

Freedom of Information



Overview

The Freedom of Information Act 2005 deals with access to official information. The Act provides individuals or organisations with the right to request information held by a Public Authority. The Public Authority must tell the applicant whether it holds the information, and must normally supply it within 20 working days, in the format requested. The Act is fully retrospective and applies to all information, not just information filed since the Act came into force.

- Communications with Her Majesty and the awarding of honours
- Health and safety
- Environmental information
- Personal information
- Information provided in confidence
- Legal professional privilege
- Commercial interest
- Public sector contracts
- Commercial detriment of third parties
- Prohibitions on disclosure.

Freedom of Information Act

The Freedom of Information Act allows you to access recorded information (such as e-mails, meeting minutes, research or reports) held by Public Authorities in England, Northern Ireland and Wales. Under the Act, a Public Authority includes:

- Central Government and Government departments
- Local authorities
- Hospitals, doctors' surgeries, dentists, pharmacists and opticians
- State schools, colleges and universities
- Police forces and prison services.

Exemptions

The Public Authority does not have to confirm or deny the existence of the information or provide it if:

- An exemption applies
- The request is vexatious or similar to a previous request
- The cost of compliance exceeds an appropriate limit.

If an exemption applies, but is qualified, this means that the Public Authority must decide whether the public interest in using the exemption outweighs the public interest in releasing the information.

Exemptions could include:


- Information reasonably accessible to the applicant by other means
- Information intended for future publication
- Information supplied by or relating to security bodies
- Defence
- International relations
- Relations within the UK
- Economy
- Investigations
- Law enforcement
- Information contained in court records
- Public audit
- Parliamentary privilege
- Policy formulation, Ministerial communications, Law Officers' advice and the operation of Ministerial Private Office
- Effective conduct of public affairs


How Russell Jones & Walker can help?


We can assist you in making applications under the Act; explain the exemptions a public body can use to avoid providing information, as well as the role of the Information Commissioner in appeals and enforcing the Act.


Contact Us

Please feel free to discuss your own position and concerns. Contact your nearest Russell Jones & Walker office or call:

 **0800 916 9015**

 **Email: enquiries@rjw.co.uk**

 **Web: www.rjw.co.uk**

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