**The Freedom of Information Act 2000 (FoI) provides access to information held by public authorities, this includes GP Practices. The FoI Act covers any ‘recorded information’ that is held by your Practice.**

**What does ‘Recorded Information’ include?**

|  |  |
| --- | --- |
| Printed Documents | Computer Files |
| Letters | Emails |
| Photographs | Sound Recordings |
| Video Recordings |  |

**A person requesting information under the Foi Act does not need to give you a reason for doing so.**

All requests should be treated equally, regardless if they are from a Journalist, Current or Past Employee, Practice Patient or from another Public Authority.

Your Practice will have **20 working days** from the initial enquiry to produce the information for the requestor.

**Classes of Information that your Practice’s public information can be stored under include:**

|  |  |
| --- | --- |
| What Your Practice spends and how you spend it | What your Practice’s priorities are and how we are doing |
| How your Practice make decisions | Your Practices policies and procedures |
| Lists and registers | The services your Practice offers |

If it is practical and within the capability of the Practice to publish information onto your website, you should do so; for example, the Policies and Procedures of your practice should be easily available for Staff members and members of the public to access. If you do not wish to publish your Practices spending budget then you do not have to, but you need to have it readily available if someone requests information regarding it.

**Can my Practice refuse an FoI Request?**

Yes. Your practice can, **however** if you do decide to refuse the request you must send the requestor a written refusal notice. The DPO Support Service have developed a template for you. This should state whether you do hold the information but are refusing to release it or that you do not hold the information the requestor is after, but you are unable to release.

**Most likely reasons for refusing a FoI Request in a Practice setting**

* The information requested is personal data and needs to be requested via the 2018 Data Protection Act
* The cost would be too high
* It would take too much staff time to complete the request
* The request is vexatious
* The request is repeating a previous request from the same person that was either fulfilled or rejected.

**The GP Information Governance Toolkit**

The DPO Service understands that as a GP Practice it is not likely that you have many FoI requests sent to you. However, in order to attain level one of the IG GP Toolkit it requires your Practice to have a process in place for receiving and responding to FoI requests.

Please see our process map on FoI requests for further help and guidance.

**It is important to remember that the FoI Act does not give people access to their own medical records.**

If a Patient wanted to access their own health records, they would have to request this under “Subject Access Request”. Further guidance on SAR’s can be found in the Training Area of our Subscribers only Website.