



BRIDGE THE GAP

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### **Freedom of Information Policy**

The Freedom of Information (FOI) Act was passed in 2000 gives the public a general right of access to almost all types of recorded information held by public authorities. The Act came into full effect on 01 January 2005.

The Act places a statutory obligation on all public bodies to publish details of all recorded information that they hold and to allow the general public to have access to this information on request, except where an exemption applies e.g. personal or other confidential data.

Bridge the Gap Child Mental Health CIC recognises the importance of the Act and it will ensure that appropriate systems are put in place to publicise what recorded information is kept by the service and how this information can be accessed on request by the general public.

The main features of the FOI Act are:

- A general right of access to information held by public authorities.
- Sets out exemptions from the duty to provide information.
- Place a requirement on public authorities to exercise discretion; they may have to determine not only whether an exemption applies but also the extent to which it may apply (some exemptions are conditional and depend on where the balance of 'public interests lie').
- Make arrangements in respect of costs and fees.
- Places a duty on public authorities to adopt publication schemes.
- Public authorities must make arrangements for enforcement and appeal.
- Places a duty to provide advice and assistance to people who wish to make, or have made requests for information.
- Outlines Codes of Practice

In the context of FOI, 'information' is defined as each item of material held by Bridge the Gap Child Mental Health CIC in paper or electronic form. This includes but is not limited to, all draft documents, agendas, minutes, emails, diaries, handwritten notes and all other recorded information.

### **Director Responsibility**

Bridge the Gap directors are responsible for:

- Checking the accuracy and content of FOI response where deemed necessary
- Advising any staff member involved with the case, of requests which may be subject to an exemption (or, if they have reason to believe that the disclosure may be used in a contentious or malicious way) and ensuring that they nominate a senior person within the team (Nikki Webster or Jennifer Wyman) to act as a single point of contact for the FOI request.

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- Ensuring Directorate records and information is created, maintained, retained and disposed of in accordance with all Records Management Policies, procedures and processes to enable easy identification and retrieval when required
  - Maintaining up to date information on the website
  - Ensuring information held within a directorate is provided in line with timescales outlined by this policy, including any opinion and supporting detail if there is a concern that the information should not be disclosed
  - Ensuring written requests for information within the directorate that should be dealt with under the Act are reviewed within 3 days of the request and action taken is within 20 days of the request received.
  - Providing assistance to staff members with investigations into appeals and complaints.
- All Directors are responsible for ensuring that any records created and maintained are registered on the organisations SharePoint Site and documented accordingly in line with GDPR guidance and policy.

### **Employee Responsibility**

All employees have a legal duty to preserve formal records. Employees must also ensure information is recorded correctly, accurately, adequately named and indexed for easy retrieval or publication. Poor record management practices are not offences in themselves, however they may lead to an inability to comply with requirements of the Freedom of Information Act.

All employees will, through appropriate training and responsible management:

- Observe all forms of guidance, codes of practice and procedures about the storage, closure, retention and disposal of documents and records.
- Provide full and appropriate responses to FOI requests within the timescales outlined by the directors and this policy
- Undertake any formal FOI training which Bridge the Gap deems to be relevant to that person's role
  - Be aware that ultimately the general public may have access to any piece of information held within Bridge the Gap and must pay due regard to how they record information as part of their normal duties.
- On receipt of Freedom of Information request, which does not need to specify that it is a 'Freedom of Information' request, immediately notify the directors of Bridge the Gap. This can be done by phone; 01332 600827 or email; [info@jwbridgethegap.com](mailto:info@jwbridgethegap.com)

### **A valid FOI Request**

As defined in Section 8 of the FOI Act, to meet all the requirements of a valid FOI request, a request must:

- Be in writing
- State the name of the applicant and a valid address for correspondence (email address is valid)
- Describe the information requested
- Be received in a legible form



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- Be capable of being used for subsequent reference

The term 'in writing' covers requests submitted by letter and electronic form, including those sent via Social Media (e.g. Twitter and Facebook) and the request does not have to make any direct reference to the Act, or be the sole or main theme of the requester's correspondence.

When determining whether or not a name and/or address is valid, where a requester's name is an obvious pseudonym or only includes a part of their real name (e.g. Joe@123 or Bloggs@456) then the request will only be valid if their real name is visible elsewhere in the body of the request (e.g. Signed from Joe Bloggs).

A request also becomes valid when:

- The Freedom of Information Act is mentioned in correspondence
- When information cannot be supplied under another legislative access regime

Bridge the Gap will not recognise a request as being valid if it has been copied (e.g. 'CC'd' into an email addressed to someone other than Bridge the Gap) into a request or piece of correspondence from an individual to another person or public authority

### **Timeframe**

Bridge the Gap has systems and procedures to ensure that it complies with the duty to confirm or deny whether it holds requested information, and to provide a response to requests within the statutory timeframe of twenty working days from the point of a valid request being received.

Bridge the Gap may choose to apply an exemption to any information, to refuse a request if it is vexatious or repeated, or exceeds the appropriate limit for costs of compliance. A formal refusal notice must be issued within twenty working days informing the applicant of this decision.

In determining whether it is reasonably practicable to communicate information by a particular means, Bridge the Gap will consider all the circumstances, including the cost of doing so. If it is determined that it is not reasonably practicable to comply with any preference expressed by the applicant in making their request, the applicant will be notified of the reasons for its determination and will provide the information by such means as which it deems reasonable in the circumstances.

### **Redaction of Information**

Redaction is a process which is carried out to make information unreadable or to remove exempt information from a document. This is achieved by blocking out individual words, sentences or paragraphs or by removing whole pages or sections of information prior to the release of the document. However, if so much information is deemed to be exempt and the document becomes illegible the entire document should be withheld.

When responding under FOI you must ensure you state what exemption the information has been redacted under and must be done for every exemption.

All redactions must be carried out by the team/staff member of the requested information.



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A 'clean' (requested information which has not been redacted) copy of the requested information must be provided to the directors as well as the redacted copy. ALL requests should be discussed with the Directors before action is taken and a response is sent.

### **Policy Review**

This policy will be reviewed by Directors at Bridge the Gap every 3 years. Other relevant policies: Complaints policy and procedures, Equal Opportunities, GDPR.

For all service users of Bridge the Gap Child Mental Health CIC:

### **What information can I see or ask for?**

On our website: [www.jwbridgethegap.com](http://www.jwbridgethegap.com) you will find information which we make available in accordance with the Freedom of Information Act 2000, which allows members of the public to access certain company documents. This relates to any information about our business activities.

You are also able to access Companies House with our registered number: 12191993 to review certain documents such as our directors details or service delivery.

Any information which can be accessed on this site can be accessed free of charge.

We make seven classes of information available:

- Who we are and what we do:
- This includes our organisational information, locations and contact points plus our constitutional and legal governance requirements
- What we spend and how we spend it

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Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

- What our priorities are, and how we are doing

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This includes our strategy and performance information, plans, assessments, inspections and reviews within our annual Impact Statement.

- How we make decisions

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Our policy proposals and decisions. Decision making processes, internal criteria and procedures.

- Our policies and procedures

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How we deliver our functions and responsibilities

- Lists and registers.

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Information which is held in registers required by law and other lists and registers relating to the functions of Bridge the Gap

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- The services we offer

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Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

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- Information where disclosure is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure
  - Information in draft form
  - Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

Where possible, we will publish the information on our website, but if you are looking for a particular piece of information and cannot find it here, please contact us (details below) and we will do our best to help.

### **How do I make a Freedom of Information Request?**

You can submit a FOI request in writing to:

Bridge the Gap Child Mental Health CIC  
45 Friargate  
Derby  
DE1 1DA

Or email: [info@jwbridgethegap.com](mailto:info@jwbridgethegap.com)

### **How can I learn more?**

Visit the website of the [Information Commissioner's Office \(ICO\)](#).

The ICO has produced this training video to help explain public bodies' responsibilities under the Freedom of information Act:

<https://youtu.be/7P8qrS9zBsg>