

## A guide for members of the public about the **Freedom of Information Act 2000**

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### **Introduction**

The right under the Freedom of Information (FOI) Act to request information held by public authorities came into force in January 2005. Compliance with the Act is monitored and enforced by the Information Commissioner.

The FOI Act is intended to promote a culture of openness and transparency in public authorities by providing people with rights of access to the information we hold. These access rights will help the public better understand how we carry out our duties, why we make the decisions we do and how we spend public money.



### **Who can request information?**

Any individual or organisation can make a request for information. The applicant does not have to explain why this information is requested.

### **The publication scheme**

We have developed a publication scheme which details all of the information we routinely publish, such as information on what we do and our policies and procedures.

A great deal of information is held within our publication scheme, so please make this your first port of call when seeking information about the Trust. The publication scheme includes a disclosure log, which shows details of previous requests for information that we have received and responded to. You can access this scheme through our website ([www.kentcht.nhs.uk](http://www.kentcht.nhs.uk)) and the information can be printed for free. However, if you would like a paper-based version of the publication scheme, please contact us.

### **How can I apply for information?**

If you are unable to find what you are looking for on the publication scheme, you can request the information from us. Requests must be in writing, by post or email, and must include the name and address for the correspondence and a clear description of the information requested.

Requests for information should be made to:

**Email:** [kcht.foi@nhs.net](mailto:kcht.foi@nhs.net)

**Post:** Freedom of Information Act Lead, The Oast, Unit D Hermitage Court, Hermitage Lane, Barming, Maidstone, Kent ME16 9NT

If we do have the information, generally we will provide it within 20 working days. There may be some information we cannot give you, which is explained later in this leaflet.

### **What will we do?**

We will acknowledge your request within two working days and will check to see what information we hold that relates to your request. We may have to ask you some questions to make sure we provide you with what you want.

If we do not have any information relevant to your request, we will let you know as soon as possible. We will try to tell you where else you might be able to get hold of it.

## Is there a charge for the information?

As a general rule, a copy of anything listed in the publication scheme is available for free. If the information is not routinely published but won't take long to find, then it will be provided for free.

If it will take considerable time to gather and provide the information, then a moderate fee may be charged.

We will let you know about a charge as soon as possible. If a charge is payable we will wait for your payment before sending you the information. Charges will always be in line with government regulations.

## Will I get whatever I ask for?

The FOI Act provides a statutory right of access to all recorded information that we hold. However, some information may be subject to certain exemptions to disclosure. We have a duty to tell you if we have withheld information and which of the FOI Act's 23 exemptions was used as a justification.

The FOI Act covers non-personal information. If your request for information is about individuals, this is covered by the Data Protection Act 2018. For access to this kind of information, you should make a subject access request under the Data Protection Act 2018.

## Complaints

Any complaints about our handling of your request or about our publication scheme should, in the first instance, be addressed to Freedom of Information Act Lead, Kent Community Health NHS Foundation Trust, The Oast, Unit D Hermitage Court, Hermitage Lane, Barming, Maidstone, Kent ME16 9NT or [kcht.foi@nhs.net](mailto:kcht.foi@nhs.net)

We will acknowledge your complaint within two working days and will review the procedure and the handling of your request in conjunction with the FOI Act. The re-evaluation will be carried out by an independent senior member who was not involved in the original request for information.

The review should be completed in 20 working days. In exceptional cases, it may be appropriate to take longer but even in those cases it should not exceed 40 working days.

## External appeal to the Information Commissioner

If you are dissatisfied with the outcome of the re-evaluation, you have the right to refer your complaint to the Information Commissioner at:

**Phone:** 01625 545700 or 0303 123 1113

**Post:** Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

**Website:** [www.ico.gov.uk](http://www.ico.gov.uk)

## Other useful contacts

Access to health records can be requested through the Legal Services Department, Kent Community Health NHS Foundation Trust, Trinity House, 110-120 Upper Pemberton, Eureka Business Park, Ashford, Kent, TN25 4AZ or [kcht.legal@nhs.net](mailto:kcht.legal@nhs.net)

## Do you have feedback about our health services?

**Phone:** 0300 123 1807

8am to 5pm, Monday to Friday

**Text:** 07899 903499

**Email:** [kentchft.PALS@nhs.net](mailto:kentchft.PALS@nhs.net)

**Web:** [www.kentcht.nhs.uk/PALS](http://www.kentcht.nhs.uk/PALS)

**Patient Advice and Liaison Service (PALS)**

Kent Community Health NHS Foundation Trust

Unit J, Concept Court

Shearway Business Park

Folkestone

Kent CT19 4RJ

If you need communication support or this leaflet in another format, please ask a member of staff or contact us.



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