

# Annex 3A:

## Formal procedures for requesting information

### Procedure for making a request

**3A.1** In any instance of information sharing, one or more Category 1 or 2 responders will request the information and one or more will receive the request. They are known respectively as “the requesting responder” and “the receiving responder.”<sup>1</sup>

**3A.2** An information request should be made in writing. It must specify either the information required or a description of the information requested. The request should be sufficiently precise that the nature of the information sought is clear. The request must include reasons as to why the responder needs the information.<sup>2</sup>

**3A.3** The request may specify a time limit for dealing with it, and the place at which the information should provide. The request may also specify the form in which the information is to be supplied (e.g. in paper form, on disk). In each case the time allowed, and the place and form specified, must be reasonable. For example, a requesting responder seeking details from an established plan might allow a week for the receiving responder to reply. But if the information being sought is, for example, not presently collated in an easy-to-share way, or can only be released with the permission of a third party, a month might be more applicable. Wherever possible, the mechanics of the request should be discussed in advance between responders.

**3A.4** A template for requesting information can be found at Annex 3B.

### Procedure for dealing with a request

**3A.5** A valid request for information in possession of the Category 1 and 2 responder receiving the request, must be complied with unless one of the exceptions (set out below) applies. This is the case even where the information has been originally supplied in confidence – though the responder which receives the information is also likely to become subject to that duty of confidence. Where the responder is subject to restrictions on the disclosure of information in another enactment or a contract, the other enactment or contract will have to be considered in light of the Regulations. Which provision applies will depend on the particular terms of the other enactment or contract.

**3A.6** In considering whether the request is valid, a responder should consider if the procedural requirements have been satisfied and whether the reasons given by the requesting responder indicate the information does appear to be reasonably required in connection with the requesting responder’s functions.

**3A.7** The information must be provided within the time limit specified in the request. If no time limit is specified, the information must be provided in a reasonable period. The information must be supplied in the form and at the place specified by the request.<sup>3</sup>

**3A.8** The request relates to information, not documents. A responder which receives a request is not required to disclose all the documents which contain the information which has been requested.

<sup>1</sup> regulation 47

<sup>2</sup> regulation 48

<sup>3</sup> regulation 50

However, this will often be the easiest way to deal with an information request. In other cases, a new document which contains the information being requested may be prepared.

**3A.9** A template for responding to a request for information can be found at Annex 3B.