Data Protection People

The Core

Requirements of
Freedom of Information

New Course 2023

"Empowering Minds, Safeguarding Data: Unleash Your Potential with Data Protection People"

Course Summary

"The Core Requirements of Freedom of Information" is a comprehensive training course designed to equip participants with the essential knowledge and skills to navigate the principles and practices of the Freedom of Information Act. From understanding the scope of the legislation and publication schemes to effectively handling requests, applying exemptions, and managing internal reviews, this course provides a solid foundation for promoting transparency, accountability, and compliance within organisations. Enhance your understanding of the core requirements of Freedom of Information and foster a culture of openness and access to information.

Learning Objectives
Key Learning Objectives for this course are:

- Understand the purpose and scope of the Freedom of Information Act (FoIA) and its importance in promoting transparency and accountability.
- Identify the types of organisations and information that are subject to the FoIA.
- Recognize the rights and limitations of individuals when making requests for information under the FoIA.
- Comprehend the concept of Publication Schemes and how they facilitate proactive information disclosure.
- Learn the key considerations and best practices for receiving and handling FoI requests.
- Understand the timescales and requirements for responding to FoI requests.
- Familiarise yourself with the process of refusing an entire request, including the grounds for refusal and exemptions that may apply.
- Gain knowledge about the different types of exemptions under the FoIA and when they can be applied.
- Understand the distinction between absolute and qualified exemptions and the requirement to perform a Public Interest Test.
- Learn about specific exemptions, such as personal information, confidentiality, trade secrets, and commercial interests.
- Develop an understanding of internal reviews and complaint procedures for addressing FoI-related issues.
- Gain practical skills for managing FoI requests and ensuring compliance within your organisation.

By the end of this course, participants will have the knowledge and skills necessary to navigate the requirements of the FoIA, effectively handle FoI requests, apply relevant exemptions, and manage internal reviews and complaints related to Freedom of Information.

Course Details and Topics Covered

1. Introduction to the Freedom of Information Act (FoIA)

The introduction to the Freedom of Information Act (FoIA) aims to provide a concise overview of its significance. Explore the FoIA's importance in accessing vital information held by public authorities, promoting transparency, and encouraging open discourse. Topics covered include the FoIA's role in holding the public sector accountable and fostering constructive debates. We will discuss the entities subject to the FoIA and its applicability. Additionally, intriguing aspects such as requesting information about information and accessing personal data through the FoIA will be explored.

2. Publication Schemes: What information needs to be published

Understand the requirements for publishing information as part of a publication scheme. A publication scheme proactively discloses information to the public. Learn about the types of information that should be included, such as organisational structure, policies, procedures, financial reports, and frequently requested information. We will cover the importance of transparency, legal obligations, and best practices for creating an effective and comprehensive publication scheme. Gain the knowledge and skills necessary to ensure the dissemination of relevant and accessible information to the public.

3. Receiving a request – 11 key questions and answers

Explore the process of receiving and effectively responding to information requests. This section addresses key questions such as what constitutes a valid information request, how to submit and receive requests, information to gather from the requester, response timeframes, handling sensitive or confidential information, verifying the requester's identity, managing voluminous or complex requests, legal obligations and exemptions, handling requests from the media or public officials, strategies for efficient processing, and providing responses and recourse for dissatisfied requesters. Gain a comprehensive understanding of receiving and responding to information requests while maintaining compliance.

4. Refusing an entire request

This section covers the process of refusing an entire information request. Learn about legal grounds for refusal, fair assessment of requests, providing clear explanations for refusal, informing requesters of their appeal rights, and maintaining proper documentation. Practical exercises and case studies will enhance your understanding. By the end, you will be equipped to make informed decisions and handle refusals professionally and in compliance with regulations.

5. Withholding information Part 1 – Introduction to exemptions

Gain insight into exemptions and their role in withholding information. Understand the rationale behind exemptions, allowing for non-disclosure in specific circumstances to protect national security, personal privacy, commercial confidentiality, ongoing investigations, and other legitimate concerns. Learn that exemptions are not automatically applied to all and efficiency, making a fresh decision based on all relevant evidence, assigning an independent reviewer

requested information and understand the criteria for invoking exemptions based on specific circumstances. Discover the possibility of additional time to consider exemptions, ensuring careful evaluation and decision-making. Explore situations where refusal to confirm or deny certain information is justified, emphasising the importance of safeguarding sensitive matters.

6. Withholding information Part 2 – Common exemptions

Become familiar with common types of exemptions, including absolute exemptions such as Section 21 (information already reasonably accessible), Section 40(1) (personal information of the requester), Section 40(2) (personal information), Section 41 (confidentiality), class-based exemptions, qualified exemptions subject to a Public Interest Test such as Section 22 (information intended for future publication), Section 42 (legal professional privilege), prejudice-based exemptions such as Section 38 (endangering health and safety), and hybrid exemptions including Section 43(1) (trade secrets) and Section 43(2) (commercial interests). By the end of this section, you will possess the necessary knowledge to navigate exemptions effectively, make well-informed decisions, and comply with legal requirements.

7. Internal Reviews and Complaints

The complaints procedure, also known as an internal review, addresses requester dissatisfaction with the outcome. This section emphasises key points including triggering the procedure whenever a requester expresses dissatisfaction, maintaining a straightforward, single-stage process for simplicity

preferably at a more senior level to ensure impartiality and fairness, and aiming for a timely resolution within 20 working days in most cases (with a maximum of 40 working days in exceptional circumstances) to ensure prompt resolution. Gain the knowledge to effectively manage complaints, provide fair assessments, and address requester dissatisfaction in a timely and transparent manner.

Who Should Attend?

- Data Protection Officers (DPOs)
- Privacy and Compliance Professionals
- Legal and Regulatory Experts
- Anyone responsible for UK GDPR compliance

Delivery

Duration: 3 Hours

Delivery Method: Microsoft Teams / In-House*

*On-site – We will bring the course to your location and deliver it. A minimum of 12 participants is required for on-site delivery.

Contact Us

To acquire additional information about this course, reserve your spot, or explore other courses provided by Data Protection People, please get in touch with us at:

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