

Freedom of Information and Environmental Information Regulations – Policy and Procedures

1 Introduction

The Freedom of Information Act (FOIA) 2000 and Environmental Information Regulations 2004 (EIRS) came into force on 1 January 2005. They established a general right of access to all types of recorded information held by public authorities. They need to operate in conjunction with the Data Protection Act (DPA) 1998, and oversight of all three rests with the Information Commissioner.

This legislation and regulation promote a ‘culture of openness’ and accountability, alongside protecting privacy rights, across the public sector. As such they encourage proactive publication of information and on-going development of good records management, as well as governing access to information held by public authorities.

Compliance with the legislation includes adoption of a ‘Publication Scheme’, described below, as well as ensuring information requests are handled appropriately according to the relevant legislation. It also requires the University to manage information and records appropriately, as addressed by other policies.

2 Scope, Roles and Responsibilities

Since information is part of almost all University activities, information policies have a wide scope. All University members have an obligation to be aware of relevant legislation, related University policies and their impact.

Within an environment where information needs to be regarded as open, unless there is good reason for it not to be, everyone needs to be aware of the information they record, hold and discard, and ensure it is managed appropriately, and with regard to the University’s Record Management Policy and Retention Schedules.

In recognising its obligations in this context, the University provides support, advice and training to encourage general awareness of legal obligations and related University policy. Currently, this is provided via IMPS (Information Management and Policy Services), and the associated network of IMPS Contacts.

3 Who we are

The University of Reading is committed to the highest standard of research and scholarship, across a full range of academic activities. Established as a University College in 1892, and with a Royal Charter granted in 1926, the University has a long tradition of research, education and training at a local, national and international level.

The University of Reading wholly owns a number of companies, which have also adopted Publication Schemes of their own. These can be found on our Freedom of Information website at www.reading.ac.uk/imps-foia-wholly.aspx.

4 The Publication Scheme

The initial requirement of the FOIA is adoption of a ‘Publication Scheme’. The University’s Publication Scheme can be found at www.reading.ac.uk/imps-FOIA-pubscheme.aspx.

4.1 What is a ‘Publication Scheme’?

A publication scheme is a document which describes the information a public authority publishes, or intends to publish. In this context, ‘publish’ means to make information available, routinely.

The University is legally committed to publishing according to the Scheme, and to developing (and so extending the information covered by) the Scheme. As well as complying with the FOIA, this should be of benefit to the University, since it should enable easier location and access to the University’s information - for members of the University as well as members of the public.

IMPS will administer continued development of the University’s Publication Scheme to provide navigation to as much available University information as possible.

4.2 Accessing information covered by the Publication Scheme

The scheme describes information we publish, the manner in which the information described will be available, and whether charges apply to material in each class.

To request information available through our publication scheme, use the links or contacts provided.

It is important that the scheme meets the needs of information seekers - both internal and external to the University, as well as meeting legal compliance. Consequently, feedback is crucial and we also welcome suggestions as to how our scheme might be improved. Any questions, comments or complaints about this scheme should be sent in writing (including e-mail) to IMPS, the co-ordinating office (contact details below).

5 Requests for information not covered by the Publication Scheme

Given the natural place of a university as an open information provider, we are used to receiving and responding to enquiries for information. In most cases, we will follow our usual practice of fulfilling requests made to the relevant department holding the information. We will also continue development of the University’s Publication Scheme to provide navigation to as much available University information as possible.

5.1 Making requests

FOIA requests have to be made in writing but EIR requests can be made orally. The University has 20 working days to respond to either FOIA or EIR requests. We may charge a fee. We will not be required to release information to which an exemption or exception in either FOIA or EIRs legitimately applies.

When seeking information, you can contact the School or Service likely to hold the information, directly. Where appropriate, the School or Service will refer the request to the co-ordinating office, IMPS.

If you are not sure who to contact, or have difficulty obtaining the required information, please contact IMPS, the co-ordinating office, in writing (including e-mail). See contact details below.

5.2 Receiving requests

Requests have to be made in writing but do not have to mention the FOIA or EIRs. This means any enquiry requesting information not included in our Publication Scheme could be a request under FOIA or EIRs. As such, the University is obliged to provide the information (or reasons for withholding it) within 20 working days, and consequently it is important to check post and e-mail regularly and to respond to such enquiries, or requests, urgently.

Where information is known, and open, it should be provided directly, especially where a School or Service is familiar with providing such information. However, if information is not readily available, or where there is the potential of applying FOIA exemptions or EIRs exceptions and not providing all the requested information, the request should be referred, urgently, to the co-ordinating office, IMPS (contact details below).

IMPS will help assess what is the appropriate legislation to govern release of the information, calculate the costs of retrieving information, co-ordinate retrieval and the application of any appropriate exemptions or exceptions, and assist with any redaction. It will also administer logging details of referred requests and communication with the applicant, including any appeals or complaints. In handling referred requests, IMPS staff will work with the applicant, appropriate Schools, Services and University Officers.

5.3 Costs for Information Requests

In most cases we will endeavour to provide information electronically and will not charge. In cases where it is more appropriate to provide information in other formats, we may charge to cover disbursement costs such as printing and postage.

If the costs of obtaining information exceed reasonable limits (as set by the Fees Regulations, currently £450 or about 2.5 days of staff time), we will refer to the applicant and attempt to refine the request so as to reduce the potential retrieval costs. Where this is not possible, we may refuse to meet the request, or we may pass on the costs to the applicant. In this instance, we will issue a bill, based on our estimate of the retrieval costs, and will undertake retrieval after payment of the amount.

5.4 Internal Review

In the event of a requester being dissatisfied, in the first instance details should be reported in writing to IMPS:

The IMPS Office
University of Reading
Whiteknights
PO Box 217
Reading RG6 6AH
E-mail: imps@reading.ac.uk

If the issue cannot be resolved by IMPS staff, the matter will be referred to the University Secretary, who will refer the matter to an Internal Reviewer. Complaints will be dealt with as quickly as possible but in any case in no more than 40 working days.

The Internal Reviewer shall conduct such investigations as he or she sees fit and in the event of a dispute over whether information is held may conduct searches necessary to ensure compliance.

Should the requester remain dissatisfied, representation may be made to the Information Commissioner, the independent body which oversees FOIA:

Information Commissioner
 Wycliffe House
 Water Lane
 Wilmslow
 Cheshire
 SK9 5AF
www.ico.org.uk

Version	Keeper	Reviewed	Approved by	Approval date
1.0	IMPS	Every four years	ISC	25/05/08
2.0	IMPS	Annually	IFSG	14/11/12
2.1	IMPS	Annually	IMPS Review	16/09/15
2.2	IMPS	Annually	IMPS Review	23/08/16