

CODE OF PRACTICE FOR MANAGING FREEDOM OF INFORMATION REQUESTS

Policy Statement

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7. For monitoring purposes, records are kept centrally of all FoIA information requests and how they have been responded to.

8. It is the responsibility of the Data Protection Officer, on behalf of the University, to ensure that the Code of Practice is compliant, understood by staff and used correctly. Whilst the Data Protection Officer and the Data Governance Team has ultimate responsibility for dealing with FoIA requests, in many cases, where specific and local information is requested, operational responsibility will rest with staff in Schools and professional service teams.

and 10

Related University of Suffolk Policies and Procedures

Data Management Policy

9. Data protection provisions always take precedence over those of freedom of information. Please refer to the [Data Management Policy](#) and related guidance for details on how personal information is obtained, processed, stored and disclosed in accordance with Data Protection legislation.

University of Suffolk Publication Scheme

10. The Publication Scheme is a classified list of the information the Institution makes routinely available to the public. The Scheme has been created in line with the model publication

Making a Request

13. Most enquirers will make a request via the link on the University of Suffolk [website](#). Other requests may come through the datagovernance@uos.ac.uk or direct to any individual employee in person or by email, phone or letter. Requests directed to an individual should be shared with the Data Governance Team within 24 hours of receipt. However, before a request is formally responded to, it must be made in writing. Requests may not explicitly state that they are being made under FoIA. However, it is important that they are recognised and dealt with as such.

14. Whilst the FoIA provides the right to request information, it does not give the right to request an actual document.

Responding to Requests

General

15. Not all requests for information fall within the FoIA; information requests received within the normal course of business, for example prospectus enquiries, routine press / media enquiries are treated in that manner. Information that is listed within the University of Suffolk [Publications Scheme](#) is routinely available to the public and therefore does not fall within the FoIA.

16. Any requests that are not routine are regarded as being within the FoIA and the following process should be followed.

Initial Response

17. The initial FoIA request may be in person, by phone, letter or email. It could come to any member of university
Act.

18. University staff should:

- Check the enquirer is aware of information held on the University website and knows about the Publication Scheme and how to use it. Offer advice and assistance with this process.
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Dealing with formal FoIA requests

19. On receipt of the formal request, the University of Suffolk has 20 working days to respond (this excludes weekends and bank holidays and other days when the University might be closed, e.g. over the Christmas break). All request forms are acknowledged and logged centrally by the Data Governance team

response time, action / level of complexity, what was disclosed and who dealt with it.)

Action by Data Governance Team, with school and professional services teams:

20. Determine nature of the request:

- Does it meet the requirements of the FoIA?
- Is it routine data held in a Publication Scheme?
- Is it non-routine and does the University hold it anywhere?
- Does it fall within an exemption category? (In most cases, personal data is exempt.)
- Is it vexatious? e.g. in an abusive manner, undue pressurising or causing unnecessary distress to staff. Or repeated targeting of a member of staff.
- Is it linked to other, similar requests? e.g. requests that appear to be part of an organised campaign. These might be aggregated into one general response.
- Should a fee be charged?

21. Determine any reason why information might be refused or withheld or if other, third parties need to be consulted before making that decision, e.g. in the case of a joint venture.

22. Even if the University holds the information, the request may be refused if it will cost more than £450 to be retrieved or if it will take more than 18 hours of effort.

23. Information may be refused on grounds of exemption see Section 6 - Exemptions.

24. If a request is refused, the Data Governance team will notify the enquirer within 20 days and deal directly with any follow-up issues. The enquirer is made aware of the complaints process.

25. If the information request is straightforward and can be provided direct from the relevant School or professional services team, or partially provided then the Data Governance team determines how this will be done.

Appendix 1