



Policy on Freedom of Information

Effective from 01/01/2019

1. Purpose

The Freedom of Information Act 2000 (“the Act”) and the Environmental Information Regulations 2004 (“the Regulations”) provide individuals and organisations with the right to request information held by public authorities.

We are fully committed to the provisions of the Act and the Regulations, and support their underlying principles of openness and transparency.

This policy aims to provide a framework to comply with these provisions, uphold their principles and meet our obligations under these laws.

In particular we want to ensure that:

- We make a significant amount of information about the University available to the public as a matter of course through our website and publication scheme
- We make other information readily available on request and deal with requests in a timely manner and in accordance with the provisions of the Act.

2. What is covered by the policy?

This policy covers any recorded information held by the University.

3. Who is does the policy apply to?

This policy applies to all members of staff.

4. Roles and responsibilities

University Registrar

The University Registrar has overall responsibility for ensuring that the University’s legal obligations are met and has responsibility for internal and external governance and corporate accountability. The University Registrar has been designated as the officer with overall responsibility for policy compliance.

Information Security Officer (Compliance)

- Advise on policy and best practice
- Draw up guidance material in line with best practice
- Promote policy compliance
- Coordinate and respond to freedom of information requests received by the University

Senior Managers

Senior managers all have a responsibility for ensuring that freedom of information issues within their areas are managed in a way that meets the provisions of this policy.

All Staff

All staff should:

- Be aware of the FOI Act and what it means to us.
- Follow the policy and procedures for handling FOI requests.

- Ensure that all requests are logged with the Information Security Officer (Compliance).

5. Policy

Publication Scheme

The University has adopted the model publication scheme produced by the Information Commissioner's Office; this is available on our website (www.ncl.ac.uk/foi).

The publication scheme sets out:

- The types of information we make available to the public as a matter of course.
- How we make the information available.
- Whether or not a fee must be paid for the information.

The scheme will be reviewed and updated as necessary on a regular basis, taking into account any revised guidance from the Information Commissioner's Office.

Requests for Information

Any recorded information that we hold that is not already available to the public through our publication scheme can be requested. Requests must be made in writing, and we must respond to them within 20 working days.

Anyone who submits a written request has the right to:

- Be told whether the information is held
- Receive a copy of the information that is held, subject to exemptions
- Request an internal review if they are unhappy with our response
- Ask the Information Commissioner's Office to investigate if they are still unhappy following the internal review

A request for information may arrive at any part of the University and can be made by anyone, and it does not have to mention the Act to be a valid request.

Charges and Fees

We will publish any fees that might be charged for information we make available through our publication scheme, although the majority will be free of charge.

We do not have to comply with requests if the cost of responding would exceed the appropriate limit (as specified in the Fees Regulations). We will offer advice and assistance wherever possible in these instances to help requesters to narrow their requests down.

We may charge for reasonable printing, photocopying and postage costs involved in responding to requests.

Internal Reviews

If someone is unhappy with our response to their request for information then they have the right to ask for an internal review.

We will aim to respond to a request for review and to provide a full response within 20 working days of receiving it, unless it is a particularly complex query where extra time is needed. Reviews will be carried out by our appointed reviewer, the University Librarian, unless s/he was involved in the original request.

If the requester is unhappy with the outcome of the internal review they can ask the Information Commissioner to look into their complaint.

Environmental Information Regulations

We will provide access to environmental information through the Environmental Information Regulations 2004 (“EIR”). These regulations set out an access regime that is broadly similar to the FOI Act. There are some small, but significant, differences with the EIR, especially in terms of exceptions from the right of access and charging for information provided.

Training

Appropriate training will be provided for all relevant staff.

6. Related regulations, statutes and policies

Related regulations and statutes:

- Freedom of Information Act (2000)
- Environmental Information Regulation (2004)

Related policies and guidance documents:

- Records Management Policy
- University Records Retention Schedule
- Data Protection Policy

7. Procedure to implement the policy

The Information Security and Governance team maintain internal procedures for managing requests for information.

8. Monitoring and reporting on compliance

What will be monitored?	Frequency	Method	Who by	Reported to
Compliance with the timeframes defined in the FOIA	Quarterly	Continuous tracking of requests	Information Security and Governance Team	Audit, Risk and Assurance Committee

9. Failure to comply

Failure to comply with this policy could lead to reputational damage should the Information Commissioner decide to take further action against the University.

Document control information	
Does this replace another policy? Yes / No If yes please state. Yes – Freedom of Information Policy dated 22 nd November 2011 approved by Council in December 2011. This puts the policy into the new policy template.	
Approval	
Approved by: Executive Board	Date: 18 December 2018
Effective from: 1 January 2019	
Review due: 31 December 2024	
Responsibilities	
Executive sponsor: Registrar	
Policy owner: (This maybe an officer or Committee) Registrar	
Policy author: Chief Information Security Officer	

Person(s) responsible for compliance: Registrar		
Consultation		
Version	Body consulted	Date
Equality, Diversity and Inclusion Analysis: Does the policy have the potential to impact on people in a different way because of their protected characteristics? Yes / No / Unsure If yes or unsure please consult the Diversity Team in HR for guidance		
Initial assessment by: Chief Information Security Officer		Date: 27/10/2018
Key changes made as a result of Equality Impact Assessment None required		
Document location		
<i>Information Security shared team folder</i>		