



Freedom of Information Policy & Procedures

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1. Background

- 1.1. In April 2012 the Victims and Survivors Service (VSS) was established to provide support and services for all victims and survivors of the Troubles/conflict. In October 2020, the VSS was appointed to provide health and wellbeing support services to all survivors of Historical Institutional Abuse (HIA). Hereafter, any reference to victims and survivors relates to victims and survivors of the Troubles/conflict and survivors of HIA.
- 1.2. The Victims and Survivors Service (VSS) is fully committed to compliance with the requirements of the Freedom of Information (FOI) Act 2000 (the Act).
- 1.3. The aim of the Act is to promote a culture of transparency and accountability to facilitate better understanding of how organisations carry out their duties, why and how they make decisions and how public money is spent.
- 1.4. The purpose of this policy is to ensure that the Freedom of Information Act 2000 is adhered to by the VSS and in particular that:
 - A significant amount of regularly published information about the VSS is made available to the public as a matter of course through the VSS Publication Scheme;
 - Other information not included in the VSS Publication Scheme is readily available on request and such a request is supplied in a timely manner; and
 - In cases where information is covered by an exemption, consideration will be on whether the information should be released and supplied.

2. Policy Statement

- 2.1. The FOI Act gives the public a general right of access to all types of written information held by public bodies, subject to some exemptions. VSS supports this culture and will ensure compliance with the Act by:
 - Putting in place appropriate communication procedures and practices;
 - Developing a publication scheme ensuring as much information as possible is available;
 - Carrying out regular audits to ensure all appropriate information is included in the publication scheme;

- Making the provision of information a priority by responding to written requests within the 20 working days deadline, as outlined in the Information Commissioner's Office guidelines.
- Ensuring all staff are aware of their responsibilities and that training is an ongoing process;
- Continuing to protect personal information by disclosing that information only in accordance with the provisions of the General Data Protection Regulation 2018 and the Data Protection Act 2018.

3. Implementation

- 3.1. VSS responsibility for ensuring compliance with the Act rests with the Chief Executive and Accounting Officer.
- 3.2. Responsibility for monitoring operational adherence to the requirements of the Act on a day-to-day basis rests with the VSS Data Protection Officer (DPO), who will provide assistance and advice to all staff in dealing with requests for information and will have overall responsibility for:
 - The provision of FOI induction training for VSS relevant staff;
 - The development and maintenance of FOI policy and procedures; and
 - The development and maintenance of a VSS Publications Scheme or Policy.

4. Staff Responsibilities

- 4.1. All VSS staff have responsibilities under the Act. They must ensure that any request for information they receive is handled in compliance with this policy.
- 4.2. Specifically, staff are responsible for:
 - Responding to requests on behalf of VSS;
 - Familiarising themselves with this policy and following the FOI Procedures detailed at **Sections 6 to 10** below;
 - Identifying FOI requests quickly and ensuring they receive prompt attention in line with the FOI Procedures;
 - Responding to all requests for information promptly and within 20 working days;
 - Disclosing information where possible and only withholding certain information in accordance with exemptions outlined in the Act;

- Supporting members of the public in formulating or expressing requests for information;
- Working with any partners and contractors to ensure the VSS can meet its FOI obligations, including the disclosure of any information they hold on behalf of the VSS;
- Consulting with third parties before disclosing information that could affect their rights and interests. However, as in accordance with the Act, the final decision on disclosure will rest with the VSS;
- Keeping the Data Protection Officer informed of the reporting, recording, responses and monitoring of Freedom of Information requests and complaints.
- Contacting the appropriate person when advice and assistance is required; and
- Providing input to the VSS Publication Scheme as required.

5. The VSS Publication Scheme

- 5.1. The VSS Governance and Data Protection Officer is responsible for ensuring that the VSS Publication Scheme complies with the requirements of the Information Commissioner's Office, that it is regularly updated and reviewed, and that it is made available to the public on the VSS website.
- 5.2. The Publication Scheme will specify:
 - What information the VSS will make routinely available to the public as a matter of course;
 - How it will do so; and
 - Whether or not this information will be made available free of charge or on payment of a fee.

VSS Freedom of Information Procedures

6. Requests for Information

6.1. The Act gives individuals requesting information the following two rights:

1. The right to be informed whether the VSS holds certain information; and
2. The right to have that information communicated to them (subject to exemptions detailed in the Act).

6.2. Individuals may express a preference as to which method they would like to have information communicated to them and VSS must comply with this preference so far as is reasonably practicable.

6.3. Requests can be met in a variety of ways, such as, providing a copy of the original document either electronically or in hard copy, providing a summary of the information or by arranging for the applicant to visit VSS to receive and read the documents. Advice should be sought from applicants as to their preferred method of communication and the information will be provided in that format where possible.

6.4. All requests for information under the Act should be directed to the VSS Data Protection Officer at the following address:

Victims and Survivors Service
1st Floor
Seatem House
28-32 Alfred Street
Belfast
BT2 8EN

6.5. Unless otherwise specified or advised, information made available through the VSS Publication Scheme will be free of charge. The VSS reserves the right to charge an appropriate fee for dealing with a specific request for information not listed in the Publication Scheme in accordance with the Act.

7. Managing Requests for Information

- 7.1. The Act requires VSS to respond to any written request for information promptly and within 20 working days. However, this timescale can be extended to give full consideration to the public interest test. If the deadline is not expected to be met, the applicant will be advised of the reason for the delay and the anticipated response date.
- 7.2. The VSS will record all requests for information and the responses provided under the Act on an electronic register established for that purpose. Copies of both the requests and the information provided in response will be retained in electronic copy in keeping with the VSS Data Retention Schedule.

8. Exemptions

- 8.1. Certain information held by VSS will be classified as exempt under the Act. The Act provides for both absolute and qualified exemptions. Where information is absolutely exempt, there is no obligation under the Act to provide the requested information, although, in certain circumstances, VSS may choose to disclose the information held.
- 8.2. Most exemptions under the Act are qualified and are subject to a public interest test. Where a request is made for information which includes exemptions the VSS will consider the public interest test and assess whether the public interest lies in disclosing the information to the applicant or withholding the information. In some circumstances the VSS may withhold the requested information.

9. Appeals and Complaints

- 9.1. Any complaints about how VSS has handled requests for information under the Act should, in the first instance, be addressed to the Head of Corporate Services at the address above. The complaint will be addressed in keeping with the VSS Complaints Policy and Procedures (a copy of which can be obtained by contacting the VSS at the address above or by visiting the website www.victimsservice.org).

- 9.2. If the applicant is not content with the VSS response to their complaint, they may bring their complaint to the bodies listed below:

The Northern Ireland Public Service Ombudsman
Progressive House
33 Wellington Place
Belfast,
BT1 6BR
Freephone: 0800 34 34 24
Email: nipso@nipso.org.uk
Website: www.nipso.org.uk

The Information Commissioner's Office – Northern Ireland
3rd Floor
14 Cromac Place
Belfast
BT7 2JB
Telephone: 028 90278757 / 0303 1231114
Email: ni@ico.org.uk

10. Policy Awareness

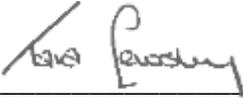
- 10.1. A copy of this policy statement will be made available to all members of staff and interested third parties.
- 10.2. Existing staff and relevant third parties will be provided with a copy of this policy and any subsequent revisions. All staff and relevant third parties must be familiar with and comply with the policy at all times.

11. Variation

- 11.1. VSS reserves the right to vary this Freedom of Information Policy as it deems appropriate to include compliance with any legal requirements.

12. Policy Review

12.1. This policy will be reviewed in 3 years' time, or sooner, if required.

Approved:  _____ Date: 23/11/20
Head of Corporate Services