

## PROCEDURE FOR HANDLING INFORMATION REQUESTS

### Which Access Regime?

When you receive an information request you first need to decide which access regime applies and which process you need to follow. Don't just assume the requester has quoted the correct regime.

If the request is for:

- an individual's personal data (either made by them, or made by someone with their knowledge and consent) - deal with under data protection legislation as a subject access request
- an individual's personal data (made by organisations like the DWP, HMRC, the police or the courts without the individual's knowledge or consent) - deal with under data protection legislation as a disclosure request
- regular sharing of personal information of individuals with organisations – deal with under data protection legislation as an information sharing arrangement
- the environment – deal with under Environmental Information Regulations
- the reuse of information already published - Re-use of public sector information
- All other matters should be handled under Freedom of Information

**Remember to check the FOI Disclosure log to see if the information is already published and encourage the customer to self-serve at the Barnet Open Data Portal, where information has been proactively published**

### 1. How to deal with requests made under the Data Protection Act / GDPR

- Right of access (also known as Subject Access Request)
- Right to be informed;
- Right of rectification;
- Right of erasure;
- Right to data portability;
- Right to restrict processing of data by the council;
- Right to object; and
- Rights in relation to automated decision making and profiling
- Disclosure Requests

### 2. How to deal with information requests under Freedom of Information/ Environmental Information Regulations

### 3. How to deal with information requests under Re-Use of Public Sector Information Regulations

- Copyright and Licensing, datasets, pivot tables

### 4. How to publish information on Barnet Open Data Portal

### 5. Deeds Procedures

## **1. How to deal with data protection requests**

### **How to deal with a right of access request (SAR)**

#### **Introduction**

1.1 An individual has the right of access to their own personal data which is held by a data controller eg the council. There are exemptions that allow us to withhold data, but you should always undertake a request of this nature with transparency and openness in mind.

1.2 The purpose of a SAR is to allow an individual (a) access their personal data, and (b) make them aware of and allow them to verify the lawfulness of the processing which is being undertaken. Requests are free of charge.

1.3 All requests received must be passed to your Link Officer. There are very specific rules surrounding the processing of right of access requests and your Link Officer has been trained to process these. The correct process must be followed to ensure we do not breach data protection legislation. See Appendix A for the workflow.

#### **IMPORTANT:**

- Link Officers are responsible for checking responses before they are sent and seeking appropriate sign off. They must ensure they are happy that the request meets the statutory duty and that the information being disclosed and / or redacted has been done so in line with the council's duties under data protection legislation.
- Line Managers must ensure their Link Officer has appropriate time and resource allocated to them to facilitate this role.
- All officers must provide help and assistance to Link Officers when asked, to enable them to meet the statutory deadlines on behalf of the council.
- Always ensure you keep the requester informed of the progress of their request. If you have set a deadline and can't meet it, you should notify them as soon as you know there is likely to be a problem.
- Remember to log the request on the iCasework case management system and ensure you keep the system updated so that it reflects current status at all times, using the notes field as necessary.
- You must provide assistance to those individuals who may have difficulty making a written request or initiating a request via the normal route. Reasonable adjustments to the legislative requirements can be made to assist an individual to exercise their right of access. Guidance should be sought from the Information Management Team if officers are unsure of how to proceed.

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- It is quite common that a request for personal data can be mixed in with either a complaint, business as usual, or a Freedom of Information request. It is the responsibility of the officer dealing with the request to identify the correct route for handling a request. Failing to recognise a request is not an excuse for non-response.

### **What do I do when I receive a request?**

1.4 A SAR must always be processed by the allocated service Link Officer. The Link Officer is responsible for logging the case on iCasework and coordinating and progressing the case in line with the legislation and council policy. See iCasework guidance.

***N.B. Progression of a request must not be delayed and either the formal acknowledgement or a letter / email seeking more information must be sent within 3 days of receipt.***

➤ A valid request is one that:

- a) Allows the service area to sufficiently confirm the identity of the person seeking their information.

If your service area has an ongoing relationship with the requester, they are known to the service and the address / email for correspondence is one that is frequently used, it may not be necessary to seek any additional proof of identity.

You must be able to verify the identity of the individual by “reasonable means”. This may be by the request of a customer reference number, or more robust methods such as a utility bill. The service will determine what is reasonable depending on the nature of the data and their relationship with the requester.

- b) Provides enough information to allow you to locate the information they are seeking.

Individuals do not need to state why they want their information, However, if you need further clarity to help locate the appropriate information you can discuss this with the requester.

- SARs must be logged on iCasework by the Link Officer as soon as they are received.
- If a request is received which isn't yet valid, you must contact the requester no later than 3 days following receipt of their request to clarify what additional information you need to validate the request, like authority to act on behalf of someone, or suitable identification.
- Once a request is confirmed as valid the date of acceptance must be added to iCasework. This is done by completing the 'Initial Assessment' task. This step triggers the deadline and starts the clock ticking.
- Once a request is accepted you must send a formal acknowledgement. The acknowledge must let the customer know that the request has been received, and provide the requester with key information such as a reference number, the due date, and the name of the officer who the request has been allocated to.

### **Joint requests / service split**

1.5 In most cases a request for information will fall entirely to one service area to handle. However, sometimes a request will cover information held by more than one part of the council. If so, the service area with the largest part of the request will lead on the final response. The lead Link Officer will need to set up a Get Information task to gather information from the other service Link Officer.

- When dealing with joint requests, each service area is responsible for the disclosure and sign off of the information they provide as part of the disclosure.
- Where more than two service areas are involved, the request will be co-ordinated by IMT.

### **Requests made on behalf of others or by a representative**

1.6 Requests may not always come from the individual themselves. The request may come from a representative such as a solicitor, attorney, trade union, friend, parent or a recognised organisation.

1.7 You should always seek appropriate authority which confirms that they are acting on behalf of the individual. This is likely to be a letter signed by the individual stating they give authority for someone else to handle their request, or it could be a document stating power of attorney over the individual's affairs. If not enclosed with the request, this should be sought before any information is disclosed. A copy of the data subject's identification will still be required.

***A request for personal data about a deceased individual is not a SAR and should not be treated as such. Please see the Data Protection Toolkit for more information on dealing with requests for a deceased person's information.***

1.8 If you are in doubt then you should speak to a member of IMT.

### **Consent considerations**

1.9 Careful consideration should be given to any request regardless of the individual's age or circumstance. For example a parent does not automatically have the right to their child's information if they under 18, and a son or daughter does not automatically have a right to their elderly parent's information just because they are in a care home. A ward councillor does not automatically have a right to a resident's information, unless they have asked them to act on their behalf.

- You should consider whether the data subject is mentally and emotionally able to give consent of his/her own free will.
- Is a child at an age of understanding and can they consent or object to the disclosure?
- What are the circumstances surrounding the request?
- What is their relationship like; has the individual said that they don't want their data released or discussed with the relative or representative?

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- Do you have concerns that the information is being obtained for another purpose instead of to assist the data subject?

#### **How long do you have to respond?**

1.10 You have a maximum of 1 month to process a valid request. Responses must not be deliberately or unjustifiably delayed.

1.11 Make sure you leave yourself adequate time to locate the documentation. If other officers are going to be involved in the collation of data then get your request for information out early and aim to have all the information in your possession within 2 weeks. This will allow you plenty of time should a problem occur or you find that a third party needs to be contacted ahead of release.

1.12 Unlike FOI there is no exemption within data protection law that allows you not to comply with a right of access request purely based on the time it will take you to comply.

1.13 In limited and exceptional circumstances, the deadline for response can be legitimately extended by a further 2 months for complex matters. There is a high threshold for this extension. Any deadline extension must follow agreed procedures and be approved by the Data Protection Officer.

#### **Collation and location of relevant information**

1.14 The request must be processed in accordance with what the requester has asked for; don't assume that printing and sending an entire file will be sufficient. Always check with the requester and clarify the request early on if it's not clear. For example, if an individual is asking for all information held regarding them as an employee, purely printing out their personnel file will not suffice. Other information may be held by line managers and colleagues and this also needs to be collected and copies provided.

1.15 Processing a SAR can be difficult if you do not have adequate information systems in place. Well-structured file plans and standard file naming conventions within services should be in place to assist in locating information easily. Poor file management / knowledge of systems cannot be used as a reason for being unable to respond to a request effectively.

1.16 Requests for information are not limited to live files. Requests will cover all information held by or on behalf of the council regardless of where it is stored and whether it is closed or archived. In some cases, even deleted information (eg. located in outlook deleted items) should be considered as part of a request.

**If your service uses contractors, you must check their records as well. The service area is responsible for having robust data collection and searching mechanisms in place with its providers to manage a SAR.**

#### **Inaccurate, expired or embarrassing information**

1.17 It is an offence to alter, amend, erase, destroy or deliberately and knowingly withhold information with the intention of preventing disclosure of it to the requester, following receipt

of a request for information. If you have any concerns you must discuss these with the Data Protection Officer.

## **Exemptions and restrictions on disclosure**

1.18 Before applying an exemption the Link Officer should have a brief discussion with the relevant manager, social worker or council officer who has conduct of the case to get an overview of the situation. Establish what the individual already knows and identify any areas of concern.

1.19 The ICO website [www.ico.org.uk](http://www.ico.org.uk) provides an up to date listing of all the data protection exemptions. Always consult with the Data Protection Officer before applying any exemptions. You must consider each exemption or restriction on a case-by-case basis, as they only allow you to withhold information to the *minimum extent necessary*. You can not necessarily apply an exemption to a whole file or document.

## **Maintaining a clear audit trail**

1.20 Be sure to keep a clear audit trail of how you have handled a request and make clear notes of current progress on the iCasework system, as this will be needed if a complaint about the handling of the request is received. The audit trail will provide the basis for any by the Information Management team or the ICO.

1.21 If you withhold personal data using one of the exemptions you **must** make a file note of:

- (i) the information withheld,
- (ii) the exemption or restriction relied upon for each piece of withheld information, and
- (iii) the reasons why the exemption or restriction applies.

Always ensure you retain a complete copy of what information was in scope and also an exact copy of what information was disclosed to the requester so a comparison can be made. These copies must be made available to the Data Protection Officer on request.

## **Drafting your final response**

- A response to a request for personal data must allow the requester to know:
  - the purposes of and legal basis for the processing;
  - the categories of personal data concerned;
  - the individuals or organisations to whom their personal data has been disclosed; and
  - the retention period of their personal data
- Always ensure you include the following paragraph in your final letter of response:

### **Your Rights**



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*If we hold information about you which you believe is incorrect or being processed inappropriately, or you are unhappy with the way in which your request has been handled, you can ask us to review this for you. You can do this by writing to the Data Protection Officer, or emailing [data.protection@barnet.gov.uk](mailto:data.protection@barnet.gov.uk).*

*You also have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website: [www.ico.org.uk](http://www.ico.org.uk).)*

*You can view the council's privacy notice at [www.barnet.gov.uk/privacy](http://www.barnet.gov.uk/privacy)*

- You must follow the **Redaction Standard** when applying exemptions and masking information ahead of release, to ensure information isn't accidentally disclosed.

### Formal signoff

1.24 The Link Officer is responsible for ensuring that correct redactions have been made, and appropriate sign-off has been received.

1.25 The Link Officer can ask the Information Management Team for advice and guidance.

1.26 As a minimum: -

- All services must gain formal sign-off by the Assistant Director (AD) or Head of Service (HoS) where the information is of a sensitive personal nature (special category data).
- Due to the complexity and nature of the information contained within children's social care files, **all** responses must be agreed by the relevant AD or HoS.
- All sign-offs must be made using the cover sheet (Appendix C).
- The sign-off cover sheet must be completed by the Link Officer. It must provide a clear understanding of the matter to the AD / HoS and highlight any problems, concerns or queries they may have so the AD / HoS has all relevant information.

1.27 The sign-off cover sheet should be removed before disclosure and not sent to the requestor. It must be retained with the redacted copy for the retention period agreed in the council's records retention policy.

### Delivery of information

1.28 The Link Officer is responsible for choosing the appropriate method of delivery for the information.

1.29 . Ensure the papers are appropriately and securely packaged, and that the envelope / packaging used will be robust enough to ensure a safe delivery.

1.30 If the information is sensitive (special category data) or voluminous you must either arrange for the papers to be hand delivered by a council officer, or sent via special delivery, as this enables the information to be tracked.

1.31 If you have the individual's consent to do so, you can email the information to them. Always send a test email before sending any information, to ensure you have the correct email address. Sensitive information (special category data) should only be sent via a secure encrypted method of email unless the individual has provided their written consent to send it via the normal less secure route.

### **How to respond to individual rights requests**

1.32 The following request types must be processed without undue delay and responded to within 1 month of receipt.

- a. To correct information held (the right of rectification);**
- b. To have information erased (the right to erasure)**
- c. To restrict processing of data by the council (the right to restrict processing)**
- d. To object to processing / direct marketing (right to restrict processing)**
- e. To object to automated processing of data (right to object)**
- f. To have data provided in a portable format (right to data portability)**

The [ICO website](#) provide further details on these request types.

A failure to respond to any of these requests within the 1 month timescale will be a breach of the legislation. In limited and exceptional circumstances, the deadline for response can be legitimately extended by a further 2 months for complex matters. There is a high threshold for this extension so any deadline extension must follow agreed procedures and be approved by the Data Protection Officer.

**IMPORTANT:** Any request of these types must be sent to the Data Protection Officer first by emailing [data.protection@barnet.gov.uk](mailto:data.protection@barnet.gov.uk), so it can be logged and tracked on the central register. The Data Protection Officer will then discuss the request with you and agree the required actions.

### **How to respond to a Disclosure Request (for personal data)**

1.33 Organisations such as the police, solicitors and HMRC can make requests for the disclosure of personal data where the disclosure is made in connection to a formal investigation or their law enforcement functions.



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- All requests must be made by the requester completing a Disclosure Request Form. This can be the council's form or a suitable alternative provided by the requester.
- Requests should provide you with sufficient verification of the requester's identity. For example, do they have a legitimate business email account and have they provided suitable authorisation of the request?

#### Disclosure requests by DWP or HMRC regarding taxation

1.34 All requests from one of the above bodies for council tax or benefit information should be dealt with as business as usual and directed to the Link Officer within the service area to process. Information is allowed to be disclosed where it is required for the purposes of assessment or collection of a tax or duty.

#### Disclosure requests by the police

1.35 Schedule 2 (Part 1) of the Data Protection Act 2018 allows for the disclosure of information for the prevention or detection of crime or for the apprehension or prosecution of offenders.

1.36 Requests made by the police must be sent to the relevant service Link Officer for processing. Depending on the nature of the information requested, for example social care information, it may be more appropriate for the request to be managed by a specific social care team or social worker. The Link Officer is responsible for ensuring the request is allocated appropriately and remains responsible for ensuring the request is appropriately handled.

1.37 You must still ensure that the disclosure is appropriate and proportionate. You may feel it is appropriate to only disclose part of the request, or refuse the request completely. Information should only be released if it is felt that non-disclosure would prejudice the case.

**IMPORTANT:** Every request received from the police must be logged with the CAFT Intelligence Officer and emailed to [caft@barnet.gov.uk](mailto:caft@barnet.gov.uk). CAFT are responsible for maintaining the council's central register of requests and logging decisions taken regarding disclosure.

#### Requests regarding information required by law or in connection with legal proceedings

1.38 Solicitors or other local authorities who are defending a case or seeking evidence to support enforcement action will often request information to assist with their case.

Personal data can only be disclosed to the requester where it is necessary:

- for the purpose of, or in connection with, any legal proceedings (including prospective legal proceedings),

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- for the purpose of obtaining legal advice, or
- for the purpose of establishing, exercising or defending legal rights

You do not have to disclose personal data in response to a request from a third party simply because we are allowed to do so. You can choose whether to make a disclosure, and you should do so only if you are satisfied that the disclosure falls within the scope of the exemption. In other words:

- it is necessary for one of the above purposes;
- applying the GDPR provisions would be inconsistent with the disclosure. For example, it would not be necessary for a fair processing notice to have been provided to the relevant data subject regarding such a disclosure.

It can be difficult to decide whether the disclosure is necessary. You may also be reluctant to make a disclosure of personal data because of your relationship with the data subject. In such circumstances, you may decide not to make the disclosure, unless obliged to do so under a court order.

**You are not forced to disclose information, unless there is a court order. Each request should be assessed on a case by case basis.**

### **How to make the disclosure**

1.40 Only ever provide the minimum needed to meet the objective. You shouldn't automatically supply everything. If the objective is unclear seek further information from the requester. Remember, it is down to the requester to provide you with enough information to know that the information being sought is necessary for the stated purpose.

1.41 Once you have decided you are going to disclose information, don't forget to think about how you are going to do this, such as the practical security measures.

1.42 Ensure you choose an appropriate method of communication eg. sending via a secure email connection, or recorded delivery / internal courier for paper records. Always ensure that information is appropriately packaged.

1.43 When emailing, check the email address before sending the information. If the information is sensitive, do a test email first and always send via a secure route. In all circumstances, seek confirmation of receipt from the recipient.

1.44 The service making the disclosure should retain a copy of the request and the reason as to why they either did or didn't disclose the data.

1.45 A copy of the original request and a note stating what information was disclosed should then be sent to the CAFT Intelligence Officer for logging. If the information is particularly sensitive you do not need to provide a copy of the request to CAFT, just a note stating what was or wasn't provided.

### **Further assistance**

1.46 If you are unsure or have doubts about the disclosure then contact the Information Management Team for advice.

1.47 Remember, it is the council's decision whether to disclose. Whilst the council does of course want to assist the police or any similar organisation, we must be satisfied that the disclosure of information is appropriate. Don't feel pressured to disclose information, never disclose information over the phone, and always ensure you have sought enough information to allow you to make a clear decision.

## **2. How to deal with information requests under Freedom of Information/ Environmental Information Regulations**

### **Introduction**

2.1 The Council should accept information requests by whatever method is most convenient for the requestor. The Freedom of Information Act (FOIA) 2000 gives any person of any nationality the right to request official information. The information can be requested for any purpose – including to create news stories (make sure FOI requests from the press are flagged to the Communications team), to generate business for commercial companies (requests from recruitment Agencies for staff vacancy lists) or members of the public wanting to find out more about what the Council is doing.

2.2 Any of the information held by the council, including that supplied by central government or other public bodies or our partner organisations, can be requested. The Act is fully retrospective, meaning applicants can request material from one day to more than 100 years old.

NOTE: Individuals can ask for any information they think a public authority may hold. The right only covers recorded information which includes information held on computers, in emails and in printed or handwritten documents as well as images, videos and audio recordings.

- They should identify the information they want as clearly as possible
- The request can be in the form of a question, rather than a request for specific documents, but the authority does not have to answer that question if this would mean creating new information or giving an opinion or judgement that is not already recorded.

2.3 The Environmental Information Regulations 2004 are similar to FOIA. They give public access rights to any person of any nationality, but they refer specifically to information about the environment. EIRs define environmental information very broadly, covering anything from water or soil pollution statistics, noise, odour, food hygiene, planning applications and regeneration policies to details of the Health and Safety policies in the council.

2.4 Some information may not be given to them because it is exempt, for example because it would unfairly reveal personal details about somebody else. There are very few exemptions that exist when handling a right of access request and you should always undertake a request of this nature with transparency and openness in mind.

### **Is it a Business as Usual request?**

2.5 If you would normally handle the request for information and can provide all the information requested then treat as a routine business as usual request. Requests which would usually be handled as part of a delivery unit's day to day business (for example

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information about waste or recycling pick up times and procedure) need not be processed as a request under FOIA or EIR. These are 'business as usual' requests.

**NOTE:**

Business as usual requests can include requests for recorded information if they are routine and easy to deal with for example: 'please send me the forms to apply for a blue badge'. Also if you would normally charge to make information available e.g. Land Charges the point the customer to the relevant place to make the payment/ request.

There is a 'gentleman's agreement' between all the Chief Executives of London local authorities that they will not make EIR/FOI requests to each other. So any request for information from a London local authority – whether it is a general query, a survey, bench marking or expressed as a FOI or EIR request is to be treated as a business as usual request. Contact IMT at [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk) if you are not sure if you have a request that falls into this category.

**2.6 Otherwise, all other requests received for recorded information held by the Council must be passed to [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk), where upon these requests will be sent to the relevant Service Link Officer** [Link to LO Role Responsibilities\_Jan2015] There are very specific rules surrounding the processing of FOIA and EIR requests and your Link Officer has been trained to process these. The correct process must be followed to ensure we do not breach data protection legislation. See Appendix B for the workflow.

**IMPORTANT:**

- Link Officers are responsible for checking responses before they are sent and seeking appropriate sign off. They must ensure they are happy that the request meets the statutory duty and that the information being disclosed and / or redacted has been done so in line with the council's duties under the Freedom of Information Act 2000 and Environmental Information Regulations 2004.
- Line Managers should ensure their Link Officer has appropriate time and resource allocated to them to facilitate this role.
- Whilst Barnet has put in place a network of Link Officers this does not remove the responsibilities from other officers. All officers should provide help and assistance to Link Officers when asked to enable them to meet the statutory deadlines on behalf of the council.
- Always ensure you keep the requester informed of the progress of their request. If you have set a deadline and can't meet it, you should notify them as soon as you know there is likely to be a problem.
- Remember to log the request on the iCasework case management system and ensure you keep the system updated so that it reflects current status at all times of the case, using the notes field as necessary.

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- Due consideration should be made to less able requesters, who may have difficulty making a written request or initiating a request via the normal route. Reasonable adjustments to the legislative requirements can be made to assist a less able individual to exercise their right of access. Guidance should be sought from the Information Management Team if officers are unsure of how to proceed.
- It is quite common that a request for Freedom of Information or Environmental Information can be intertwined with either a complaint, business as usual, or data protection request. It is the responsibility of the officer dealing to appropriately recognise a request as one for personal data and process it accordingly. Failing to recognise a request is not an excuse for non-response

#### **Access by Members**

2.7 When determining whether members may access these documents and the use to which they may put the information in them it is important to consider the how the Member has been given the information. This is because Members may receive information in their role as Members, or in the same way as the general public e.g. through committee documents or FOI/EIR. The uses Members can make of the information will depend on the route through which the information was obtained.

2.8 Members may make FOI or EIR requests in the same way as members of the public. Generally they are encouraged to request information through their usual Members' channels rather than the statutory process. However, there may be occasions when Members wish to request information through the statutory process to provide them with certainty over what may be disclosed and what must be kept confidential. Requests from Members are dealt with in exactly the same way as requests from members of the public. This means that Members are free to use information released under the EIRs as part of their role as this information is considered to be disclosed to the whole world.

2.9 Members have rights of access to information by virtue of their roles. This is covered in the Members Information Management Policy. This policy says the council's Access to Information Procedure Rules, part of the council's Constitution, provide Members with details of their rights to inspect council documents concerning meetings of the Council.

2.10 Beyond these, a Member has a right to request information where they can show a 'need to know' that information in order to perform their duties as a councillor. Access to information under this common law right necessitates a Member demonstrating their 'need to know', and this requirement has been covered in case law.

2.11 In many circumstances a Member's 'need to know' will normally be presumed, such as a committee member wishing to inspect documents or briefings relating to the functions of that committee. However, the law does not allow a 'roving commission' and in some circumstances the motive for requesting information will be relevant and a Member will be expected to justify their request for information. The determination of the need to know will



initially be carried out by the relevant service, who may seek advice from the Information Management Team.

### **What do I do when I receive a request?**

**2.12 A right of access request must always be processed by the allocated service Link Officer.** The Link Officer is responsible for logging the case on iCasework and coordinating and progressing the case as per the requirements of the legislation and council policy.

See iCasework Guidance Subject Access Requests

***N.B. Progression of a request should not be delayed and either the formal acknowledgement or a letter / email seeking more information must be sent within 3 days of receipt.***

- A valid request is one that:

Requests for information must be made in writing (under FOIA), including by e-mail, but they do not have to quote the legislation. They must have a valid name and address (email or postal address). EIR requests can be received verbally, confirm the request with the customer in writing.

Requests can be made to any part of the council, to any officer.

The request can cover any kind of data, including voicemail and video recordings.

The council must reply within 20 working days.

A range of FOI exemptions and EIR exceptions to release do apply, but most are subject to a public interest test. “reasonable” depending on the nature of the data and their relationship with the requester.

- All public access requests must be logged on iCasework by the Link Officer (link to relevant section or pop up procedure) as soon as they are received.
- If a request is received which isn't yet “valid”, you must contact the requester no later than 3 days following receipt of their request to clarify what additional information you need to validate the request e.g. authority to act on behalf of someone, or suitable identification.
- Once a request is confirmed as “valid”, the date of acceptance must be added to iCasework. This is done by completing the ‘Initial Assessment’ task. This step triggers the deadline and start the clock ticking.
- Once request is accepted you must send a formal acknowledgement. The acknowledge must let the customer know that the request has been received, provide the requester with key information such as a reference number, the due date, and the name of the officer who the request has been allocated to.

### **Joint requests / service split**

2.13 In most cases a request for information will fall entirely to one service area to handle. However, sometimes a request will cover information held by more than one part of the Council. In this instance, it falls to the service area with the largest part of the request to lead on the final response. The lead Link Officer will need to set up a Get Information task to gather information from the other service Link Officer.

- When dealing with joint requests, each service area is responsible for the disclosure and sign off of the information they provide as part of the disclosure.
- Where more than two service areas are involved, the request will be co-ordinated by IMT.

### **Search**

2.14 Your Service Link Officer will ask you to find if the information requested is held by the Council so they can decide whether or not to release it. Requests do not have to be particularly specific, so you may have to look in a variety of places. FOI covers all information whatever its age, classification, format, source, or location. **In answering a request we must look at every type of information from every source.** With this in mind you should search e-mails and shared drives.

#### **NOTE**

In cases where it is not clear who holds information, answering yes to the questions will indicate that the information is held by or on behalf of the council:

- Does the council hold the information for its own purposes?
- Does the council control access to the information?
- Does the council decide what information is retained, altered or deleted?
- Does the council deal with enquiries about the information?
- Are the costs arising from holding the information included in the council's overall budget?

**contractual arrangements (e.g. Capita, Cambridge Education, RE and NSL) –** where information is held by a third party as a result of contractual arrangement, the provisions of the contract should indicate whether or not the information is held on behalf of the council. In the absence this, the questions above should be considered as they will help determine what information is the council's and what information is the third parties.

**contracted document storage –** this is a relatively common arrangement and includes complex storage and retrieval systems as well as arrangements for the keeping of legal documents by a firm of solicitors. In these situations the stored documents will be held on behalf of the council.

**information held by solicitors or in situations creating an agency arrangement –** this refers to solicitors or other professionals who are recognised as acting as their

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client's agent. Information contained in documents held by these individuals in connection with instructions received will be deemed held on behalf of the council.

**information held on behalf of a public authority as a result of partnership or consortia arrangements** - these refer to arrangements which do not have the legal status of a body or organisation separate to the individual partners. These arrangements arise when the partners, who are otherwise independent bodies, agree to co-operate to achieve a common goal, create an organisational structure and agreed programme and share information, risks and rewards. Examples include: local strategic partnerships, road safety partnerships, local environment partnerships etc. In general terms, information that is brought to the partnership by one of the partners is regarded as being held by or on behalf of all partners.

### How long do you have to respond?

2.15 You have a maximum of 20 working days to process a valid request. Responses should not be deliberately or unjustifiably delayed.

2.16 Make sure you leave yourself adequate time for any consideration of the documentation located. If other officers are going to be involved in the collation of data then get your request for information out early and aim to have all the information in your possession within 2 weeks. This will allow you plenty of time should a problem occur or you find that a third party needs to be contacted ahead of release.

2.17 In limited and exceptional circumstances, the deadline for response can be legitimately extended by a further 20 working days complex requests under EIR, or if you need more time to consider the public interest test when refusing a request under FOI. Any deadline extension for a public access request must first be discussed with and approved by IMT.

### Collect, Assess, Consult

2.18 Once the Link Officer has collected together the relevant material you must assess it all for release – line by line in some cases. This process may require consultation with other members of staff, other service areas Link officers. If you are not sure about the sensitivity of material ask someone who is. Remember that any personal information contained within the material should not normally be disclosed.

N.B. If your service use contractors and service providers you are also required to ensure they check their records as well, and supply you with any held information. It is down to the service area to ensure it has robust data collection and searching mechanisms in place to manage a right of access request with its providers.

**Barnet Homes.** Barnet Homes are a public authority for the purposes of FOI/EIR and so answer their own FOI/EIR requests. They hold information in their own right. If we are asked for information that is held by Barnet Homes eg the number of council houses

rented during the last 2 years or the average service charges for a 2 bed flat we would tell the requester to ask Barnet Homes and give them Barnet Homes' details. We do not ask Barnet Homes for the information ourselves, neither do we pass the request directly on to Barnet Homes.

**Councillors** are subject to FOIA/EIR if they receive, create or hold any information while acting on behalf of the council. Examples of information caught by the legislation are those received in a councillor's capacity as Cabinet Member or as a representative of the council.

- Information received by a councillor when acting in their capacity as a ward member is not subject to FOIA/EIR.
- Councillors are not public authorities in their own right; and therefore have no obligation to respond to a request for information addressed to them. If a request is made to a councillor under FOI, it is considered good practice for the councillor to explain this to the requester and, with their permission pass the request to the council. Subject access requests (SARs) can however be made to councillors individually because they are registered as data controllers with the ICO.
- Councillors are expected to provide assistance to officers in complying with the council's FOI and EIR obligations and should promptly provide officers with information they hold.

### **Inaccurate, expired or embarrassing information**

2.19 It is an offence to alter, amend, erase, destroy or deliberately and knowingly withhold information with the intention of preventing disclosure of it to the requester following receipt of a request for information. If you have any concerns you must discuss these with IMT.

### **Third Party consultation**

2.20 If a request includes information that relates to a third party, for example a contract between the council and a private company or a report commissioned by the council from an external body, it is considered best practice to notify the third party. The third party should be provided with the opportunity to inform the council of any concerns it has about disclosure of the information. However the decision whether or not to disclose the information ultimately rests with the council.

### **Applying an FOI Exemption or EIR Exception**

2.21 Exemptions should fit the material, rather than fitting the material to the exemption. You cannot decide that an exemption applies without examining the material in full. Even if a document cannot be released in its entirety there may be some parts that can – and should – be disclosed. Follow our redaction procedure [**\*\* INSERT LINK \*\***] when redact parts of documents.

## **The Public Interest Test**

2.22 The majority of exemptions (including those for international relations and policy advice) 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. You should apply the test every time you use a non-absolute exemption – and record in writing your decision-making process. If an applicant disputes the decision to withhold information the Information Commissioner's Office will evaluate how well the test was applied.

## **Data sets**

2.23 If you receive a request for a dataset(s) held consider carefully before disclosing. Decide also whether this should be released on Barnet Open Data (see section 4 of this guidance) for future use.

- Any information which you collect and collate electronically is a data set in some format. It might be listed in a simple spreadsheet with few or multiple columns, or in a data base. The definition under FOIA is a collection of factual information in electronic form to do with the services and functions of the authority which is neither the product of analysis or interpretation, nor an official statistic and has not been materially altered.
- You should release factual information – information that is quantitative rather than qualitative –i.e. numbers not opinions
- You should not release information subject to analysis and interpretation, other than calculation – eg not predictions, nor attach further information which are not inherent in the data itself. Further calculation is permitted since it produces factual information inherent in the data itself.
- You do not have to release information which has been materially altered - the format of the information should not have substantially changed since first being collected.
- Quality checking does not count as altering or analysing or interpreting the data set!

NOTE The focus of Freedom of Information has moved from *accessing* information to *re-using* it. The FOI Act was amended so that whenever the council receives a request for information in an electronic format, and the response is contained within a data set, the council should publish that data set in an open and re-usable form (see Section 4).

## **Licensing: Ordnance Survey map data**

2.24 If you receive a request for information included in Ordnance Survey (OS) data (maps held by Barnet under license) there are some slightly different rules to dealing with the request, see FOI/ EIR toolkit for guidance on how to deal with this information.

## **Copyright**

2.25 The Council may receive requests for information under FOI or EIR which is marked as copyright – usually by a ©. This can be council created information, or information we

have bought or been given. See FOI/EIR toolkit for guidance on how to deal with this information

### **Formal Sign off**

2.26 Your reply, including any material you are going to release, should be fully cleared by your manager before it is issued. If you are withholding **any** information you must quote the exemptions you have used, why they apply, and explain that you have applied the public interest test (where appropriate). When releasing only parts of a document you can either remove the exempt or irrelevant sections, or produce a set of extracts from the text.

### **Publication Scheme**

2.27 If you find that you are often asked for the same piece of information, why not put it in the Publication Scheme and just direct applicants to the website? Or if it's a regularly requested dataset, then make available on Barnet's Open Data Portal, follow the guidance in section 4 of this procedure on how to make available datasets or contact [open@barnet.gov.uk](mailto:open@barnet.gov.uk)

### **FOI Disclosure log**

2.23 The responses to nearly all requests are published on the FOI disclosure log, so once information has been released to the requestor it is made available to the world.

### **Internal Reviews**

2.28 An internal review is likely to involve a full reconsideration of the handling of the case, as well as the final decision, by a senior council official. The Information Management team handle all Internal Reviews so forward to [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk)

### **Complaints**

2.29 Applicants can complain to the ICO if they remain dissatisfied after an internal review. If the ICO decides to investigate, they can ask to see all of 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.

2.30 The ICO can overturn our refusal of a request by issuing an **enforcement notice** or a **decision notice**. The Commissioner will make an annual report to Parliament on how well the various public bodies have applied FOIA. Poor performance will generate a great deal of negative publicity for the council and be damaging to its reputation. If it's a written/email general request for non-personal information that cannot be answered quickly and simply as a business as usual request it is a FOI/EIR request. Forward it to [FOI@barnet.gov.uk](mailto:FOI@barnet.gov.uk) immediately so the team can log it.



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### **3. How to deal with information requests under Re-Use of Public Sector Information Regulations**

#### **Introduction**

3.1 This procedure covers the handling and fulfilling of requests made under the Re-use of Public Sector Information Regulations 2015 using the National Archives guidance on implementation of the 2015 Regulations at <http://www.nationalarchives.gov.uk/information-management/re-using-public-sector-information/>

3.2 The first part of this procedure deals with information held by the Council as part of its public task and should be read in conjunction with the RPSI policy. The Footnote at the end of this procedure covers information held by Local Studies and archives  
<https://www.barnet.gov.uk/citizen-home/libraries/local-studies-and-archives.html>

#### **What is public sector information?**

3.3 Any information produced, held or disseminated by a public sector body where held for its public task is considered public sector information. This can include:

- Print
- Digital or electronic
- Sound recordings

In terms of the type of information within this scope might include:

- Reports and Financial Data
- Codes of Practice
- Public Records
- Statistics
- Still and Moving Images
- Press Releases
- Publication Schemes

#### **Making a request**

3.4 Firstly all staff should be aware that they might receive an enquiry about the re-use of public sector information (e.g. a member of the public requesting re-use of something that appeared on the Council website, or as part as of a Freedom of Information request). They should direct the applicant to [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk)

3.5 A request for re-use can be made at the same time as a request under Freedom of Information or Environmental Information Regulations (e.g. a request for a list of conservation areas, and the re-use of that data for a property website). These can run concurrently.

## **Responding to a request**

3.6 A response needs to be made in writing within 20 working days. This period includes making a licence offer. It is possible to extend the period beyond 20 working days where necessary, but any delay must be reasonable and the requestor should be informed of the reason for the delay, and expected timescale for resolution. You should make the information available in its existing format.

3.7 There is no obligation for the Council to create or adapt information to comply with a request for re-use. Additionally there's no requirement to provide extracts of information where this would require disproportionate effort, or to continue producing, storing or disseminating information purely for re-use by others. Once information is no longer useful or needed to meet the policy and public task aims of the Council, it may stop producing it. Where this is being re-used already, the Council should inform those license holders.

## **Determining whether re-use should be permitted**

3.8 In considering a request for Re-use, it is important that any personal data within the information asset remains protected. For example it would not be appropriate to re-use a list of ICT staff and contact details, say, for an information trader.

3.9 Some information might be available to the requestor already (e.g. available on the Council's website). In general re-use of this data should be permitted.

3.10 Where the Council does not own the copyright, and therefore cannot provide the information without potentially breaching that copyright, the request can be refused.

## **Licensing**

3.11 Licenses should be open and non-restrictive as possible. Where the reuse is being permitted without charge, the Council will use, where possible the Open Government Licence

3.12 In granting the license the Council should not discriminate between the bodies (e.g. voluntary organisations vs private enterprise) nor should it make exclusive arrangements.

3.13 Where the Council decides to charge for Re-use, a charged license can be used.

3.14 Exclusive arrangements are only permitted where the public task cannot be provided without them. Refer to the Information Management Manager in this instance who will evaluate whether exclusivity is a genuine requirement.

## **Charging**

3.15 Where a request has been made to re-use a digital asset (e.g. something on the website) then the information may be given at nil cost, or at most at marginal cost.

3.16 Where the request comes from an information trader, the Council is permitted to make a charge to recover the costs of collection, production, reproduction and dissemination of information, together with a reasonable return on the investment.

### **Refusal**

3.17 Where the Council chooses to refuse a request for re-use, the response must be in writing, and confirm the reason for refusing the request. The response should also explain the complaints process to the applicant.

3.18 Where a refusal is issued on the grounds of copyright, the owner of the copyright should be identified where possible (subject to any data protection considerations).

### **Complaints process**

3.19 Any applicant not satisfied with the outcome of a re-use request, can make a complaint. The complaint should be made in writing. A complaint cannot be made regarding information held for a purpose outside of the Council's public task, nor for information where Barnet does not hold the copyright.

3.20 All complaints regarding the Re-use of Public Sector Information Regulations should go to the Information Management manager ([foi@barnet.gov.uk](mailto:foi@barnet.gov.uk))

3.21 The complaints should be dealt with in 20 working days. In the written response the escalation procedure to the Information Commissioners Office should be identified. Typically these will relate to charging or the refusal to permit re-use.

3.22 Complainants should be directed to the ICO website <https://www.ico.org.uk> where information regarding re-use complaints can be found.

**FOOTNOTE** Under the Re-use of Public Sector Information Regulations there are separate consideration of libraries, and bodies within the cultural sector.

Documents held by museums, libraries and archives in the public sector were previously excluded from the PSI Directive but new regulations, which came into force from 18 July 2015, removed that exclusion.

Documents held by museums, libraries (including university libraries) and archives in the public sector were previously excluded from the Directive, but that exclusion is now to be removed. Where these public sector cultural institutions make information available for re-use they will be able to charge to cover the costs of collection, production, reproduction and dissemination of the information along with a reasonable return on their investment. Some flexibility is permitted, on a time limited basis, in terms of exclusive licensing especially where the museum, archive or library is working with a partner on a digitisation project. The exclusion from the Directive for third party intellectual property rights remains.

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There is a key difference to the CILIP rest of the Council, in that any charges levied for re-use will not be capped at marginal cost.

There is excellent guidance provided by the regarding PSI at

<https://www.cilip.org.uk/blog/what-do-changes-psi-regulations-mean-libraries>

A great example of the issue around licenses is given regarding an arrangement which the Council might have had supplying attractive (copyright held) images for a calendar, cannot be exclusive – so a request to reuse those images would need to be on the terms as the existing license.

However, libraries tend to hold more information where the copyright is held by another party and, therefore exempt from re-use unless permission is obtained from the copyright holder.

## **4. How to publish information on Barnet Open Data Portal**

### **How to add often requested information to the Publication Scheme**

#### **Definitions**

Public data is information which is collected or generated in the course of public service delivery. It is the objective, factual data, on which policy decisions are based and on which public services are assessed.

The public have a right of access to public data and, where possible, it should be available by default or on request. Data will not be disclosed if it contains personal information or is of a commercially sensitive nature. However it may still be possible to publish it by anonymising or aggregating it up. Barnet council's approach to publishing is guided by the Public Data Principles.

Data sets are generated when you store information. Data might be listed in a simple spreadsheet with few or multiple columns, or in a data base. The Freedom of Information Act defines a data set as a collection of factual information in electronic form to do with the services and functions of the authority which is neither the product of analysis or interpretation, nor an official statistic and has not been materially altered.

Transparency means honest and accountable communication of the council's information. This means releasing information and data which is not subject to distortion or selection, which is representative if not complete, and which is not misleading. Transparent information is provided in forms that can be easily accessed, understood and analysed.

Open data or information is information provided in a format which enables ease of re-use and open data is data anyone is able to access, use, reuse and redistribute it – subject only, at most, to the requirement to attribute and share-alike. Barnet Council will publish data in open formats with specified licences, and where possible open licences, so that people will be able to understand how to use and reuse the data for different purposes.

## **6 What to publish**

### **The starting point for all decisions to publish**

#### **What to publish**

The starting point for all decisions to publish should be the principles of the [Freedom of Information Act 2000](#). The council recognises that it has a responsibility to provide a right of access to the information that it holds. It also recognises that it has a duty of care towards the public, clients and staff where it holds information on them, including [its duties](#) contained within the [Data Protection Act](#). In deciding whether to publish information the council will take into consideration whether it is lawful to release that information and whether the public interest in publishing that information outweighs the public interest in withholding it. Public data will generally not include personal information or commercially sensitive information. Public data can only include personal information if disclosure would not contravene the Data Protection Act, and disclosure of personal information should be necessary to meet a legitimate public interest.



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Barnet already publishes a range of information and data on its publication scheme, based on the [Code of Recommended Practice for local authorities on data transparency](#). The table below sets out our minimum transparency criteria, but the council will take a proactive approach to publishing data sets, and work on improving transparency and open data formatting of these sets.

Data category	Items	Guidelines	Frequency of release	Service and data owner
Finance data	Expenditure over £500; Statements of accounts; Grants to the voluntary, community and social enterprise sector;	Include costs, supplier and transaction information. Any sole trader or body acting in a business capacity in receipt of payments of at least £500 of public money should expect such payments to be transparent. Publish according to LGA spending data guidelines. Grants to the voluntary community and social enterprise sector should be clearly itemised and listed.	Monthly in arrears Annually Annually	Finance Finance All service areas as applicable
HR data	Senior employee salaries;	Names (with the option for individuals to	Annually, as close to the	HR

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	An organisation al chart of staff structure; The pay multiple;	refuse to consent for their name to be published), job descriptions, responsibilities, budgets and numbers of staff. Publish according to LGA spending data guidelines. Including salary bands and details of currently vacant posts.  The ratio between the highest paid salary and the median average salary of the whole of the authority's workforce.	end of the financial year as possible	
Democratic data	Information on democratic running of council; Councillor allowances	Constitution, election results, committee minutes, decision-making.	As produced and according to statutory guidelines ; Annually	Governance, Assurance
Procurement data	Copies of contracts and tenders;	To businesses, social enterprises, and the voluntary and community		Procurement, CSG

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		sector; Publish according to LGA spending data guidelines.		
Corporate data	Policies; Performance ;	Key policies, performance monitors and reports, and key indicators on the authorities' fiscal and financial position.	As often as reported	Commissioning Group, and all Delivery Units as applicable  Assurance data      External audits; Key inspections;      Assurance
Corporate data	Policies; Performance ;	Key policies, performance monitors and reports, and key indicators on the authorities' fiscal and financial position.	As often as reported	Commissioning Group, and all Delivery Units as applicable
Assurance data	External audits; Key inspections;			Assurance
Assets data	Public land; Building assets.	Locations data and key attribute information.	Annually	Estates and Facilities, CSG

In terms of minimum requirements the following describes what we would expect partners to make available to the public:

- ☐ Performance; Policies, performance, external audits and key inspections and key indicators on the authorities' fiscal and financial position
  - HR Data; Organisational charts; annually

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- Procurement and contracts; copies of contracts and tenders to businesses and to the voluntary community and social enterprise sector; at least quarterly, with a view to increasing this to monthly. We would expect a list of businesses the Partner contracts with to be transparent so that we could ensure conflicts of interest are minimised for Members and Senior Officers.

Legal if deemed necessary. The Delivery Unit must also provide relatively detailed justifications under the FOIA, as above.

Upon receipt of the requested redactions from the contractor, the Delivery Unit should complete both sets of redactions as deemed necessary.

[Declaration and Commitment Statement to Transparency](#)

[Local Government Transparency Code](#)

[Procurement Policy Note 01/17](#)

#### How to publish datasets

The council has to comply with amendments to the Freedom of Information Act which relate to *how* information is released to requestors. The focus on Freedom of Information has moved from *accessing* information to *re-using* it. These amendments mean that whenever the council receives a request for information in an electronic format, and the response is contained within a data set, the council should publish that data set in an open and re-usable form.

As with usual FOI responses personal, sensitive, and commercially sensitive information must be redacted. You must ensure that exempt information is not hidden, and still contained within the data set before publishing, being careful that trace data or all sensitive data from pivot tables has been removed – [LINK see redaction procedure]

#### Determining which data sets to publish

Once you have verified that the request is for an electronic format, and that the response is contained within an electronic data set as defined by the Act, you must decide whether and how you can publish the data set.

You are not required to turn hard copy into electronic data sets.

If the requester has asked for part of a dataset, you are not obliged to provide the whole of the dataset, only the information that has been requested. However it may be more useful or easier to provide whole data sets, provided the other information is not exempt.

In some cases it will be straightforward and involve no expenditure to convert a dataset to an open format such as CSV. If the dataset is held as a relational database, rather than as a single table, then this may be a more complex operation. If the dataset is

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very large or held in a proprietary system, to convert it to an open format may involve significant expenditure. In this case it may be outside our duty to provide it.

Factors to consider in relation to whether it is reasonably practicable to provide a response in electronic form relate to existing provisions in the FOI Act and include time and cost.<sup>1</sup> However staff should consider that the council is working towards making increasing amounts of information available in open format and that it may be practical to respond and maintain update processes as requests come in as part of this wider work. Information Management Governance Groups will be taking a strategic lead on open data work and you should refer significant numbers of requests for data sets from complex systems to them.

There may also be a situation in which the dataset has been heavily redacted, for example to remove personal data that is exempt from disclosure under FOIA, and what is left may have limited informative value. The requester is still entitled to receive this under FOIA, but if to convert it to a re-usable form would involve substantial cost and effort there may be a case for saying that it is not

<sup>1</sup> Section 11 of FOIA, 11(2) *In determining for the purposes of this section whether it is reasonably practicable to communicate information by particular means, the public authority may have regard to all the circumstances, including the cost of doing so.*

## Licensing

As well as releasing datasets which are technically capable of release, we must provide datasets under a specified licence where possible.

First we must ascertain whether a data set contains copyright information. If it only contains our copyright information we must release it under a licence that permits re-use in accordance with the terms of the specified licence. This would either be the [Open Government Licence \(OGL\)](#) – where we are permitting users to freely use and re-use our information, only requiring that they attribute - or a specified licence under the [UK Government Licensing Framework](#) . If it is not our copyright we must name the owner where possible.

The [UK Government Licensing Framework](#) provides full details of licensing options including the Non-Commercial Government Licence for non-commercial use.

## Open Licence

An open licence allows anyone - businesses, individuals, charities and community groups - to re-use information without having to pay or get permission. The [Open Government Licence \(OGL\)](#) for public sector information is a standard licence for use across the UK and covers a broad range of information, including acknowledgement and attribution, Crown Copyright, and databases and source codes. Barnet already uses the OGL for its publication scheme information.

Publishing. Once the data set and its licence has been cleared by the relevant manager you should publish the data set to the open data disclosure log.

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## 5. Deeds Procedures

### Deeds Overview

Deeds are documents which are legally signed and officiated by Barnet Council, typically relating to Property, Land or contracts. These documents are stored in the Council's offices in North London Business Park, off Oakleigh Road South N11 1NP.

The documents are held securely, with limited access to a very small number of employees. Records Management, which sits within the Information Management Team in the Commissioning Delivery Unit are responsible for the storage and management of the deeds.

The below lists the typical types of documents held, this list is not exhaustive.

- Leases
- Notices of Mortgages
- Licences
- Agreements
- Road Adoption Agreements
- Contracts
- Traffic Orders
- Covenants
- Highways Documentation
- Crossovers
- Stopping Up Orders

### Internal Requests

If you are a Barnet Council or partner service employee, you can internally request documentation by emailing the Records Management email, found on the outlook system. Typically, you will be provided with a scanned document, dependent of the size of the file. Originals may be provided if necessary.

### External Requests

If you are a resident, or a legal representative of a resident and you would like to request a copy or search of a document you will need to contact

[Recordsmanagement@banret.gov.uk](mailto:Recordsmanagement@banret.gov.uk) (further contact details in Section 6)

There is a charge for both scanning and printing of documentation, this is to cover all administration and printer costs.

The charge for a scanned copy of a document is £10.00.

For all printing charges, please contact Records Management.

## Other Information Holders

Some information is held with other internal Council departments, including Local Land Charges.

A local land charge is a restriction on a piece of land or property that can limit its use or bind the owner to a payment of a sum of money. Charges can include:

- planning decisions
- road agreements
- tree preservation orders
- conservation areas and listed buildings notices
- environmental health notices
- charges or objections made against previous owners

Local Land Charges can collect information from different departments including planning and building control and bring it together to form a local authority search.

## Confidentiality

There may be some occasions when the document/s requested cannot be released due to confidentiality of personal/sensitive data or commercially sensitive information. If so, we will update you accordingly.

In some situations, we may be able to provide a redacted copy of certain documents, if this is possible we will endeavour to do so.

## Helpful Links and Contact Information

To request any deed or legal documentation, please email Records Management on [recordsmanagement@barnet.gov.uk](mailto:recordsmanagement@barnet.gov.uk)

Alternatively, you can ring the Barnet Council offices on 0208 359 2000 and ask for Records Management to be transferred.

Records Management are based in North London Business Park, Oakleigh Road South, London N11 1NP

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Local Land Charges are a Barnet Council department which can also be contacted for documentation. To contact Local Land Charges please email:

[LocalLandCharges@barnet.gov.uk](mailto:LocalLandCharges@barnet.gov.uk)

Alternatively, you can ring the Barnet Council offices on 0208 359 2000 and ask for Local Land Charges to be transferred.

Local Land Charges are based in Barnet House, 1255 High Road, London, N20 0EJ

HM Land Registry hold a considerable amount of property and land related documentation, if you would rather request information through Land Registry please visit:

<https://www.gov.uk/government/organisations/land-registry>

### **Copyright Information**

The documentation is the copyright of the London Borough of Barnet. All rights are owned or licensed to Barnet Council or otherwise permitted by applicable law. You are welcome to print or use the printed copy for personal use or study. However, if you wish to use part of the documentation or wording you must consult the council's Copyright Policy and contact us for written permission prior to using the content. Material may not be copied, reproduced, republished or posted in any way except for your own personal non-commercial home use. Any other use requires the prior written permission of Barnet Council. Use of any third-party copyright information will require you to obtain permission from the copyright holders concerned.

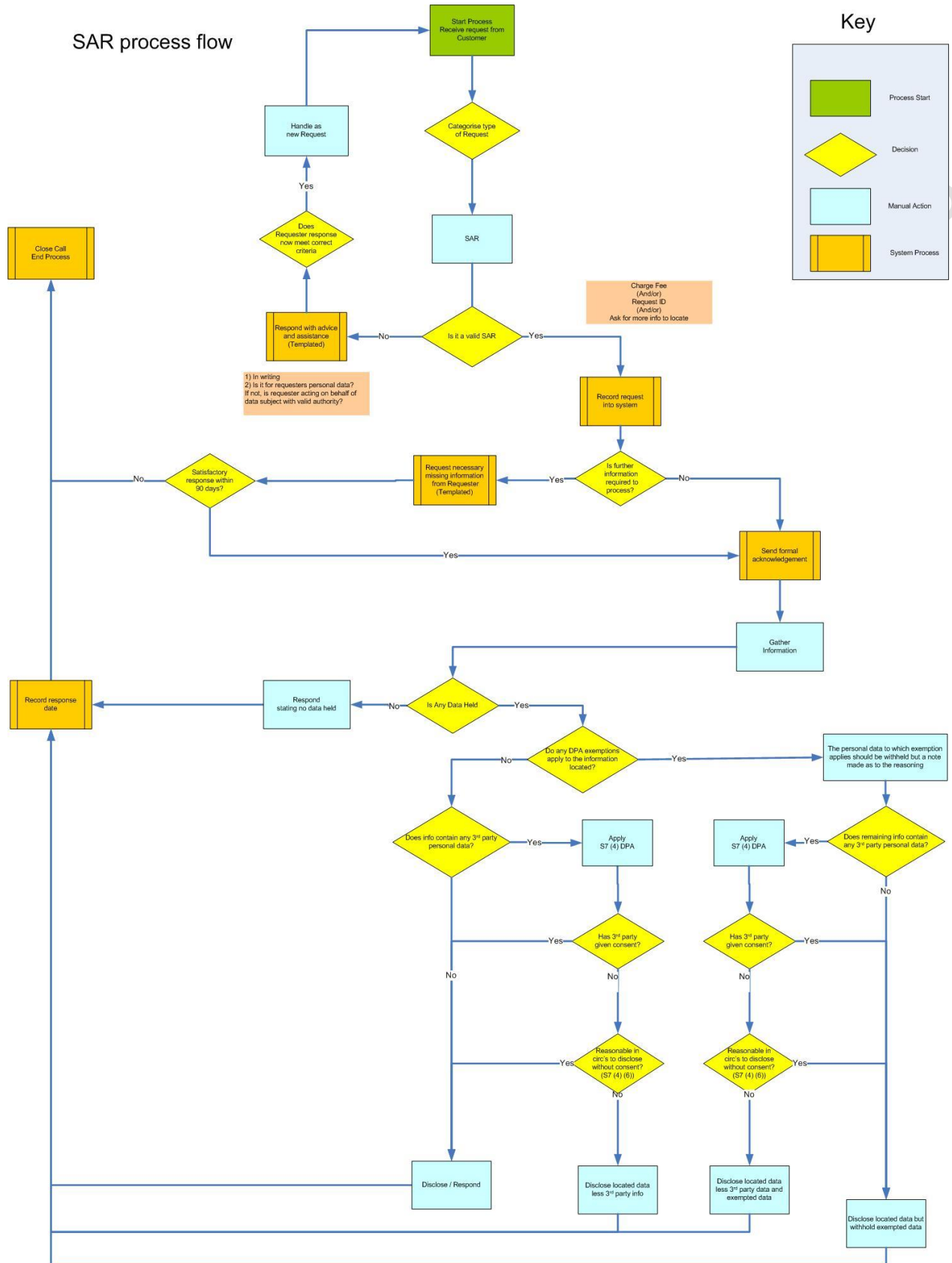
Barnet Council's Copyright Policy can be found here: <https://www.barnet.gov.uk/citizen-home/council-and-democracy/policy-and-performance/website-policies/copyright.html>

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### APPENDIX A: SUBJECT ACCESS REQUEST PROCESS MAP



**APPENDIX B: RIGHT OF ACCESS SIGN OFF**

**Cover Note for Right of Access Request sign off**

**IMPORTANT**

This form is provided purely as an overview for Head of Service / Assistant Director sign-off.

It is only to be used for sign-off purposes and should not to be sent out with the final response.

The Link Officer should retain a copy, in case it is required at a later date.

<b>Case / Individuals Name :</b>	
<b>Deadline :</b>	
<b>Date papers received by Link Officer:</b>	
<b>Responsible Link Officer:</b>	
<b>Officer(s) responsible for highlighting necessary redactions:</b>	
<b>Sign off by Head of Service or AD:</b>	

Overview of redactions undertaken (if any):

**APPENDIX C: FOI PROCESS MAP**

Insert FOI PROCESS MAP

London Borough of Barnet 2018



**Information Management Framework**  
**Procedure for handling information requests**  
*London Borough of Barnet*

**Document Control**

<b>POLICY NAME</b>	Procedure for handling information requests		
<b>Document Description</b>	Barnet Open Data portal FOI, EIR, SAR, GDPR Individual Rights, Licensing, Copyright, Redactions		
<b>Document Author</b> 1) Team and 2) Officer and contact details	1) Information Management Team 2)		
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**Version Control**

<b>Version number</b>	<b>Date</b>	<b>Author</b>	<b>Reason for New Version</b>
V.001	04/02/2018	Richard Carter	Initial draft
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