Introduction

1.1 The Freedom of Information Act is intended to allow anyone in the community to obtain information they require from publicly-funded bodies. Hence, the University is covered by the legislation, which places three basic requirements on the institution:

   a) that it routinely puts in the public domain as much information about the University as is reasonably possible;

   b) that it ensures that, where an individual requires information that is held by the University but has not been published, the enquirer is provided with the relevant information;

   c) that there is in place a properly structured approach to managing records to ensure that essential records of the University’s activities are maintained in appropriate detail (and hence relevant information is readily available to the public).

1.2 This section is specifically designed to help staff deal with requests for information that are received under the terms of the Act.

The University's Publication Scheme

2.1 The University already places a considerable amount of information in the public domain, including the minutes from bodies such as Senate and Council, policy documents, statistics relating to student numbers, and the University’s accounts. These are usually published on the University’s web site though some materials are published on paper and then made generally available.

2.2 Information that the University places in the public domain is generally listed in the Publication Scheme, which describes both the types of information available and where it can be located. The University Publication Scheme is available in paper form from Information Assurance Services.

The right to request access to information

3.1 The right to request information under the Act extends to anyone who wishes to make an enquiry – they might be an employee or student of the University, an employee of some other organisation or any other member of the public. There is no limitation on who may make an enquiry – the law gives the right to minors and adults alike, and foreign nationals (even those based abroad) are equally entitled to request information.
3.2 It is not allowed to ask enquirers why they require the information they seek. Enquirers need not quote (or even be aware of) their rights under the Act to make a request for information. The only requirement the law places on an enquirer is that they must make their enquiry in writing (this includes faxes, emails and text messages, as well as letters) for it to have the authority of a request made under the terms of the Freedom of Information Act. Requests made for information to University managed social media accounts may also be considered as valid. Verbal enquiries (e.g. those made over the telephone) do not have the force of law but may be responded to in accordance with the instructions given below in certain circumstances. For example if the requestor is disabled and will have difficulty in putting the request in writing.

3.3 When an individual makes a written request for information, except in a handful of cases where exemptions apply, the University must provide them with that information within 20 working days from the receipt of the request. This is a very short response time so, if there is any doubt as to whether an enquiry may be a freedom of information or data protection enquiry, or it is not possible to respond from the records available, staff must contact either their departmental Information Assurance Coordinator or Information Assurance Services immediately.

3.4 Note that the Act only gives a right of access to information held by the University. It does not require the University to generate reports and analyses upon request. Information Assurance Services will be able to clarify if information is 'held' by the University for the purposes of the Act.

4. **Vexatious requests**

4.1 The law allows the University to refuse multiple information requests made as part of a campaign. If multiple enquiries of a similar nature are received staff should not refuse to co-operate but must always inform their Information Assurance Coordinator who will be able to take a view on whether a campaign is being instigated and, if so, inform Information Assurance Services.

5. **Data Protection and Freedom of Information**

5.1 Under the provisions of the Data Protection Act 1998 individuals may also request access to their personal data held by the University. To avoid any confusion the procedure for dealing with requests under the terms of the data protection legislation is the same as under the Freedom of Information Act and as set out below.

6. **Responding to requests for information**

   **Note that all requests for information considered to fall within the scope of the Freedom of Information Act 2000 or the Data Protection Act 1999 must be referred to Information Assurance Services immediately.**

6.1 **General**

6.1.1 To assist staff in responding to requests for information, an Information Assurance Coordinator has been appointed in each department whose role is to provide advice
and guidance on any matters relating to requests or freedom of information generally, and who will take responsibility for co-ordinating responses to requests referred to Information Assurance Services.

6.1.2 To assist enquirers, the University has designed a standard Information Request Pack that is widely available around the University. A copy is appended to this guide. The pack covers both Data Protection Subject Access requests and Freedom of Information requests. However, enquirers do not have to use the form in this pack to make a request: so long as their enquiry is in writing, the University must respond accordingly.

6.2 Processing a request for information

6.2.1 Any request for information that meets one of the following sets of conditions must be referred to Information Assurance Services immediately:

a) The request is in written form and refers to either the data protection and freedom of information legislation;

b) The request is in written form and the request is for information not normally made available to the individual or the public either directly or via the University’s Publication Scheme.

6.2.2 If there is any uncertainty whether a request falls into any of the above categories staff must consult with their Information Assurance Coordinator, or in his or her absence, Information Assurance Services.

6.2.3 All other requests not referred to Information Assurance Services under 6.2.1 above must be processed as follows:

a) If a request is received for information which is normally made available to an individual or to the public but which is not held in the University’s Publication Scheme, staff should proceed and provide the information as a Business as Usual request. Note that if the request has been made in writing the University must legally provide the information within 20 working days. If there is any uncertainty whether the information requested is normally made available staff must consult with their Information Assurance Coordinator, or in his or her absence, Information Assurance Services.

b) Irrespective of the form in which the request is received, if it is for information held within the University’s Publication Scheme, staff must provide the individual with details of how they can access the information either directly via the web site or by contacting Information Assurance Services. If there is uncertainty whether the information is held within the University’s Publication Scheme staff must consult with their Information Assurance Coordinator, or in his or her absence Information Assurance Services.

c) Where a verbal request is received for information that is not normally made available to an individual, or to the public, staff must provide them with a copy of the Information Request Pack or direct them towards the appropriate page of the University’s website and ask them to complete it.
6.2.4 If a request is received on a University Information Request form, this must be forwarded to Information Assurance Services immediately.

6.2.5 If a request is received where it is not clear what information is being requested, or where a response cannot be made and/or it is not known where or if the information can be found, or where the request appears to cover potentially problematic or exempt information (for example, information that might contain the personal details of an employee or student), then staff must contact either their Information Assurance Coordinator, or in his or her absence Information Assurance Services immediately.

6.2.6 The University has the right to ask an enquirer for more details to clarify their request in cases where it may not be immediately clear what information they require. If staff decide to deal with an enquiry they must be sure that they are clear what information they have been asked to provide: if not, they must ask their Information Assurance Coordinator or Information Assurance Services to approach the enquirer for clarification.

6.2.7 Please note that all staff must make provision for requests for information addressed to them to be processed promptly during their absence.

6.2.8 Staff must also make provision for access to all information which they hold in connection with their work and duties, and in such a manner that the University is able to respond to requests for access within 20 working days.

6.2.9 Staff whose role normally involves distributing information on request (e.g. sending out University prospectuses) should continue to deal with these requests as normal (but should note that the law now requires that they respond to written requests for such information within 20 working days).

6.3 Processing of requests referred to Information Assurance Services

6.3.1 Upon receipt of a request for information, Information Assurance Services will liaise with relevant Information Assurance Coordinators in departments to locate the required information and determine the cost, where applicable, of providing such information.

6.3.2 Where a cost is to be charged, the person requesting the information will be informed of this cost. No further action will taken until payment has been received.

6.3.3 Upon receipt of the payment, where this is applicable, the required information will be collated by the Information Assurance Coordinators and forwarded to Information Assurance Services for review. In reviewing the information, Information Assurance Services will give consideration to the provisions of the Freedom of Information Act 2000, with particular regard to any applicable exemptions, and also to any other relevant legislation. The information will be amended accordingly and sent to the person requesting the information.

6.3.4 The University and its staff will endeavour to ensure that all requests for information are responded to within the statutory period of 20 working days. Note that where a cost is to be charged for providing the information, or where clarification has been requested, the countdown of the 20 working day period is suspended for the period
from when the person making the request is informed of the cost, or asked for clarification, to when a payment or a clarified request, is received.

6.4 Records

6.4.1 Information Assurance Services will maintain a record of all requests for information considered to be formal requests for information under the provisions of the Freedom of Information Act 2000.

6.4.2 The record will include:

- date of initial request;
- details of the information requested;
- cost of provision;
- date of request for payment (where applicable);
- date of request for clarification (where applicable);
- date of receipt of clarification (where applicable);
- a copy of the collated information;
- details of any decisions taken with respect to the information including use of exemptions;
- a copy of the information provided;
- the date of response.

7. Summary

7.1 Staff should be aware of the implications of the Freedom of Information Act, and make sure that all requests for information are processed immediately. In particular, staff should remember that:

- individuals may now ask for access to most of the information held by the University, whether held at departmental or central level;

- any request in writing is legitimate, whether or not it uses the standard University request form or mentioned the Freedom of Information Act, and to whomever it is addressed;

where there is any doubt, any potential/apparent information request must be referred to their Information Assurance Coordinator or to Information Assurance Services as soon as possible. The 20 working day countdown begins from the moment a request is received by the University, not when Information Assurance Services receive it, so any delay may mean Information Assurance Services and relevant departments have fewer than 20 working days to respond.

Failure to comply with University Policy may lead to disciplinary action.

The official version of this document will be maintained on-line. Before referring to any printed copies please ensure that they are up-to-date.