

Freedom of Information Guidance Note to Government Office for the North East Suppliers

FREEDOM OF INFORMATION ACT 2000

The Freedom of Information Act 2000 came into force fully on 1 January 2005.

- In general terms, the Act obliges public authorities to divulge recorded information, either proactively following their publication schemes or following a request to do so
- The duty to divulge following a request covers all information held within our files at the time of the request, irrespective of when it was created. Compliance with our statutory obligations will mean, in practice, being as open as possible when faced with a request for information

As a supplier to the Government Office for the North East, you will understandably be concerned about the effect of the Act on information you supply to us. We hope we can reassure you that we are aware of your need to protect information, which is commercially sensitive to you.

- Certain information - including trade secrets or information which if disclosed could prejudice a person's commercial interests - is potentially exempt from disclosure. We will seek to rely on those exemptions where it is appropriate for us to do so
- There are also specific exemptions for personal data and information provided in confidence whose disclosure would constitute an actionable breach of confidence

You need to be aware that we must consider each request for information we receive from 1 January 2005 on a case by case basis to determine whether we disclose it under the Act. This may involve weighing up the public interest in openness against the public interest in protecting commercial confidences. Until we receive a request for information it is not possible for us to state categorically that particular information is exempt from disclosure.

We would recommend you to obtain your own legal advice about the effect of the Act, but further information is available on the Office of Government Commerce Website (OGC) and Department for Constitutional Affairs (DCA) websites:

<http://www.dca.gov.uk/index.htm>
<http://www.ogc.gov.uk>

We are currently developing our Publication Scheme under the Act and it will be available on our website. In the meantime, as we are part of the Department for Communities and Local Government (DCLG) you may wish to review their publication scheme on its website at:

<http://www.communities.gov.uk/index.asp?id=1141766>

If you have any queries please contact our Access to Information Manager on:

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