

Freedom of information

Information on what a freedom of information request is and how to make a request.

Under the [Freedom of Information \(FOI\) Act 2000](#) and the [Environmental Information Regulations \(EIRs\) 2004](#), you can request any recorded information held by a public body. This includes information held on computers, in emails, datasets, printed or handwritten documents, images, videos and sound recordings.

The FOI Act and EIRs provide the general right of access to information held by public authorities.

Almost all of the requests received by the FSA are FOI rather than EIR requests. For this reason, this guidance focuses on submitting FOI requests.

The Freedom of Information Act

The Freedom of Information Act 2000 requires us to:

- provide information about the FSA through our publication scheme
- provide a guide to this information, and
- respond appropriately to requests for information within 20 working days.

Who can make a request

Anyone can make a freedom of information request. You do not have to be a UK citizen, or resident in the UK to submit a request. Freedom of information requests can also be made by organisations, such as newspapers, campaign groups, or companies.

Before you make an FOI request

Before you make an FOI request, you should check [our website](#) to see if the information you require is already available. We are committed to the transparent and open publication of information explaining what we do and how we ensure that food is safe.

Our guidance on [what we publish](#) outlines the range of information available online. The publication scheme details:

- information available by class, such as our priorities, policies and procedures
- whether information is published on the internet or as a hard copy
- whether the material is available free of charge or on payment of a fee

You can [check previous published FOI requests via our datasets](#). Some sensitive information is not available to the public. If this is the case, we will tell you why we cannot provide some, or all, of the requested information.

This will be through using one or more of the [exemptions of the Freedom of Information Act](#).

Making an FOI request

You can make a freedom of information request by email to information.governance@food.gov.uk. You can also write to us by post to:

Freedom of Information Team
Food Standards Agency
Foss House
1-2 Peasholme Green
York
YO1 7PR

When making a request, you must provide:

- your name
- an address where you would like the information sent to (this can be an email or postal address)
- a clear description of the information you want. You should be as specific as possible in your request and avoid general questions

If you need help forming your request you can visit the [Information Commissioner's Office](#) for useful tips.

Once we receive your request, we will write to you to provide an acknowledgement. We will provide our response to your request within the legal deadline of 20 working days.

Our response will let you know whether we hold the information. If we do, we will either supply a copy of the requested information, or set out the reasons why we believe an exemption applies.

Requests for personal data and subject access request should be sent to the Knowledge, Information Management and Security Team (KIMS) at information.governance@food.gov.uk.

Exemptions

The FOI Act contains a number of [exemptions](#) which may apply to information held by the FSA.

We are required to consider whether an exemption is absolute or qualified.

An absolute exemption is where we are not required to consider the public interest in disclosing or withholding the information. Examples of absolute exemptions include:

- information accessible to the applicant by other means
- information that is personal and would breach the Data Protection Act 2018 (DPA) and UK General Data Protection Regulations (UK GDPR)
- information provided in confidence

A qualified exemption is where we are required to consider the public interest in disclosing or withholding the information. Examples of qualified exemptions include:

- information intended for future publication
- information that is pre-published research data
- information that impacts the health and safety of an individual
- information covered by Legal Professional Privilege (LLP)
- information that impacts the commercial interests of any organisation

Once a qualified exemption is used, the FSA is legally able to extend the statutory deadline. This is only applicable if we require more time to consider the public interest arguments. This is the only time when the 20-working day statutory deadline can be extended without the response

being treated as a late reply.

If we need to extend the deadline, we will write to you before the original response date to inform you of this.

Appealing an FOI response

If you are not satisfied with the way the FSA has handled your freedom of information request, you can request an internal review within two calendar months of the response letter. You should write to the Freedom of Information Team.

The Complaints Coordinator can be contacted by email at information.governance@food.gov.uk or by post at:

Freedom of Information Team
Food Standards Agency
Foss House
1-2 Peasholme Green
York
YO1 7PR

If you are not content with the outcome of the internal review, you may then apply directly to the Information Commissioner (ICO) for a decision. The ICO will investigate the case and decide whether your request for information has been dealt with in accordance with the requirements of the FOI Act.

Generally, the ICO will not investigate a case unless you have exhausted the internal review procedure provided by the FSA.

The Information Commissioner can be contacted online at www.ico.gov.uk or by post at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

How we use your personal information

The FOI team will use your personal information to log, consider and answer your FOI request to the FSA. We will liaise with colleagues internally (including those collating the information requested, and any other FSA offices with a valid interest in the response) as well as, on occasion, external third parties who may need to be consulted on any potential disclosure. We will not disclose personal details during any third-party consultations.

If you refer your request to the ICO, and thereafter the relevant tribunal system, we will share your information as necessary in answering regulatory enquiries and making submissions.

For more information about how we handle your personal information, and your rights under data protection legislation, please see our [privacy notice](#).

Publishing responses

Our [datasets](#) list some of our responses to requests made under both the FOI Act and EIRs. We will publish information in this way where we consider that there is a wider public interest.

This decision to publish is guided by the following criteria:

- if there is a substantial public, rather than private, interest in the information
- if a number of requests have been made on the same or similar subject
- if publication would demonstrate how we spend money
- if publication would demonstrate how we exercise our regulatory functions and makes decisions
- if publication would inform public debate

When publishing responses, we will remove all references to personal information where necessary to comply with the Data Protection Act 2018 and UK GDPR.