



Version

1.0

Re-use of Public Sector Information Procedure

Scope:	This procedure applies to all employees and councillors. This procedure impacts residents and service users of the council.
Effective Date:	13 th April 2026
Review Date:	13 th April 2028
Author:	Kyle Houston, Governance Policy Officer
Policy Owned by:	Gavin Ramtohal, Assistant Director (Legal and Governance)
Statute:	Re-use of Public Sector Information Regulations 2015 Protection of Freedoms Act 2012 Freedom of Information Act 2000 Environmental Information Regulations 2004 Data Protection Act 2018 UK General Data Protection Regulations Copyright, Designs and Patents Act 1998
National Standards and Guidance	Re-use of Public Sector Information ICO guidance Open Government Licence National Archive Guidance National Archive RPSI guidance Government Service Design Manual
Related Policies	Re-use of Public Sector Information Policy Information Request Policy

1 Definitions of Commonly Used Terms

Copyright

- 1.1 Copyright is a legal right that protects the use of intellectual property once it has been physically expressed. The current copyright legislation in the UK is the Copyright, Designs and Patents Act 1988.

Dataset

- 1.2 A collection of raw statistics extracted and formatted into a singular set. This differs to information which has been processed to add context and meaning.

Public Task

- 1.3 A task that the Council is obligated under law to fulfil and impacts the borough.

2 Reuse of Public Sector Information

- 2.1 The Re-use of Public Sector Information (RPSI) Regulations 2015 creates a legal obligation for central and local government, and certain proscribed public bodies in section 3 of the referenced legislation to publish a list of information relating to the Council's public tasks and consider requests from the public to re-use information held. This allows members of the public to repurpose information held by the Council for their own personal or commercial purposes.
- 2.2 The Council has an obligation to provide a response confirming whether the received request has been approved or denied within 20 working days. If refused, the reason will be specified and if the copyright is owned by a third party, the Council will provide the details of the owner where possible.
- 2.3 The Council may charge a marginal fee when granting an RPSI request under section 15 of the RPSI Regulation 2015. This may occur in the following instances and in line with ICO and National Archive guidance on fees:
- A fee is required to fulfil an FOI or EIR request to collate requested information. Please see the Council's information request policy for more information.
 - The Council is required to recover a sufficient revenue in order to cover a substantial part of the costs incurred in fulfilling the Council's public task.
 - Information for which the Council is required to generate sufficient revenue in order to cover costs associated with production, collection, reproduction and dissemination.
 - Where information relates to a cultural sector (such as the Council's museums) and covers collection, production, reproduction, dissemination, preservation, rights clearance of the information, and a reasonable return on investments.

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- 2.4 The Council may apply conditions when granting an RPSI request under section 12 of the RPSI Regulation 2015. These conditions will be as non-restrictive as possible and they will never be applied to restrict competition. A condition, for example, an individual may be required to reference Welwyn Hatfield Borough Council as the original source of the information and/or confirming whether the information has been modified.
- 2.5 All RPSI requests should be directed to the Governance team via freedom@welhat.gov.uk to process. The deadline will begin the moment the organisation receives the request and therefore any delays in forwarding the request may result in the Council not meeting the statutory deadline.
- 2.6 Once an RPSI request has been received and reviewed by the Governance Team, they will raise the request to the Assistant Director (Legal and Governance) with a recommendation on how to proceed. The decision to allow or deny re-use will be decided by the Assistant Director (legal and Governance).
- 2.7 The Council will make every effort to make information machine-readable where appropriate in line with the Government Service Design Manual.
- 2.8 The following information is exempt from a re-use request and will not be approved:
- Information that is exempt from release under the Freedom of Information Act 2000.
 - Information that is exempt under the Environmental Information Regulations 2004.
 - Personal information.
 - Information that is owned by a third party.
 - Documents held for educational and research establishments (excluding schools, libraries, and museums).
 - Information that falls outside of the Council's public tasks.
- 2.9 The Council will provide their decision in writing with the Information Governance Appeal Procedure attached and the ICO's details included.
- 2.10 If the Council is unable to meet the statutory deadline, it will inform the requester and, where reasonably practicable, provide an explanation of the delay.
- 2.11 All RPSI requests will be recorded in the Council's RPSI Register. No personal information will be contained in this register and therefore it will not be subject to a retention schedule.
- 2.12 All related correspondence will be saved in a case file. This information will be kept for upwards of 2 years after a request has been fulfilled.

3 Monitoring

- 3.1 All requests for re-use are required to be reported to and then monitored by the Governance Team to ensure the correct application of policies, procedures, and legislation.
- 3.2 Updated versions of this procedure will be reviewed and agreed with the Senior Leadership Team biannually.
- 3.3 Where areas of improvement are not found in a biannual review, a record will be made in the procedure under the version history to indicate it has been reviewed, where an amendment is not required. This record will state the date and officer responsible for the review.
- 3.4 This procedure may be reviewed and agreed in advance if a weakness is found, there are legislation changes, or if the Information Commissioner's Office makes any recommendations.

4 Version History

Version no.	1.0	Date effective:	13 th April 2026
Full / partial review?	Full		
Brief summary of changes:	An RPSI policy and an internal procedure was created.		
Staff consultation (teams):	Senior Leadership Team		
Author:	Kyle Houston, Governance Policy Officer		

Appendix A – Roles and Responsibilities

Stakeholder	Responsibilities
Chief Executive	Accountable for the effectiveness of the Council's arrangements for responding to RPSI requests.
Executive Director (Finance & Transformation) (Section 151 Officer)	To ensure that the council has an adequately resourced and effective Governance Team.
Assistant Director (Legal and Governance) (Monitoring Officer)	<p>To ensure that the council has an adequately resourced and effective Governance Team</p> <p>Statutory responsibility to ensure that the council fulfills its obligations under the Re-use of Public Sector Information Regulations 2015.</p> <p>To review the recommendations of the Governance team in relation to RPSI requests and decide whether to act accordingly.</p>
Governance Team	To monitor RPSI requests, publish FOI datasets, and review this procedure and the RPSI policy.
Members	<p>To comply with the Members Code of Conduct and related council policies and procedures.</p> <p>To forward any correspondence that may be considered as an RPSI request to the Governance Team to review and process.</p>
Officers	<p>To be aware of the Council's obligations under the Re-Use of Public Sector Information Regulations 2015.</p> <p>To forward any correspondence that may be considered as an RPSI request to the Governance Team to review and process.</p>