



## **Freedom of Information Policy**

### **Introduction**

The Freedom of Information Act 2000 (FOIA) enables anyone to request recorded information held by the General Chiropractic Council (GCC).

The GCC supports the underlying principle of FOIA; that people have a right to know about the activities of public authorities unless there are good reasons for withholding that information.

The GCC seeks to operate open and transparent processes and to publish as much information about its activities as it can. The GCC will comply with a request for information made under FOIA (a FOI request) if it holds the information requested, unless one or more of the exemptions under FOIA apply.

The policy applies to all recorded information held by the GCC or by third parties on its behalf. Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

The ICO has also published a more detailed sector specific definition document for health regulators. This provides guidance on the kinds of information that the ICO expects the GCC and other regulators to proactively provide.

### **FOIA requests**

If you are unable to locate the information you require on the GCC website you can submit an FOI request for it. Requests must be in writing and include your name and contact details. Requests can be made by email to [foi@gcc-uk.org](mailto:foi@gcc-uk.org) or by post to;

General Chiropractic Council  
Park House  
186 Kennington Park Road  
London  
SE11 4BU

You do not have to mention FOIA to make a valid request. The GCC will treat all written or email requests for information as FOI requests where the information sought is not already available to the public or routinely provided.

We aim to respond to requests promptly and, in any event, within the statutory FOIA time limit (20 working days starting the day after a valid request is received).

If we need more detail from you in order to identify the information you have requested, we will ask you. We will do this at the earliest opportunity. The FOIA time limit will be suspended until you respond.

You can expect our FOI response to;

- confirm if the information you have requested is held;
- provide an explanation of any exemptions applied;
- outline the public interest arguments considered if the public interest test has been applied – see ‘qualified exemptions’ below; and
- explain how you can complain if you are not satisfied with the response received.

## **FOIA and data protection law**

You cannot make a FOI request for your own personal data. If you want to access your personal data this will be treated as a ‘subject access request’.

The GCC must protect personal data in accordance with the GDPR. If you are requesting information which forms the personal data of another individual, the GCC will need to carefully consider its obligations under the GDPR before disclosing any personal data in response to that request.

## **Exemptions**

Some information is exempt from disclosure under FOIA. Although the GCC seeks to disclose as much information as possible, we will use relevant exemptions when we consider this is appropriate.

If we decide that the information you have requested cannot be released we will tell you this and we will explain our reasons.

Exemptions under FOIA may be either:

- *qualified exemptions*: where the GCC must apply the ‘public interest test’ and decide whether the public interest in withholding the information is outweighed by the competing public interest in its disclosure; or
- *absolute exemptions*: which apply automatically, without any public interest test.

Qualified exemptions apply, for example, to information which is intended for publication at some future date information held for the purpose of fitness to practise investigations or proceedings (and where the disclosure would prejudice those investigations); commercially sensitive information; and information which, if disclosed, would be likely to endanger an individual’s health or safety.

Absolute exemptions apply, for example, to information provided in confidence;

material that is the personal data of a person making an FOI request; or material which is personal data about others.

### **Vexatious or repeated requests**

FOIA does not require the GCC to provide information if a request is vexatious. The Information Commissioner has identified a number of factors that can be taken into account when determining whether a request is vexatious, these include:

- abusive or aggressive language;
- personal grudges;
- unreasonable persistence;
- frequent or overlapping requests;
- scattergun approach;
- frivolous requests.

The GCC is not obliged to comply with a request which is identical or substantially similar to a previous request from the same person unless a reasonable interval has elapsed.

### **Costs**

In general, the GCC will not charge for FOI requests.

### **Complaints**

If you are not satisfied with the response you receive from the GCC you can request an internal review. An internal review must be requested within 40 working days of the date of the GCC's response to your FOI request.

An internal review will be undertaken by a senior member of GCC staff who was not involved with the original decision, who will consider whether the FOI request was handled appropriately. We aim to respond to all internal review requests within 20 working days.

Requests for internal reviews can be submitted by email to [foi@GCC-uk.org](mailto:foi@GCC-uk.org) or by post to;

General Chiropractic Council  
44 Wicklow Street  
London  
WC1X 9HL

If you are dissatisfied with the outcome of an internal review or with the GCC's handling of your request you can contact the ICO to request that they look into your concerns. The contact details for the Information Commissioner are:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113  
Website: [www.ico.org.uk](http://www.ico.org.uk)  
Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)