

COURSES FOR FREEDOM OF INFORMATION PRACTITIONERS (INCLUDING COURSES LEADING TO THE ISEB QUALIFICATION)



FOI and EIR COURSES
FROM AMBERHAWK TRAINING LTD
January 2010



AMBERHAWK

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Who/what is Amberhawk?

Amberhawk *is* the leading training company in the field of freedom of information; our exam statistics below prove, year on year, that we have a track record of **delivering success**.

FOI statistics: Since October 2006 (when ISEB changed the pass mark from 60% to 50%), Amberhawk has achieved **a pass rate of 95% with an average pass mark of 61.7%**. The combined statistics since the start of the qualification (including the 60% period), shows that Amberhawk has achieved a pass rate of 91% with an average pass mark 61.3%.

Since 2006/7 the ISEB website shows that for FOI there has been 144 passes and 45 fails with this qualification. During this comparable period Amberhawk delegates obtained 78 passes and 8 fails. Subtracting the two, one arrives at the collective performance of other training providers: 66 passes and 37 fails. (*Statistics updated: January 2010*)

What is in this brochure?

A full description of Amberhawk's FOI/EIR training courses in London, Leeds and Manchester and the content of each course, course objectives and learner outcomes. Courses held in Edinburgh will contain the same content but relate to the equivalent provisions in the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations.

What is the objective of the training?

The objective of all our FOI/EIR courses is to deliver a confident and knowledgeable FOI specialist. This person is then able to understand the law, apply it sensibly and practically, and is properly equipped to perform the tasks in hand. Our thoroughness delivered in our training explains why the vast majority of delegates who opt to sit the ISEB exam with us, pass it first time around and why we have many web-site testimonials from a wide variety of leading public sector bodies accessible from the home-page of our website.

Who delivers the FOI training?

The directors of the Amberhawk, Dr Chris Pounder and Sue Cullen, leading experts in the field of FOI deliver the training. Their expertise in this field and Information Law in general is detailed in the CVs that are accessible from the home page of the Amberhawk web-site.

How do I choose the right course?

Look at the simple questionnaires on the next two pages. These help identify which courses your FOI or access to information staff member needs. There are two kinds of courses:

- **Combination Courses** that enable a FOI specialist to obtain comprehensive training and if the ISEB option is chosen, acquire a professional qualification.
- **Subject Matter Courses** that enable a FOI specialist to select detailed training on specific topics. Because of the modular nature of our courses, delegates can, if they so wish, convert to attending a qualification course.

How do I book a course?

On the web-site, we have an easy-to-use automated booking system that can also take credit card payments. All you need do is:

- Identify your preferred course location (London, Manchester, Leeds, Edinburgh)
- Identify whether you are seeking the ISEB qualification (or not)
- Identify whether you want a **Combination Course** or a **Subject Matter Course**
- Then identify **either**:
 - the date when you want to take the exam if you are seeking the ISEB FOI qualification, **or**
 - the courses you want to attend.
- Provide all relevant delegate and billing details.

If you do not want to use the online booking system, you can download a booking form (from the Brochure Page of the Amberhawk web-site).

AMBERHAWK CONTACT DETAILS

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Which COMBINATION COURSE should I choose?

Please read **all the following questions**; an answer “**yes**” indicates that a FOI **Combination Course** will meet your particular needs. Once you have identified “**Which course?**”, please check your choice by looking at the course contents using the page references in the table. You can then proceed to the automated booking process. **Note:** If you are seeking both the Data Protection and Freedom of Information ISEB qualifications **you will find it easier to obtain the data protection qualification first.**

Your requirements	Which course?
I want comprehensive training in all access regimes. <i>Note: the combination course V1 has a ten week time-span to allow delegates explore issues, assimilate materials, debate topical subjects and practice their skills.</i>	Combination Course V1 (see from page 6 for details)
I want an intensive course in the law that applies to access to information. <i>Note: If you are considering V2 please look at “what are the differences between Combination Courses V1 and V2?” at the end of the brochure.</i>	Combination course V2 (see from page 6 for details)
I am seeking a formal ISEB qualification in FOI. <i>Note: it is recommended that you add this “ISEB exam support package to your V1 or V2 choice as it contains a Mock exam, a Mock exam debrief session, an ISEB exam preparation tutorial and the ISEB exam.</i>	Combination course VE plus combination course V1 or V2 (see page 7 for details)
I have received some training in the subject and I am seeking a formal ISEB qualification in FOI. <i>Note: look at the ISEB syllabus and identify which subject matter F course covers the gaps. If in doubt, discuss matters with a course tutor.</i>	Combination course VE plus elements of the courses F1 or F7 (see page 7 and 8 for details)
I want a practical course that covers the main FOI issues. <i>Note: as the Combination Course V1 is made up of all courses F1 to F7, our modular structure allows you to switch to a ISEB qualification course at any time.</i>	Select from the Subject Matter courses F1 to F7 in the next table. (see next page for details)
I want to know more details about the ISEB exam and teaching methods before I decide.	Use contact us (see page 3)

Please note: course dates, venues and costs are identified in a separate brochure (see last page of this brochure)

Which SUBJECT MATTER COURSE should I choose?

If you are new to FOI, we **strongly** recommend that you first attend our introductory courses **F1** as this course covers the basics of all the access regimes.

Your requirements	Which course?
I want training on the procedures for access to information across all access regimes.	Courses F2, F3, F4, F5 and F6 (see pages 8-10 for details)
I want training on refusing access across all the access regimes.	Courses F2, F3, F4 & F5 (see pages 8&9 for details)
I want training on the interface of FOI with other legislation.	Course F4 and F5 (see page 9 for details)
I want a general overview of the subject.	Course F1 (see page 8 for details)
I want to know how to handle a request for access.	Course F2 (see page 8 for details)
I want a course on the FOI exemptions.	Course F3 (see page 9 for details)
I want a course on the interface between FOI and Data Protection Act.	Course F4 (see page 9 for details)
I want a course on the Environmental Information Regulations.	Course F5 (see page 9 for details)
I want a course on refusing FOI requests, dealing with complaints and enforcement.	Course F6 (see page 10 for details)
I want a course on records management and publication schemes.	Course F7 (see page 10 for details)

Please note: course dates, venues and costs are identified in a separate brochure (see last page of this brochure)

OBJECTIVES AND OUTCOMES FOR OUR COMBINATION COURSES V1, V2 AND VE

1. Broad objective of the Combination Courses V1 and V2.

The prime objective of these two combination courses is to produce competent FOI officers with rounded knowledge of all the relevant access regimes. An assessment of this competence is acquired by obtaining the FOI qualification offered by the ISEB.

Both courses **V1** and **V2** have four objectives:

- To study the origins and provisions of all three FOI access regimes and to gain a theoretical and practical understanding of their requirements and of the practical consequences.
- To appreciate, understand, design and implement procedures which meet legal obligations derived from these access regimes and to be confident in the application of the exemptions.
- To study the interaction of these access regimes with the Data Protection Act.
- To cover the ISEB syllabus in FOI and to provide the option of obtaining the qualification.

2. Learner outcomes for attendees of Combination Courses V1 and V2

After attending a combination course, delegates will be able to:

- analyse and understand the obligations placed on public authorities by the various regimes which provide access to information.
- recognise which legal regime applies to a request, and when more than one regime is engaged.
- apply the law to everyday situations; make correct and appropriate use of the exemptions; and implement procedures which meet the legal obligations set out in each access regime.
- apply their knowledge effectively in order to obtain the ISEB qualification in FOI.

3. Courses making up Combination Course V1

Combination course V1 runs over a ten week time-span and allows time for delegates to explore issues, assimilate materials, debate topical subjects and practice their skills. The **V1** course is made up of **all** courses **F1** to **F7**, whose content is described on pages 8 to 11.

The **Combination course V1** covers the following day courses:

- **Course F1 - Introduction to Access to Information and the FOI Act**
- **Course F2 - Requests, Fees and introduction to Exemptions**
- **Course F3 - the FOI Exemptions**
- **Course F4 - Interface between FOI and Data Protection**
- **Course F5 - The Environmental Information Regulations**
- **Course F6 - Refusals, Complaints and Enforcement**
- **Course F7 - Records Management and Publication Schemes**

4. Courses making up Combination Course V2

Combination course V2 runs over a one month time-span and Course provides intensive FOI training usually over five consecutive days (courses **FN1-FN5**). If you are considering **V2** please read the FAQ: "What are the differences between Combination Courses V1 and V2?".

- **DAY 1: Course FN1 - Introduction to FOI**
- **DAY 2: Course FN2 - Access Requests**
- **DAY 3: Course FN3 - The FOI Exemptions**
- **DAY 4: Course FN4 - Data Protection and FOIA**
- **DAY 5: Course FN5 - The Environmental Information Regulations**

5 . Combination Course VE

The sole purpose of **Combination Course VE** is to prepare delegates for the ISEB examination. This examination comprises a written three hour paper. Combination course **VE** contains the following elements:

- Taking a Mock Exam under exam conditions, marking of examination scripts and preparing individualized feed-back.
- A day long debrief tutorial where errors in delegate scripts are identified and further questions are explored in detail.
- Issuing of final homework questions to ensure that the lessons of the Mock Exam have been learnt.
- Individualised help and support in the days before the ISEB exam.
- The ISEB exam fee and other exam related administration.

CONTENT OF FOI COURSES: F1-F7

Note: the content of courses held in Scotland as described below will relate to the equivalent provisions in the FOI (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations that apply to Scottish Public Authorities.

Course F1: Introduction to Access to Information and the FOI A

Main themes

Looking at the nature of three access regimes: Freedom of Information, Environmental Information Regulations and access under the Data Protection Act. Which applies, and why.

Contents of Course F1

Three information access regimes (Data Protection Act, Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIRs). Where does FOI come from and what does it do? Two routes of access to information (requests, and publication scheme). What bodies does the FOIA apply to, and what information is covered? Freedom of Information (Scotland) Act 2002 (FOISA). Brief outline of remainder of FOIA, including procedures, exemptions, records management, Codes of Practice, refusals, and enforcement. History and origins of FOI.

Course F2: Requests, Fees and Introduction to Exemptions

Main themes

The law and procedures surrounding a request for information.

Contents of Course F2

Procedural requirements associated with a request, timescales, duty to advise and assist; requirements of s.45 Code of Practice on Handling Requests; how the information is communicated. Comparison with EIRs, and FOISA. Procedural exemptions: the appropriate limit and the Fees Regulations, and repeat or vexatious requests. When can you refuse to disclose? How the FOI exemptions work: procedural and substantive exemptions; prejudice test; absolute and qualified exemptions and the public interest test. Guidance of Information Commissioner and Ministry of Justice.

Course F3: The FOI Exemptions

Main themes

Looking at all the important exemptions from a legal and procedural standpoint.

Contents of Course F3

This course considers **all** the FOIA exemptions, with a detailed look at those most frequently used (e.g. confidential information, commercial prejudice), the interests they are there to protect, and any relevant public interest considerations. The Information Commissioner and Ministry of Justice guidance are considered, together with relevant Commissioner and Tribunal decisions on specific exemptions.

Note: the s.40 exemption (for personal data) is given detailed treatment in F4, and the S.21 exemption (information reasonably accessible elsewhere) receives further attention in F7.

Course F4: Interface between FOI and Data Protection

Main themes

Looking at the law and procedures when a request involves personal data

Contents of Course F4

Introduction to Data Protection Act 1998 (DPA), with emphasis on categories of data covered, introducing category (e) data, what is personal data, the data protection principles, and who is liable. Effect of FOIA on personal privacy, and analysis of s.40 exemption for personal data. Using the data protection principles to apply the s.40 exemption to third party data, and considering the Information Commissioner Guidance and decisions on this exemption. Analysing the other two elements of s.40 exemption. Covering other aspects of FOI amendments to DPA (limited protection of category (e) data, and subject access to unstructured personal data).

Course F5: The Environmental Information Regulations

Main themes

Looking at the law, procedures and exemptions when a request involves environmental information

Contents of Course F

Where do the EIRs come from and what is environmental information? Compare and contrast EIRs with FOIA and FOISA. Detailed consideration of differences in scope (who is an EIR authority?), procedure, review of refusals, and the EIR exceptions. DEFRA Guidance and Code of Practice. Special features of the EIRs regime.

Course F6: Refusals, Complaints and Enforcement

Main themes

Looking at the law and procedures when a request for information is refused.

Contents of Course F6

Refusal notices and complaints procedures. Enforcement of FOIA, obligations: powers of Information Commissioner; Commissioner's approach to decision notices, and consideration of recent decisions of Commissioner and the Information Tribunal. Case study of a refusal, complaint and ICO decision. Exercise on the Iraq war enforcement notice.

Course F7: Records Management and Publication Schemes

Main themes

The law and procedures as it applies to records management and publication schemes; half day revision session in preparation for the ISEB exam

Contents of Course F7

Legal requirements of publication schemes incorporating the ICO model scheme for 2009, advice from the Information Commissioner; deciding what to include in the scheme; keeping publication schemes up to date, educating staff; using the scheme to best advantage; application of the s.21 exemption. S.46 Code of Practice on Records Management, applying code requirements; records management standards, including evidential standards, carrying out an information audit. Changes to the Public Records Acts. The Re-Use of Public Sector Information Regulations 2005 - who do they apply to and how do they work?

FOI Mock exam and Exam Tutorial (half day)

Throughout the course, practical discussion helps equip delegates with the skills and techniques used to tackle practical FOI/EIR problems and reinforce classroom learning. The mock exam day is a written exam, followed by a discussion of the multiple choice questions. The exam tutorial prepares delegates for the ISEB exam by identifying their own errors in exam technique as evidenced in their own performance.

CONTENT OF FOI COURSES; FN1-FN5

Day 1: Course FN1 - Introduction to FOI

Origins and outline of the Freedom of Information Act 2000. Scope and application: who does it apply to and what information is covered? Two routes of access to information under FOIA. Enforcement by the Information Commissioner. Publication Schemes and records management.

DAY 2: Course FN2 - Access Requests

Procedure for making and handling requests; duty to confirm or deny; duty to advise and assist, and s.45 Code of Practice. Exemption for excessively costly requests, FOI Fees Regulations and repeat and vexatious requests. Refusals and complaints.

DAY 3: Course FN3 - The FOI Exemptions

Function of the exemptions in FOIA. Class and prejudice exemptions; absolute and qualified exemptions. The public interest test. Introduction to the range of exemptions in FOIA, with detailed study of exemptions for confidential information; commercial interests and information already accessible.

DAY 4: Course FN4 - Data Protection and FOIA

Introduction to the basics of the Data Protection Act and how it defines and protects personal data. Consideration of personal data in the hands of public authorities and the need to amend the Data Protection Act to protect privacy. Detailed study of the exemption for personal data. Consideration of how the data protection principles apply to a disclosure of personal data under FOIA.

DAY 5: Course FN5 - The Environmental Information Regulations

Definition of "environmental information". Comparison of the EIRs with FOIA pointing up the differences (scope, application, procedure, charging). Study of the EIR exceptions. Brief introduction to the Re-Use of Public Sector Information Regulations 2005. Tutorial for the ISEB FOI examination.

FOI Mock exam and Exam Tutorial (half day)

The Mock Exam (code M) is a 3hr 20 minute written exam, followed by a discussion of the multiple choice questions. The Exam Tutorial (code T) follows the mock exam and prepares the delegates for the ISEB exam (code E) by identifying their own errors in exam technique as evidenced in their own performance.

OTHER ISSUES

I want further information about our other courses including onsite courses?

Look at our comprehensive list of **FAQs** or **Onsite information law** courses accessible from the home page of the Amberhawk web-site. Failing that, do not hesitate to contact us with your query (contact details on page 3 of this brochure).

I want details of course dates, locations or costs

Because dates get out of date quickly we have placed all the changeable variables in a separate document which is accessible via the **Brochures** link on the Amberhawk website under a download entitled "**Course Dates & Costs**".

Courses in Scotland

The content of courses held in Scotland as described below will relate to the provisions in the FOI (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations that apply to Scottish Public Authorities.

What are the differences between Combination Courses V1 and V2?

The 5-day intensive Combination Course **V2** is intended for those who want to focus only on the essential legal requirements or the ISEB syllabus requirements; **V2** limits itself to this objective. Combination Course **V2** is well suited FOI officers who have not received formal training but have practical experience gained from being in post for a year or more.

By contrast, the longer course (**F1**) also covers the ISEB syllabus includes wider aspects that are not part of the ISEB syllabus and these non-examinable subjects give delegates a far more rounded view of the subject. In particular, the longer Combination Course **F1** contains more time for discussion, for detailed commentary on recent Decision Notices, and for class room exercises that reinforce learning.

I want details of the course tutors

This expertise of the tutors can be seen by downloading the detailed CVs that are accessible (from the links on Home Page of the Amberhawk web-site – www.amberhawk.com).