Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.
- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.
1 Activity Type

The activity has been identified as a New/Proposed Policy.

2 Overall Purpose

2.1 What the Activity is for

| What is the purpose of this Policy and expected outcomes? | The aim of the Information Rights of Access Policy is to define a Code of Practice for the Council in order to meet its statutory obligations under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Re-use of Public Sector Information Regulations 2005. The Council provides a wide range of services for the benefit of the local community. In performing these services the Council collects a large amount of information. The Council is committed to making much of this information available to the public, and the policy describes how it manages requests for access to the Council's information. The Freedom of Information (FOI) Act 2000 and Environmental Information Regulations (EIR) 2004 create significant rights of access to information held by public authorities. Under the FOI Act a request must be made in writing and include the following details: the applicants full name and contact details (address and/or email address); details of the information or documents they would like to access; and their preferred method of communication with us (e.g. letter or email). The FOI Act 2000 and the EIR 2004 are broadly similar in purpose but vary in their detail, in that the latter: permits information requests to be submitted orally as an alternative to written form; permits extension of the 20 day response time limit to 40 days where the request is complex and voluminous; permits recovery of the full cost of providing information as there is no threshold for fees charging; and states that emissions information has special status and normally must be supplied on request. The Re-use of Public Sector Information (RPSI) is about permitting re-use of information already disclosed and how it is made available. It is not about accessing information, which is dealt with under the information access legislation referred to above. |
Comment
Objectives: The objectives of the Information Rights of Access Policy are to:
- outline how an information request may be received, and to define the process for validating it / responding to it;
- provide guidance on exemptions to the FOI Act and EIR and how these can be applied to a request; and
- outline the appeals process and how this will be carried out by the Council.

Outcomes: Information that is accessible under the FOI Act and EIR will be made available to the public. The Council complies with its statutory obligations under Section 45 of the FOI Act, and avoids enforcement action being taken by the Information Commissioners Office which can be damaging to its reputation.

RPSI requests are responded to in accordance with statutory and legal requirements, and help fulfil the Council’s agenda for the provision of open and linked data.

Benefits: The results of implementing the Information Rights of Access Policy are intended to be to the benefit of all citizens of Birmingham, as the policy gives confidence to citizens that information is handled in a compliant manner which informs and engages the wider community.

For each strategy, please decide whether it is going to be significantly aided by the Function.

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Aid by Function</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Service Excellence</td>
<td>Yes</td>
</tr>
<tr>
<td>A Fair City</td>
<td>Yes</td>
</tr>
<tr>
<td>A Prosperous City</td>
<td>No</td>
</tr>
<tr>
<td>A Democratic City</td>
<td>Yes</td>
</tr>
</tbody>
</table>

2.2 Individuals affected by the policy

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will the policy have an impact on service users/stakeholders?</td>
<td>Yes</td>
</tr>
</tbody>
</table>
The Information Rights of Access Policy regulates the management of requests for information in accordance with legislation and recognised industry best practice. FOI, EIR and RPSI legislation is about supporting transparency within public authorities, and the rights of individuals to access information held by them.

The Information Rights of Access Policy sets out how the Council will respond to requests for information that it receives under FOI, EIR and RPSI legislation and meet legislative requirements. It also sets out how the Council will make available information that is to be re-used. The right to access information is open to everybody anywhere in the world.

The Council ensure that ‘appropriate assistance’ is given to enable customers to make a request for information under FOI, EIR and RPSI legislation - ‘appropriate assistance’ may include advising a customer that another person or agency, such as a Citizens Advice Bureau may be able to assist them with the application, or make the application on their behalf. Council staff are flexible when offering advice / assistance to customers and consider individual circumstances, for example: paper request forms are sent to applicants for completion if they are uncomfortable using the electronic service. The Council will also provide information in other formats, for example: large print or braille if requested.

The right of access is available to everybody regardless of who they are and where they are. Section 45 of the Lord Chancellor’s Code of Practice on FOI, and Section 16 of the EIR, provide guidance for public authorities on discharging their responsibilities in relation to requests for information under the FOI Act and EIR legislation.

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will the policy have an impact on employees?</td>
<td>Yes</td>
</tr>
<tr>
<td>Will the policy have an impact on wider community?</td>
<td>Yes</td>
</tr>
</tbody>
</table>

2.3 Analysis on Initial Assessment

Chairperson Summary Statement:

Having undertaken an initial impact assessment of the Information Rights of Access Policy, we have concluded that as there is no potential adverse impact associated with any aspects of the policy, we should not proceed to a full impact assessment.

Should any equality issue arise during implementation of the policy it will be considered.
3 **Concluding Statement on Full Assessment**

N/A - no requirement to go to a full assessment.

4 **Review Date**

01/02/19

5 **Action Plan**

There are no relevant issues, so no action plans are currently required.