

Policy: Freedom of Information

Department: ITIS

Date: Approved October 2015

Review Date: June 2016

1.0 Purpose

This policy defines how the University ensures its compliance to the latest Freedom of Information regulations as dictated and policed by the Information Commissioners Office (ICO).

2.0 Scope

This policy applies to all written requests for Information whether quoting the Freedom of Information Act or not, it may also apply to verbal requests.

3.0 Legislation

The Freedom of Information Act (2000) came fully into force from 1 January 2005, and applies to public access to information held by or on behalf of public authorities in England, Wales and Northern Ireland. Because of our access to public funding, universities are designated as public authorities for the purposes of the Act.

The Act enables any person anywhere in the world to make a Freedom of Information (FOI) request, in writing, to a public authority, and normally the public authority must respond within 20 working days. "In writing" can be by either hard copy or electronic means. The person making the request does not have to say that they are exercising their rights under the Freedom of Information Act, and you have a legal obligation to assist individuals making requests.

The Act covers all recorded information including printed documents, computer files, databases, letters, emails, photographs, and sound or video recordings.

The Act does not give people access to their own personal data (information about themselves) such as their health records or credit reference file. If a member of the public wants to see information that a public authority holds about them, they should make a data subject access request (DSAR) under the Data Protection Act 1998.

Implementation of the Freedom of Information Act is overseen nationally by the Information Commissioner's office, which has the same role in relation to Data Protection. The two Acts are designed to be complementary to each other.

The Students' Union is not considered a public authority for the purposes of the Act.

4.0 Key principles

The provisions of the Act need to come into force only if:

- You cannot provide the requested information straight away.

- The requester makes it clear they expect a response under the Act.
- The requester is asking for sensitive information and you are unsure whether you should provide this information.

You must send all FOI requests on the day you receive them to the [FOI Officer](#). Please note that timing is imperative and the 20 working day period begins on date of receipt not when it reaches the FOI Officer.

The act provides for exemptions on the grounds of sensitivity, scale and appropriateness. Where doubt exists the University has the opportunity to seek further guidance from the appropriate regulatory body.

4.0 Visibility

The University will publish certain information annually through the [Publication Scheme](#).

The FOI Officer will maintain a register of all FOI requests and responses.

5.0 Responsibility & Compliance

Heads of Department and Directors are responsible for ensuring that all staff and students within their area act in accordance with this policy. Staff must not tamper or destroy any records that are subject to a FOI request.

Compliance with this policy is mandatory and non-compliance must be reported to the FOI Officer to record the incidence and escalate to the appropriate authority to determine the action to be taken. Non-compliance with this policy is subject to the University's disciplinary procedures for staff and students.

6.0 Monitoring and auditing

This policy and its implementation will be subject to internal monitoring and auditing throughout the University, and the outcomes from these processes will inform and improve practices as part of a commitment to continual improvement. The University will also undertake appropriate benchmarking and external auditing exercises.

8.0 Associated documents

Please refer to:

- [Freedom of Information Act 2000](#)
- [Freedom of Information procedures](#)
- [Freedom of Information instructions](#)
- [Staff Privacy](#)
- [Publication Scheme](#)
- [Retention Schedule](#)

9.0 Review of policy

This policy will be reviewed at least every two years or when there are significant changes to it.

10.0 Contact list for queries related to this policy

Freedom of Information Officer
Chief Information Officer

11.0 Authority for this policy

Senior Management Team