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Freedom of Information Policy

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THE PORTCHESTER PRACTICE

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Introduction

This policy outlines how The Portchester Practice will comply with the requirements of the Freedom of Information Act 2000 (FOIA). The FOIA provides individuals with the right to access information held by public authorities, including NHS organizations.

The Portchester Practice is committed to promoting openness, transparency, and accountability in all of its activities. The practice recognises the importance of the FOIA Act and it will ensure that appropriate systems are put in place to publicise what recorded information is kept by the practice and how this information can be accessed on request by the general public.

Scope

This policy applies to all information held by The Portchester Practice, regardless of the format or medium in which it is stored. It covers information that is created, received, or held by The Portchester Practice in the course of its functions, including personal data.

Policy Statement

The Portchester Practice is committed to providing timely and accurate responses to requests for information made under the FOIA. We will ensure that all requests for information are handled in accordance with the legislation, guidance from the Information Commissioner's Office (ICO), and best practice.

Responsibilities

All staff members have a responsibility to comply with the FOIA and this policy. The Information Governance Lead is responsible for ensuring that The Portchester Practice complies with the FOIA, and for maintaining this policy.

The designated FOI Officer will be responsible for managing FOI requests, including liaising with the requester, locating and collating information, and responding to the request within the statutory timeframe.

Publication Scheme

NHS organisations, including NHS GP Practices (under most contracts) are considered to be public authorities for the purpose of freedom of information (FOI) legislation.

The FOI Act requires every public authority to have a publication scheme. The Portchester Practice will maintain and publish a publication scheme, which is a guide to the information we routinely make available to the public.

Employee Responsibilities:

All staff members have a responsibility to comply with the FOIA and this policy. The Data Protection Officer (DPO) is responsible for ensuring that The Portchester Practice complies with the FOIA, and for maintaining this policy.

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The designated FOI Officer will be responsible for managing FOI requests, including liaising with the requester, locating and collating information, and responding to the request within the statutory timeframe.

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
- be aware that ultimately the general public may have access to any piece of information held within the practice and must pay due regard to how they record information as part of their normal duties
- on receipt of an information request immediately notify the IG/FOI lead
- provide information promptly when requested from the IG/FOI lead
- understand that breaches of this Policy may result in disciplinary action, including dismissal

Handling FOI Requests

The Practice will work with the Clinical Commissioning Group, NHS England, the local Area Team and other bodies with whom we work to ensure that we can meet our FOI Act obligations, including the disclosure of any information that they hold on our behalf.

All FOI requests received by The Portchester Practice will be logged and acknowledged within five working days of receipt. The Practice will ensure that there is always one person with overall responsibility for FOI. Currently this person is the practice manager.

The designated FOI Officer will be responsible for responding to the request within 20 working days of receipt, or within an extended period if necessary. The requester will be informed if an extension is necessary and the reason for the extension.

If the information requested is exempt from disclosure, The Portchester Practice will provide the requester with a written refusal notice explaining the reason for the refusal and the exemption relied upon. If the requester is not satisfied with the response, they have the right to request an internal review.

The Practice reserves the right to charge for information requests in line with the FOI Act fees regulations or other applicable regulations, including the Data Protection Act 2018.

Review Procedure

If the requester is dissatisfied with the response to their request, they can request an internal review. The review will be conducted by a senior member of staff who was not involved in the original decision. The reviewer will consider the original request and

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response, and any other relevant information, and will make a determination within 20 working days.

If the requester is not satisfied with the outcome of the internal review, they have the right to appeal to the ICO within three months of receiving the final decision. The ICO will then consider the case and make a determination.

Information available from *(Insert name of person (or practice) providing medical services under contract to the NHS)* under the Freedom of Information Act model publication scheme

Information covered by this scheme is only about the primary, general or personal medical services we provide under contract to the National Health Service.

Information to be published	How the information can be obtained (e.g. hard copy, website)		Cost
Class 1 - Who we are and what we do (Organisational information, structures, locations and contacts) <i>This will be current information only</i>	Practice website Home page: https://www.theportchesterpractice.nhs.uk/		
Doctors in the practice	https://www.theportchesterpractice.nhs.uk/practice-information/meet-the-team/		
Contact details for the practice (named contacts where possible with telephone number and email address (if used))	https://www.theportchesterpractice.nhs.uk/contact/		
Opening hours	https://www.theportchesterpractice.nhs.uk/contact/		

Other staffing details	https://www.theportchesterpractice.nhs.uk/practice-information/meet-the-team/		
Meetings specifically with pharmaceutical companies and other medical suppliers. We would expect as a minimum that this information should include the name of the company, the date and, if appropriate, the name of the member(s) of staff attending (if recorded), together with a general indication of the category of meeting, for example marketing or promotion. The names of staff attending should include any senior managers and any medically qualified staff if this information is recorded.	On request in writing from Practice Manager		40p
Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) <i>Current and previous financial year as a minimum</i>			
Details on NHS/HSC funding received by the practice. <i>We would expect practices to consider publishing as much information as practically possible including as much detail as possible.</i>	Hampshire, Southampton and Isle of Wight ICB: Integrated Care Board :: Hampshire and Isle of Wight ICS (hantsiowhealthandcare.org.uk)		
Audit of NHS/HSC income	On request in writing from Practice Manager		
Details of expenditure items over £10,000 - published at least annually but at a more frequent quarterly or six-monthly interval where practical.	On request in writing from Practice Manager		

List and value of contracts awarded by the practice. We would normally only expect the practice to publish details of contracts that are of sufficient size to have gone through a formal tendering process.	On request in writing from Practice Manager		
Staff allowances and expenses that can be incurred or claimed, with totals paid to senior staff members (for the purpose of this document, senior staff are defined as partners or equivalent level), by references to categories.	On request in writing from Practice Manager		
Pay policy	On request in writing from Practice Manager		
Declaration of GPs' NHS/HSC income. <i>The information made available as part of GPs' contractual obligation to publish their net income relating to NHS/HSC contracts, once this obligation is in force. A link may be provided to the information on a third party website, and /or a description of where this information is available.</i>	https://www.theportchesterpractice.nhs.uk/policies/gp-earnings/		
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) <i>Current and previous year as a minimum</i>			
Plans for the development and provision of NHS/HSC services	Hampshire, Southampton and Isle of Wight ICB: Integrated Care Board :: Hampshire and Isle of Wight ICS hantsiowhealthandcare.org.uk		

Performance data including performance against targets	QOF website: https://qof.digital.nhs.uk/		
Inspection reports by regulators: <i>the CQC, HIW, RQIA and HSCB and any other regulators.</i>	Individual websites for each organisation CQC – latest inspection rating available on practice website: https://www.cqc.org.uk/location/1-566377462		
Class 4 – How we make decisions (Decision making processes and records of decisions) <i>Current and previous year as a minimum</i>			
Records of decisions made in the practice affecting the provision of NHS/HSC services.	On request in writing from Practice Manager		
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) <i>Current information only.</i> <i>Here we have listed the policies we would expect practices to have. Any additional policies should also be listed.</i> <i>Mark “not held” against any policies that are not actually held.</i>			
Policies and procedures about customer service	On request in writing from Practice Manager		
Internal instructions to staff and policies relating to the delivery of services	On request in writing from Practice Manager		

Policies and procedures about the recruitment and employment of staff	On request in writing from Practice Manager		
Equality and diversity policy	On request in writing from Practice Manager		
Health and safety policy	On request in writing from Practice Manager		
Complaints procedures (including those covering requests for information and operating the publication scheme)	https://www.theportchesterpractice.nhs.uk/practice-information/feedback-complaints/		
Records management policies (records retention, destruction and archive)	Privacy Notice on Website And NHS Records Management Code of Practice 2021		
Data protection policies	https://www.theportchesterpractice.nhs.uk/policies/data-protection/		
Policies and procedures for handling requests for information	https://www.theportchesterpractice.nhs.uk/policies/your-practice-and-the-gdpr/		
Class 6 – Lists and Registers			
<i>Currently maintained lists and registers only</i>			
<i>We recognise that it is unlikely that GPs are going to have registers available for public inspection and while this remains the case “none held” can be entered in this section.</i>	None held		
<i>Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice).</i>	None held		
Class 7 – The services we offer			

(Information about the services we offer, including leaflets, guidance and newsletters produced for the public)			
<i>Current information only</i>			
The services provided under contract to the NHS/HSC	GMS Contract		
Charges for any of these services	NHS England » GP Contract		
Information leaflets	Practice Website and on request from the practice		
Out of hours arrangements	https://www.theportchesterpractice.nhs.uk/contact/		