The Freedom of Information Act 2000

What is the Freedom of Information Act?

The Freedom of Information Act 2000 (FOI) gives people the general right to see recorded information (information held on paper, computer and on audio and video tapes) held by City University. It is intended to promote a culture of openness and accountability amongst public sector bodies, and therefore facilitate better public understanding of how public authorities carry out their duties, why they make the decisions they do, and how they spend public money.

What are our legal duties under this Act?

- Make some information available to the public without a specific request being made (Publication Scheme)
- Respond to written requests from individuals

Does the Act only cover information recorded since the Act was passed?

No. The Act covers information recorded before and after the Act was passed. In effect all information held.

Why do I need to know about it?

You will need to know the following:
- What information is available in the publication scheme
- How and where to find the information which is asked for
- How to offer advice and help
- When not to release information

Record keeping

Information needs to be classified, recorded and filed in a way that is can be easily found.

You should familiarise yourself with the guidance and policy available from www.city.ac.uk/ic

Publication Scheme

A Publication Scheme gives people access to some information without them having to make specific requests. The scheme describes the type of information and outlines how they can access it. (This is usually online in the first instance)

Is this information free?

Most of the information is free, but the University has reserved the right to charge for some information. Where this is the case it is indicated in the publication scheme.

How can someone get a copy of the publication scheme?

It is available on the University website. (www.city.ac.uk/foi)

Requests for Information

How can a request be made?

All requests for information must be in writing. This can be any written form such as letter, fax or email. If somebody asks for information in person or by phone, you should tell them they need to ask for it in writing. The Freedom of Information Request Form (www.city.ac.uk/ic/infoaccess) is suitable for this.

There are other Acts about handling information

- The Data Protection Act 1998 gives individuals the right to see personal information held about them.
- The Environmental Information Regulations 2004 give individuals the right to see information that relates to the environment and anything that may have an impact on it.

Talk to the Head of Information Compliance and Policy if you are not sure how a request is covered.

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What sort of information is included in the Publication scheme?

1 Governance
2 Financial Resources
3 Human Resources
4 Physical Resources
5 Student Administration and Support
6 Information Services
7 Teaching and Learning
8 Research and Development
9 External Relations

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Lord Chancellor
November 2001

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What should the request include?
Any request for information must;
• Be in writing
• Give the name of the person asking for the information
• Give an address for the correspondence to be sent to
• Describe the information wanted

Rights of Individuals
People who ask for information have the following rights
• To be told whether the information exists, (for absolute exemptions there is not a duty to confirm or deny)
• If the information does exist to receive the right to receive information unless it is exempt
• The person does not have to mention the Freedom of Information Act when they are asking for the information
• The person does not have to provide a reason for wanting to see the information and you are not allowed to ask them their reason for seeking it.

Fees
A fee can be charged for the information. The fees are working out according to the fees regulations issued under the act. There will be no charge for information that costs public bodies less than £450 to produce. This is roughly equivalent to 2½ days work. Payment must be made within three months otherwise the public authority can ignore the request. Make sure the person asking for the information knows this.

How to give help
You should always give advice and help to people who want to ask for information. This may include the following;
• Explaining what is available in the publication scheme
• Explaining procedures for requesting information, and helping people put there request in writing
• Answering questions such as how long will it take for information to be provided
• Making people aware of their rights under the Act

How should the information be provided?
The person asking for the information can ask for it to be provided in a particular form. This can be;
• Written copy or copy in some other form
• A reasonable opportunity for the person to inspect the record containing the information
• A summary of the information

If possible the information should be provided in the form the person has asked for.

Timescales
City must respond to a request for information within 20 working days of receiving it. Within these 20 working days we must;
• Give the person the information they have asked for, or
• Tell them if the information will not be available within 20 working days
• Tell them the information will not be released because of an exemption

Making decisions about whether to provide information can take time so it is important that City processes requests as soon as they receive them.

Checklist
✔ Know about the publication scheme and what information is readily available
✔ Know how to help people ask for the information they need
✔ Know how and where to find information when people ask for it
✔ Know how to respond to requests for information
✔ Know about keeping records so you can find information
✔ Know about the complaints process if people are unhappy with the information provided