

Freedom of Information Policy

Effective from 1 August 2013

Version Number: 2.0

**Author: Head of Information Governance
Governance Services Unit**

Document Control Information

Status and reason for development

Status: Replaces Freedom of Information Policy v1.0. Updated policy to reflect current position

Revision History

| Date | Author | Summary of changes | Version No. |
|-------------|--------------------|--|--------------------|
| July 2013 | Matthew Stephenson | Draft to Executive for approval | V2.0 |
| March 2013 | Matthew Stephenson | Draft submitted to Registrar and Secretary | V1.3 |
| April 2005 | Matthew Stephenson | New Policy | V1.0 |

Policy Management and Responsibilities

Owner: University Secretary
The University Secretary has responsibility for ensuring that Council provided with appropriate legal advice including advice on Data Protection matters. In fulfilling this responsibility to Council, the University Secretary will liaise with the University's General Counsel.
As such, the University Secretary is corporately responsible and accountable for issuing the policy and ensuring its correct implementation.

Author: Author: Head of Information Governance, as the appointed officer, has operational responsibility for implementing this policy.

Others with responsibilities (please specify): Compliance with this policy is the responsibility of all staff and agents of the University who create, use and otherwise process information.

Assessment

| | <i>Cross relevant assessments</i> | <i>Cross if not applicable</i> |
|------------------------|-----------------------------------|--------------------------------|
| Equality Analysis | X | |
| Legal | <input type="checkbox"/> | X |
| Information Governance | X | <input type="checkbox"/> |
| Academic Governance | <input type="checkbox"/> | X |

Consultation

| | <i>Cross relevant consultations</i> |
|---|-------------------------------------|
| Staff Trades Unions via HR | <input type="checkbox"/> |
| Students via USSU | <input type="checkbox"/> |
| Any relevant external bodies (please specify) | <input type="checkbox"/> |
| | |

Authorised by: The Executive

Date authorised: 22 July 2013

Effective from: 1 August 2013

Review due: 1 August 2016

Document location: University Policy & Procedures page:

<http://www.salford.ac.uk/about-us/corporate-information/governance/policies-and-procedures>

Document dissemination and communications plan

US online, Talk Time, cascade via senior management, training and awareness sessions run via HRD

1.0 Purpose

The University is committed to its responsibilities under the Freedom of Information Act and this policy is designed to provide the framework through which the University effects that commitment, outlining its approach.

2.0 Scope

The Freedom of Information Act 2000 ("the Act") provides, subject to certain requirements and exemptions, a general legal entitlement to information held by the University.

The University is obliged to:

- Process requests made under the Act;
- Maintain a Publication Scheme; and
- Provide advice and assistance as appropriate

Any person has the right to

- Access all the information in the University's Publication scheme (which details all the information that the University routinely makes available to the public);
- Request any information held by the University, regardless of when it was created, by whom, or the form in which it is now held; and
- Be informed whether the University hold such information and if so, subject to the exemptions under the Act, to have that information communicated to them

This policy applies to all the recorded information that the University holds i.e. information created, received and maintained by University staff in the course of their work.

3.0 Policy Statements

- 3.1 The University shall comply with the requirements of the Act, the codes of practice issued under ss 45 and 46 of the Act (i.e. *Secretary of State for Constitutional Affairs' Code of Practice on the discharge of public authorities' functions under Part I of the Freedom of Information Act 2000, issued under section 45 of the Act and Lord Chancellor's Code of Practice on the management of records issued under section 46 of the Freedom of Information Act 2000*) and other requirements issued in accordance with the Act.
- 3.2 Notwithstanding the commitment in paragraph 3.1 above the University shall encourage informal requests for information to be made in the first instance and for any "business as usual" requests to be dealt with on an informal basis at a local level.
- 3.3 Complex requests and those specifically made as requests under the Act shall be passed to the part officer with the responsibility for compliance with the Act.
- 3.4 The University Secretary shall ensure that an appropriate officer of the University is given the responsibility for compliance with the Act and to act as a point of contact for all Freedom of Information issues, ensuring:
 - all members of staff are made aware of the requirements of the Act;
 - the provision of adequate training for all staff;
 - that all staff know where to find further guidance;
 - that Freedom of Information requests and queries are dealt with effectively and promptly; and

- the regular review of Freedom of Information procedures and guidelines within the University.
- 3.5 The University shall comply with the requirements under s19 of the Act and adopt and maintain a Publication Scheme and proactively publish information in accordance with that Scheme.
- 3.6 The University shall, in accordance with s16 of the Act, provide advice and assistance to those making requests.
- 3.7 The University shall publish a disclosure log of all responses made to requests made under the Act.
- 3.8 The University shall not normally process requests where it is estimated that the cost of processing the request exceeds the Appropriate Limit.
- 3.9 The University shall not routinely charge for costs such as photocopying and postage but reserves the right to make a charge. It will publish a list of costs for such disbursements.
- 3.10 While the University is committed to its obligations under the Act, there are certain provisions in the Act which enable and permit the University not to process certain requests and to withhold certain information. The University shall reserve the right to engage relevant sections of the Act where it deems it appropriate not to process a request or to withhold some or all of the information requested.
- 3.11 When the University deems it appropriate not to process a request or to withhold some information, it shall issue a refusal notice in accordance with the requirements of s17 of the Act.
- 3.12 The University shall have a complaints procedure for anyone who is not satisfied with the University's approach to its obligations under the Act.
- 3.13 The University shall cooperate with the Information Commissioner's Office in respect of any complaint made to it as the independent adjudicator on matters of Freedom of Information, and other relevant bodies to which further complaint may be made.

Policy Enforcement and sanctions

- 3.14 Compliance with this policy is the responsibility of all members of the University who may receive requests for information.
- 3.15 Breach of the Freedom of Information Policy may lead to disciplinary action. Any questions about the interpretation or operation of this policy should be referred to the appropriate responsible officer or to the University Secretary.

4.0 Related Documentation

This policy is to be read in the context of the following documents:

- Freedom of Information Charging Statement
- Freedom of Information Procedure
- Freedom of Information Complaints Procedure
- Publication Scheme

This policy is to be read in the context of the following policies:

- Data Protection Policy
- Records Management Policy

This Policy is to be read in the context of the following legislation:

- Freedom of Information Act 2000

- Data Protection Act 1998
- Human Rights Act 1998

This Policy is to be read in the context of the following Codes of Practice:

- Secretary of State for Constitutional Affairs' Code of Practice on the discharge of public authorities' functions under Part I of the Freedom of Information Act 2000, issued under section 45 of the Act.
- Lord Chancellor's Code of Practice on the management of records issued under section 46 of the Freedom of Information Act 2000