

# Freedom of Information Policy

## Document control information

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Policy owner	Head of Privacy
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Contact	Head of Privacy
Classification	Unclassified
Related policies	University Records Retention Schedules, Data Protection Policy, Records Management Policy
Related procedures	FOIA / EIR Internal Operational Process, FOIA / EIR Operational Process for Contacts
Related legislation, guidance, codes of practice	The Freedom of Information Act 2000, The Environmental, Information Regulations 2004 The UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018, Freedom of Information Code of Practice, The Code of Practice on the Management of Records Protection of Freedoms Act 2012

## 1. Policy statement

The Freedom of Information Act 2000 (FOIA or ‘the Act’) and the Environmental Information Regulations 2004 (EIR or ‘the Regulations’) give a right of access to information held by public authorities. Brunel University London (‘the University’) is classed as a public authority in this context.

The University is committed to supporting and implementing FOIA and EIR. We meet our legal obligations through proactive publication of recorded information and the establishment of a central Freedom of Information service to facilitate and fulfil information requests.

## 2. Scope

2.1 All references to Freedom of Information in this policy should be taken to include the Environmental Information Regulations.

2.2 This policy applies to:

- All staff employed by the University, including any staff within any organisation legally owned by or governed by the University. University staff include honorary, temporary, visiting, and casual staff, voluntary and agency workers, and students employed by the University.
- All recorded information (including raw data from which information is derived) that, regardless of format, may be held by the University for the purposes of FOIA / EIR.
- Requests for information that are outside the normal course of University business, are non-routine in nature, or where FOIA / EIR are specifically cited. Not all information requests will or need to be handled as formal requests under the Act or Regulations.

2.3 The policy excludes requests for a person's own personal information, which are exempt under FOIA. These requests are handled under the UK GDPR and Data Protection Act 2018 and in line with the University's data protection policy.

### 3. Purpose

The purpose of this policy is to define, for the benefit of Brunel staff, students, and other interested parties, the University's approach to:

- The publication of information mandated by FOIA / EIR
- The management of requests for information made under the legislation
- Responsibility for ensuring compliance with the legislation
- The management of complaints and appeals

### 4. Policy principles

The University will ensure compliance with the provisions of FOIA / EIR. Specifically, the University will:

- Respond to requests for information as required by the law and within required timescales
- Encourage transparency in the provision of information about the University and its activities
- Encourage proactive publication of information about the University and its activities
- Equip staff with an understanding of FOIA / EIR
- Monitor and audit its compliance with FOIA / EIR
- Adopt the recommendations set out in the Freedom of Information Code of Practice and guidance produced by the Information Commissioner's Office (ICO)
- Maintain operational processes to facilitate compliance with the legislation

## 5. Responsibility

5.1 Brunel's Council has overall responsibility for the University's compliance with the FOIA / EIR. The Executive Board has responsibility for ensuring the University meets its legal obligations on behalf of Council.

5.2 Operational responsibility is delegated to the Information Compliance Officer, who will work with the data protection team and an established network of FOI Contacts to respond to requests and ensure compliance with the legislation. The ICO and data protection team will together be responsible for:

- Determining the University's response to all requests in line with requirements set out in FOIA / EIR
- Maintaining the Publication Scheme
- Providing expert guidance on the application of FOIA / EIR
- Providing training on FOIA / EIR
- Liaison with the ICO
- Maintaining this policy and all associated operational processes

5.3 The FOI Contacts represent their department or functional areas and will assist the Information Compliance Officer in promptly gathering requested data and contributing to the University's responses to requests. They will also assist in reviews of the Publication Scheme and encourage proactive publication of information in their areas where appropriate.

5.4 All staff and other parties who may access or use Brunel recorded information also have an individual and collective responsibility in line with the law and this policy. Specifically:

- Each department and University function must nominate a person who will act as the FOI Contact for the area.
- All staff must be able to recognise a valid FOIA / EIR request and promptly alert the Information Compliance Officer or the relevant departmental FOIA/EIR Contact to any request for information that is outside normal business activity.
- Any staff or other individuals who have responsibility for recorded information held by the University must be aware of their responsibilities as data owners or data stewards, and work with the Information Compliance Officer and FOI Contacts to ensure the University meets its legal obligations.

## 6. Publication Scheme & proactive publication of information

6.1 The University maintains a Publication Scheme, following the ICO's Model Publication Scheme and Definition document for universities and other higher education institutions.

6.2 The Publication Scheme is published on the University website and is available in paper copy on request.

6.3 The Publication Scheme will be reviewed every two years.

6.4 In line with the datasets provisions in the the Protection of Freedoms Act 2012, where appropriate, the University will include in its Publication scheme any datasets that have been requested.

6.5 The Publication Scheme is considered the minimum requirement for University publications. Proactive publication of appropriate information not listed within the Model Scheme, particularly in areas of interest to the public, will be encouraged.

6.6 The University will observe its obligation under the EIR to make environmental information available to the public via electronic means. Where appropriate, the publication of environmental information will be integrated and subject to the same processes as our Publication Scheme.

## 7. Administration of information requests

7.1 The University will maintain a central service responsible for the administration and management of FOIA/EIR requests on behalf of Brunel.

7.2 Details of how the University administers requests for information will be set out in the FOIA / EIR Internal Operational Process and FOI Contacts Operational Process documents. These documents will be subject to regular review.

7.3 All requests will be logged, and all information associated with a request will be retained in line with the University's Records Retention Schedules.

7.4 All requests will be handled in accordance with the relevant legislation, the Freedom of Information Code of Practice, and the current ICO guidance.

## 8. Charges and fees

8.1 The University acts in accordance with the The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. We will not impose a fee but will reject any request that exceeds the appropriate limit (equating to 18 working hours) and provide advice and assistance to the requester as required by the Code of Practice.

8.2 Unless otherwise specified, the University will not charge for information on the Publication Scheme.

## 9. Current awareness and training

9.1 The University shall ensure the Information Compliance Officer and data protection team are adequately trained and maintain their professional expertise and current awareness of FOIA / EIR through, for example, self-guided research, networking, and formal training.

9.2 The Information Compliance Officer and data protection team will ensure that FOI Contacts have specific and regularly refreshed FOI training that is appropriate to their roles.

9.3 FOI training and guidance will be made available to all University staff and students and delivered through a range of methods.

## 10. Appeals and complaints

10.1 Wherever possible, we will resolve informally any complaints about the University's FOI / EIR compliance or service. However, where a complaint challenges either the outcome or the process of our handling of the initial response, we will start our internal review process.

10.2 Requests for an internal review must be submitted in writing, within 40 working days from the date the University's initial response was issued. The University is not obliged to accept an internal review received after this date.

10.3 All Internal reviews will be handled in line with the recommendations set out in the Freedom of Information Code of Practice.

10.4 Further details of how the University administers internal reviews will be set out in the FOIA / EIR Internal Operational Process.