronyms explained. You must always consult your KA before releasing information in this way.

As you have released information you must give the copyright notice in Section 18.

Even though we have release information we still have to tell the applicant about our complaints procedure. Please use the following.

If you are in any way unhappy with our response, please contact [insert your Team Manager's Contact details here]. Our **Complaints procedure** is set out in our **Customer Charter** which is on our website

Sign off (you)

Subject to any views expressed in consultation, responsibility for the decision rests with the Team which holds the information. No additional clearance will be required for the release of routine and non-sensitive information. But, for the time being, all releases of sensitive information, or cases where exemptions were considered, will require consultation with the Access to Information Manager.

Closing requests (you and KA)

At the end of this process you will need to close the case on the casework tracker confirming that the requested information has been disclosed, or a note of the exemption(s) it has been withheld under. Copies should be put on the registered file including information you considered but did not disclose. If there is a complaint, the Information Commissioner will want to see all the case-handling papers.

Considering further publication (you and KA)

To avoid having to answer further requests on the same topic, you should consider whether to add the information released to our [publication scheme](#) or otherwise make it available eg via the website. For further advice contact the Enquiry Service.

Section I

Appeals

We have a statutory duty to provide applicants with a process for appealing against our response to their request for information. An appeal will be handled by our complaints procedure as described in the [NE Access to Information Staff Guide](#).

You will have to follow the procedure if an applicant expresses dissatisfaction, whether justified or not about the way their request was handled and about the information supplied or not supplied.

Applicants can complain to the Information Commissioner if they remain dissatisfied after going through our complaints procedures. If the Information Commissioner decides to

investigate, they can ask to see all the requested data and our case handling information in order to review the case. They have statutory powers of entry if anyone refuses to hand over the documents.

The Information Commissioner can overturn our refusal of a request.

Remember

Keep the applicant informed throughout the process, especially if a reply will be late. The Information Commissioner will investigate our procedures as well as our responses – even if our decision was correct we can still be censured if our handling was poor: be as open as possible, be punctual with the response, be helpful, and involve the applicant if you can.