

FREEDOM OF INFORMATION POLICY

Compliance with the Freedom of
Information Act 2000

Cornwall Housing

Treven Kernow

Date: 01/03/2016
Version 2



Policy control sheet

Current document status

Status	Final
Reference	FOI/002/AMT
Last reviewed	March 2016
Document type	Policy
Document location	Intranet
Area applicability	All

Version history

Version	Date created	Date approved	Date for review	Author/s	Approved by	Revised by
1.0				Tessa Goodchild		
1.1					Address change – P Wood	
2	23/12/15	01/03/2016	March 2017	AMT	SLT	N/A

Equality impact assessment record

Date	Type of assessment conducted	Stage/level completed	Summary of actions/decisions	Completed by	Impact assessment review date
04/04/12				T Goodchild D Blewett T Tregenza-Hall	
01/03/2016	CIA	CIA	N/A	AMT	N/A

Legal influences on this policy

Data Protection Act 1998

Human Rights Act 1998

Freedom of Information Act 2000

Non-legal influences on this policy

Tenant and Customer Engagement

Other documents linked to this policy

Policies

- Information Governance Policy
- Information Security Policy
- Computer Access & Usage Policy
- Mobile Device Policy
- Confidentiality Policy
- Data Quality Policy
- Information Storage Policy
- Information Lifecycle Policy
- Record Management Policy
- Data Protection Policy

Procedures

- Information Security breach reporting procedure
- Information Access Request Procedure
- Subject Access Procedure including Section 29 procedure
- Protecting Information Procedure
- Worksmart policies and procedure
- Confidentiality Procedure

Other Documents

- Protective Marking Standards
- Information Security Incident Reporting Process
- Batchelor Retention Guidelines
- Email Good Practice Guidance
- Email Etiquette
- Software Control Policy
- Confidentiality Guidelines
- Confidentiality Standards
- Security Incident Reporting Form
- Data Quality Guide
- Publication Scheme
- Access to Information Request Form
- Tell us what you think Policy and leaflet
- Code of Conduct
- Contract of Employment

Freedom of Information Policy

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1. INTRODUCTION

Cornwall Housing Ltd is committed to achieving integrity and better government. This Policy sets out how we will comply with the Freedom of Information Act 2000 (FOIA) in a manner that supports our objectives and commitments.

2. PURPOSE AND AIM OF POLICY

The aim of this Policy is to ensure that access to information is open and transparent.

The General Right of Access under the Freedom of Information Act 2000 (the Act) came into force on 1 January 2005. From that date, anyone has a legal right to request any information that a public body holds, subject to certain exemptions. We must therefore respond and provide the information, or explain why it is considered exempt, within 20 working days.

The Act applies to all information handled by Cornwall Housing Ltd, and is intended to make governance more accountable and to enhance public participation in the democratic decision-making process. These are themes Cornwall Housing Ltd supports and this policy sets out our commitment to comply with this Act.

The attached documents will be amended in line with good practice and experience of delivering this Policy. Any changes will be published and consulted on, in line with our consultation process.

Annex 1 Publication Scheme

Annex 2 Access to Information Request Form

3. SCOPE

This policy applies to:

- All employees of Cornwall Housing Ltd
- Board Members
- Contractors

4. HOW WE WILL MEET OUR OBLIGATIONS

Cornwall Housing has produced a document, known as a Publication Scheme, which sets out what information is in our possession, where it is available for access and whether or not there is a charge for doing so. This scheme follows the model publication scheme **produced by the Information Commissioner's office, specifically for wholly owned companies.**

We will:

- make it available on our website www.cornwallhousing.org.uk and at our offices across Cornwall. Copies can also be obtained by writing to Cornwall Housing.
- answer requests for access to the information set out in our publication scheme quickly and efficiently and in any event within 20 working days. If there is a delay the reason will be explained in writing to the person making the request.

We shall take all reasonable steps to prepare for the right of access and ensure that we have all the necessary procedures and policies in place. This includes:

- identifying the information that must be made available.
- identifying information that falls within the exemptions.
- ensuring that documents are, where practicable, formatted in such a way as to make it easy to release the document(s) without revealing exempt information.
- identifying the costs for reproducing documents in order to help calculate appropriate charges under the Act.
- we will nominate members of staff within each service who will be responsible for processing the requests and for authorising the release of relevant information.
- putting into place a procedure that members of staff will follow when dealing with requests.
- providing a form for applicants to make a request and, in addition, inform applicants of the complaints procedure if their request is refused.

Cornwall Housing will treat all requests for recorded information as Freedom of Information requests whether our customers have stated they wish to use the Act or not.

Cornwall Housing may receive requests for information relating to functions carried out by Cornwall Council and will forward those requests on or return the request to the customer if the responsibility rests elsewhere.

5. CHARGES FOR INFORMATION REQUESTS

When setting charges Cornwall Housing will follow the charges set out in the regulations and guidance from the Ministry of Justice. A charge will be made in accordance with the regulations in force at the time.

6. MANAGING THE PROCESS

Our staff are the key to ensuring we comply with the Act. This policy, like the majority of policies, is not specifically part of the normal contract of employment. It is a condition of employment that staff abide by the rules and policies made by Cornwall Housing and we will provide training and support to ensure this policy is understood and effectively operated. We will also ensure that:

- The Managing Director has specific responsibility for Freedom of Information within Cornwall Housing Ltd.
- Everyone managing and handling information understands that they are contractually responsible for following our procedures and policy.
- That everyone handling recorded information is appropriately trained to do so.
- Everyone managing and handling recorded information is appropriately supervised.
- Anyone wanting to access their recorded information knows what to do.
- Queries about handling recorded information are promptly and courteously dealt with.
- Methods of handling recorded information are regularly assessed and evaluated.
- Performance in handling recorded information is reported to the Performance Monitoring Committee (committee structure to be agreed).

7. INFORMATION HELD BY OTHER ORGANISATIONS

We may, in certain circumstances, be asked for information which belongs to a third party, but is held by us. This may include information about contractors, consultants, partners or other servants or agents of Cornwall Housing.

We will ensure that contractors and third parties are:

- made fully aware of, and respect, our obligations under the Act
- made aware that, when they are tendering or quoting for any contracts, we may make information available under the Act
- consulted before we disclose any information about them or their contracts or tenders under the Act.

8. DEALING WITH DISSATISFACTION

Customers who request information under this Policy will have a right to complain using the normal Cornwall Housing complaint process. The requestor also has the right to complain direct to the Information Commissioner.

9. EVALUATION AND REVIEW

This policy will be reviewed by the Resources Directorate, Business Improvement team annually.

Authority is delegated to the Head of Resources to undertake amendments of an administrative nature as are necessary, or to secure continuing compliance with the law.

MORE INFORMATION

The Act is administered in the United Kingdom by the Information Commissioner. Guidance can be obtained by contacting the Information Commissioner at the following address or website:

The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, SK9 5AF.

Tel: 08456 30 60 60 or 01625 545745

Fax: 01625 524510

Website: <https://ico.org.uk/>

Annex 1

CORNWALL HOUSING PUBLICATION SCHEME

Contents

- 1.** Information about the Freedom of Information Act
- 2.** About Cornwall Housing Ltd
- 3.** Access to information
- 4.** Your Comments about the Scheme
- 5.** How to Complain
- 6.** Excluded Information
- 7.** Deletion of Information
- 8.** Details of information available

1. Freedom of Information Act

The Freedom of Information Act 2000, has created a general right of access to information held by public authorities. Cornwall Housing Ltd is a 'wholly owned company' and for the purposes of the Freedom of Information Act (FOIA), is a public authority.

People have the right to be told whether particular information is held in recorded form and if so, to have a copy of it. The Act also requires public authorities to publish a number of classes of information in a Publication Scheme. This commits us to make important information available as part of our normal business activities so that people do not need to make specific requests.

We have adopted the model publication scheme produced by the Information Commissioner.

2. About Cornwall Housing Ltd

Cornwall Housing Ltd is an Arms Length Management Company owned by Cornwall Council, responsible for managing council homes on behalf of Cornwall Council. Cornwall Housing also provides other housing services, like Homelessness, Housing Advice and Options.

The Company was established on 1st April 2012, and is a company wholly owned by the Council, but overseen by a Board of Directors rather than by a committee of the Council. The Board has 18 members made up of six councillors, six tenants and six independent members. The services that we provide, include:

Assets Directorate:

- Responsive Repairs
- Capital Improvement programme
- Asset management
- Disabled adaptations
- Health and Safety
- Estate management
- Affordable Housing Development

Landlord Directorate

- Tenancy management
- Gypsy and Traveller management
- Right to buy
- Supported Housing
- Leasehold management
- Tenant Engagement
- Void and empty property management

Housing Solutions Directorate

- Housing Needs
- Housing Options and Advice
- Housing Allocations and Homechoice Register
- Homelessness Advice
- Temporary Accommodation

Finance and Resources Directorate

- Finance Management
- IT Management
- HR Management
- Customer Services
- Performance and Project Management

3. Access to Information

Information available under this Publication scheme is available either on our website at www.cornwallhousing.org.uk or in printed form from:

Contacting Customer Services 0300 1234 161 or by emailing info@cornwallhousing.org.uk.

Or by writing to:

Cornwall Housing Ltd

Request for Information

Cornwall Housing Ltd
Chy Trevail, Beacon Technology Park
Bodmin
Cornwall
PL31 2FR

Information on the website is free of charge. You may be required to pay a fee for the information you require depending on the information requested. You will be advised at the time of your request if a charge will be made and how much it will cost you. The charge will be to cover the costs of printing, copying or postage.

When requesting information please include the following details:

- Your name and address
- The information or documents you would like to access
- The format you would like the information to be sent – for example, printed leaflet, via email, Braille, large print and certain other languages.

We must supply you with the information you have asked for within twenty working days of receiving your request. We will always try to meet your request as quickly as possible and expect to satisfy most requests for Publication Scheme information within ten working days.

The only exception is where you have to pay for the information. If you do have to pay, our targets remain the same but we aim to provide you with the requested information in ten days from when you pay us, instead of when we receive your request.

4. Your Comments about our Scheme

We welcome your comments about the scheme. If you feel there are areas we have not covered or if we can make the scheme easier to use please contact:

Writing: Request for Information
Cornwall Housing Ltd
Chy Trevail, Beacon Technology Park
Bodmin
Cornwall
PL31 2FR

Telephone: General enquiries and repairs: **0300 1234 161**

General enquiries: info@cornwallhousing.org.uk

5. How to Complain

If you have a complaint about the scheme or failure on our part in relation to the scheme please contact:

Cornwall Housing Ltd
Complaints
Chy Trevail, Beacon Technology Park
Bodmin
Cornwall
PL31 2FR

If you have followed our complaints procedure and are still unhappy you can contact:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (or 01625 545745 if you would prefer not to call an '03' number, or +44 1625 545745 if calling from overseas)

Fax: 01625 524510

More information can be found on www.ico.gov.uk

6. Excluded Information

Excluded throughout the scheme is all information relating to private individuals by virtue of it being personal data under the Data Protection Act 1998. In addition, some classes set out a range of information that is excluded from publication. This will include instances where the health, welfare and safety of our staff may be affected or where commercial interests may be harmed should we disclose the information. Where this is the case the reasons behind the decision are stated.

7. Deletion of Information

A lot of information we produce is only needed for a limited period. It costs a lot to keep information once it is no longer needed. We will therefore destroy information that is no longer needed. We will not withhold information requested properly nor amend or destroy information to avoid its release.

8. Details of information available

WHO WE ARE AND WHAT WE DO		
Organisational information, locations and contacts, constitutional and legal governance		
Description	Availability	Whether a charge applies
About Cornwall Housing Ltd	Website	No
Vision, values and culture	Website	No
Articles of Association	Website Copy on request	No Yes
The Board: <ul style="list-style-type: none"> • Key facts about the Board • Decision making • Current Board members – biography and contact details • Meetings and committee structure • Tenant Committees 	Website	No

Managing Director and Directors <ul style="list-style-type: none"> Contact details Staff Structure 	Website	No
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WHAT WE SPEND AND HOW WE SPEND IT

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts		
Description	Availability	Whether a charge applies
Annual accounts	Website	No
Procurement procedures	Website	No
Staff and Board members' allowances and expenses	Website	No

WHAT OUR PRIORITIES ARE AND HOW WE ARE DOING

Strategy and performance, plans, assessments, inspections and reviews		
Description	Availability	Whether a charge applies
Company Objectives	Website	No
Delivery Plan 2012 - 2017	Website Copy on request	No Yes
Business Plan 2012 - 2017	Website Copy on request	No Yes
HRA Business Plan 2012 - 2017	Website Copy on request	No Yes
Capital Improvement Plan 2012 -2013	Website	No
Asset Management Strategy	Website Copy on request	No Yes
Cornwall Homes Standard	Website Copy on request	No Yes
Balance Scorecards	Website	No
Survey results	Website	No

HOW WE MAKE DECISIONS

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations		
Description	Availability	Whether a charge applies
Board and Committee minutes	Website Copy on request	No Yes
Tenant Compact	Website Copy on request	No Yes

OUR POLICIES AND PROCEDURES

Current written protocols for delivering our functions and responsibilities		
Description	Availability	Whether a charge

		applies
Recharge Policy	Website	No
Repairs Policy	Website	No
Decoration Procedure	Website	No
Antisocial Behaviour Policy	Website	No
Housing Rents Policy	Website - Cornwall Council Housing Strategy	No
Housing Lettings Policy	Website - Cornwall Council Housing Strategy	No
Homelessness Strategy	Website	No
Housing Advice and Options Homelessness Policy*	Copy on request- un - reviewed	No
Bed and Breakfast policy	Copy on request- un - reviewed	No
Temporary Accommodation Policy*	Copy on request- un - reviewed	No
Sanctuary Policy* (General Fund only)	Copy on request- un - reviewed	No
Homelessness Prevention Fund Policy*	Copy on request- under review	No
Review Policy*(General Fund only)	Copy on request- un - reviewed	No
Mediation Policy**(General Fund only)	Copy on request- un - reviewed	No
Other Housing Advice and Options policies are linked to key policies that are asterisked *	* there are a number of other policies and protocols referred to in the above policies. Copies on request- un - reviewed	No
Housing Advice and Options Leaflets	Website - or Copy on request- un -reviewed	No
Tenancy Agreement	Website	No
Complaints Policy	Website	No
Antisocial Behaviour Policy	Website	No
Disabled Adaptations Policy	Website	No
Cornwall Homechoice Policy	Website	No
Customer Services Standards	Website Copy on request	No No
Freedom of Information	Website	No
Data Protection Policy	Website - to be reviewed	No
Equality and Diversity	Website - Cornwall	No

Policy	Council	
Health and Safety Policy	Website	No
Job Vacancies	Website	No
Other policies	Website	No

LISTS AND REGISTERS

Information held in registers required by law and other lists and registers relating to the functions of the Company

THE SERVICES WE OFFER

Information about the services we offer, including leaflets, guidance and newsletters

Description	Availability	Whether a charge applies
General information (various leaflets)	Website	No
Paying Rent (various leaflets)	Website	No
Advice and support (various leaflets)	Website	No
Repairs Booklet	Website	No
Tenants Handbook	Website	No
Press releases	Website	No

FREEDOM OF INFORMATION

ACCESS TO INFORMATION REQUEST FORM

ACCESS TO INFORMATION REQUEST FORM

The Freedom of Information Act 2000 gives you the right of access to recorded information held by us. Cornwall Housing holds information about many issues in many forms and at many locations.

If you require any information, we suggest that you try the following points of contact:

1. Our offices by telephoning: **0300 1234 161**
2. Our website: www.cornwallhousing.org.uk
3. Our Publication Scheme. This is a document setting out what information we publish and where you can find it. This is also available at the points of contact listed above.

If you still do not get what you are looking for, you can make a request under the Freedom of Information Act 2000. You can do this at any time, but we suggest that if you try the above first, as this may save you time.

IF YOU WISH TO SEE INFORMATION WE HOLD, YOUR RESPONSIBILITIES ARE:

- * To provide us with your name and postal address
- * To help us to find the information by specifying exactly what information you would like to see by filling out the attached Access to Information Request form.
- * To pay the fee if we request it - we will tell you the fee when you return this form. The fee will be 10% of the marginal cost of retrieval plus disbursements as defined by the regulations set by the Department of Constitutional Affairs. We will not provide any information until a fee has been received.

OUR RESPONSIBILITIES ARE:

- * To confirm whether we hold the information.
- * If we do hold the information, to supply it within 20 working days (this starts from the day we receive all of the above).
- * To inform you of the fee chargeable for the information.
- * If we do not hold the information or cannot disclose it due to a good reason (set out in the Act), to write to you and tell you why.

WHEN WE MAY REFUSE A REQUEST

We want to be an open and democratic organisation and we are committed to complying with the Freedom of Information Act 2000. This means that, more often than not, you will receive most (if not all) of the information you

have requested. However, there may be circumstances in which we may not be able to supply the information because e.g.:

- we do not hold the information; if we know who does, we will tell you.
- the information is sensitive or falls into one of the exemptions under the Act e.g. where it would prevent or prejudice crime prevention or detection or where it is commercially sensitive.
- your request is substantially similar to one made previously and the information has not changed much.
- where the cost of retrieval is more than £450 or the sum set by the regulations at the time.

COMPLAINTS

If you are dissatisfied with our response, then in the first instance you may complain to Cornwall Housing Limited, and we will deal with your complaint in accordance with Cornwall Housing's complaints procedure.

MORE INFORMATION

The Act is administered in the United Kingdom by the Information Commissioner. Guidance can be obtained by contacting the Information Commissioner at the following address or website:

The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, SK9 5AF.

Tel: 08456 30 60 60 or 01625 545745

Fax: 01625 524510

Website: <https://ico.org.uk/>

ACCESS TO INFORMATION REQUEST FORM (FREEDOM OF INFORMATION ACT 2000)

Please sign section 5 of this form.

Thank you for your enquiry about information that may be held by Cornwall Housing. Your attention is drawn to the notes at the end of the document.

To enable a search to be made please provide the following information:

1. Your Details

Surname: Forename:

Current Address:

House/Flat number & street; -----
Town; -----
County; -----
Post Code; -----
Telephone Number; -----
Email address; -----

***Last Address in Cornwall (if not the same as above):**

(* include if relevant to your request)

House/Flat number & Street; -----
Town; -----
Post Code; -----
Dates of Residence; -----
in Cornwall

2. Cornwall Housing needs to establish what information you are requesting. Please assist by providing a brief description in the box below.

3. Cornwall Housing also needs to establish where the information you are seeking may be located.

(a) Below is a list of service areas. Please tick the box with which you have had a relationship or dealings with or where you believe the information may be located.

- | | | | |
|--------------------------------|--------------------------|---|--------------------------|
| Tenancy Information | <input type="checkbox"/> | Information about Cornwall Housing | <input type="checkbox"/> |
| Repair or property information | <input type="checkbox"/> | About our Board | <input type="checkbox"/> |
| Rent Information | <input type="checkbox"/> | Cornwall Housing employees | <input type="checkbox"/> |
| Garage Information | <input type="checkbox"/> | About our policies and procedures | <input type="checkbox"/> |
| Financial Information | <input type="checkbox"/> | Leaseholder or Right to Buy Application | <input type="checkbox"/> |
| Homechoice | <input type="checkbox"/> | Homelessness | <input type="checkbox"/> |
| Housing Allocations | <input type="checkbox"/> | | |

(b) Please explain why you think the sections you have identified above may hold the information you require.

- (c) If none of the sections listed at (a) above are appropriate please describe any relevant matter(s) where you have contacted Cornwall Housing, giving names of officers and dates where possible.

4. Format of Information

Please let Cornwall Housing know if you would like the information in another language, in Braille or in large print version.

5. Fees

A fee is chargeable as permitted under the Freedom of Information Act 2000. If the cost of recovering the information is expensive i.e. over £450.00 we will write and notify you of the anticipated charge, at which time you can indicate whether you wish us to proceed with providing you with the information. We will only proceed if you pay any fee request in full in advance. The cost of recovering the information will be charged for in accordance with the regulations laid down by the Ministry of Justice.

Please return the completed form to:

Michelle Pattison
PA to Managing Director
Cornwall Housing Ltd
Chy Trevail, Beacon Technology Park
Bodmin
Cornwall
PL31 2FR

6. Further Information:

Please note that the information provided may itself become subject to the provisions of the Freedom of Information Act.

A third party may need to be consulted in connection with your request should it affect them.

By making this request you consent to this data being circulated, unless you indicate otherwise to us in writing.

7. Please sign the box below:

<p>Name:</p> <p>Signed</p> <p>Date</p>

Alternative formats

Furvasow Erel

If you would like this information on audio CD, audio tape, Braille, large print, any other format or interpreted in a language other than English, please contact:-

Mar mynnowgh hwi kavos an kedhlow ma war son-sidi, sonsnod, yn Braille, prynt bras, furvas aral po styrys yn taves dres Sowsnek, kesteveugh mar pleg: -

Address

Cornwall Housing Ltd
Chy Trevail
Beacon Technology Park
Bodmin
Cornwall
PL31 2FR

Telephone

General enquiries: **0300 1234 161**

Text: **07941 712 712**

Email

General enquiries: [**info@cornwallhousing.org.uk**](mailto:info@cornwallhousing.org.uk)

Website

[**www.cornwallhousing.org.uk**](http://www.cornwallhousing.org.uk)