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## What is Freedom of Information?

The Freedom of Information Act 2000 (FOIA) has created a general right of public access to all types of recorded information held by public authorities . The higher education sector in general, including all of the Bloomsbury Colleges institutions, is subject to the FOIA.

The Act is intended to promote a culture of openness and accountability, by providing people with rights of access to the information held by public sector bodies.

## What does Freedom of Information involve?

The FOIA enables people to gain access to information in a publication scheme will explain how information is accessible

and may include links to information. If someone requests information which is covered by the publication scheme, it is sufficient to refer them to the information (e.g. if the information is on-line) or to the publication scheme, which will explain how they can get access to it.

- x Secondly, your institution can receive requests for information under the FOIA. Requests must be in writing, and must provide a name and contact details (e.g. email address). Requests can be made by any person, can be delivered to any member of staff, and do not need to mention Freedom of Information. When responding to a request, we must locate and retrieve the information, and assuming that no exemptions apply, we must confirm or deny the existence of the information and provide a copy within 20 working days. Fees can normally only be charged for postage and reprographics. There are limits on the amount of work which we have to do to answer requests, and there are exemptions which allow information to be withheld in certain circumstances. However, the presumption is that most information should be released.

Individuals who are unhappy about how their Freedom of Information request has been handled can complain via your institution's internal Fol complaints procedure. Once they have gone through that, they can appeal to the Information Commissioner, the body which regulates Freedom of Information and Data Protection. The Commissioner can compel a public authority to release information.

The FOIA allows access to information held by public authorities regardless of when the information was created or how long it has been held. Good records management (see below) is therefore essential for Freedom of Information, in order to locate information and to ensure that it is not kept for longer than necessary. We do not have to create information in order to respond to a request: the right of access is to information which we hold when the request arrives.

Individuals cannot use Freedom of Information to gain access to personal data about them. This has to be done under the Data Protection Act (see below).

#### Some tips for complying with Freedom of Information:

- x Routine requests for information (e.g. from prospective students, library users) can continue to be dealt with under existing procedures, but procedures must be consistent with the FOIA. Remember that we have to respond within 20 working days, and must provide the information or explain how they can get access to it. If your institution doesn't hold the information, it is sufficient to send a response explaining that. If a request needs to be forwarded to someone else, do so ASAP so that your institution can respond within the deadline.
- x Many routine requests are for information which is publicly available, e.g. on the website. We still have to respond, but it is sufficient to direct the user to where the information is located, or to the publication scheme.
- x Your institution will have its own procedures for dealing with Freedom of Information requests. Usually, you should refer to your Freedom of Information officer any request which mentions Freedom of Information; involves information which you believe should not be released; or seems particularly difficult, tricky or complex. Your Freedom of Information Officer is Simon Jackson ([sjackson@rvc.ac.uk](mailto:sjackson@rvc.ac.uk), ext. 6384).
- x When you're out of the office, arrange for someone to check your post and set up an out of office reply on your email. In your out office reply, tell enquirers to send their emails to the email address of someone who will deal with information requests in your absence. A request for information will not be counted as "received" by your institution until it is forwarded to that address.

#### What are the Environmental Information Regulations?

The Environmental Information Regulations 2004 (EIRs) are the UK implementation of an EU directive which gives individuals the right of access to information about the environment. "Environmental information" is defined broadly, and includes information about the state of the elements of the environment; factors affecting environmental elements (e.g. pollution); environmental policies, plans and programmes; cost benefit and other economic analyses used in environmental decision making; and environmentally-related information about sites and structures, health and safety, and conditions of human life.

Like Freedom of Information requests, requests under the EIRs can be from anyone, can be delivered to any member of staff, and do not have to mention the Regulations. Unlike FoI, requests do not have to be in writing. We have to respond to requests within 20 working days. The rights of access and exemptions are broadly similar to Freedom of Information, although there are differences. If we receive a request which falls under the Regulations, we have to treat it as such even if it is submitted as an FoI request.

The following are examples of the areas in which your institution could receive requests under the EIRs:

- x Noise, pollution, air quality etc.
- x Waste and recycling.
- x Energy usage and energy efficiency.
- x Building works, estate development, land ownership/acquisition etc.
- x Environmental policies, plans and procedures.



How does records management help?

x We can find the information we need, when we need it. Records management helps us to

- x Remember that records are owned by your institution. You can't take them with you when you leave, and you have a duty to keep them in an orderly state. Records management is much easier if you build it into your daily working practices.

#### About the Bloomsbury Colleges Records Management Group (BCRMG)

[The Bloomsbury Colleges](#) is a consortium consisting of six University of London institutions. The [BCRMG](#) exists to promote co-operation among the Colleges in the areas of Data Protection, Freedom of Information and records management.

Each College has a BCRMG co-ordinator who can help to address issues or questions which you may have arising from this leaflet. The RVC's BCRMG co-ordinator is:

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