

# Freedom of Information Policy

Policy, Governance and Information

Version: 3.0

## **Introduction**

1. This Policy sets out the general regulations which govern Southampton Solent University's compliance with the Freedom of Information Act 2000. The Freedom of Information Act (FOIA) 2000 came into force on 1 January 2005. This Act gives individuals or organisations a general right of access to recorded non-personal information held by Public Authorities. Public Authorities include, among others, Schools, Colleges & Universities.
2. Compliance with the Freedom of Information Act is enforced and overseen by the Information Commissioner, an independent UK supervisory authority reporting directly to the UK Parliament: <http://www.informationcommissioner.gov.uk/index.htm>
3. Individuals are able to:
  - i. obtain (either from the University's website or in some other form) all the information covered by the University's Publication Scheme.
  - ii. request (with some minor limitations) any information not contained in the University's Publication Scheme regardless of when it was created, by whom, or the format in which it is recorded.

## **Management of Compliance**

4. Southampton Solent University developed its publication scheme as the first requirement in complying with the FOIA. The Publication Scheme was approved by the Office of the Information Commissioner and is available on the University's Portal at:  
[http://www.solent.ac.uk/publicationscheme/publication\\_scheme\\_home.aspx](http://www.solent.ac.uk/publicationscheme/publication_scheme_home.aspx)
5. A central legal library, managed by the Policy, Governance and Information Team, has been established and is located in RM011, a fire-proof room. Documents held in the legal library include legally binding contractual agreements into which the University has entered, which are not stored suitably elsewhere;

## **Requests under the Freedom of Information Act 2000**

6. Information stated in the publication scheme would normally be freely available. Where a fee applies to an individual publication, this will be indicated in the Publication Scheme.
7. Where publications are made available on the Internet, there may be a charge made for printed copies, depending on the size and format of the relevant publication(s).
8. All non-routine requests should immediately be forwarded to the Information Rights team at [information.rights@solent.ac.uk](mailto:information.rights@solent.ac.uk).

## **Withholding of Information**

9. There may be occasions where the University will not be able to supply all the information requested. These could include instances where the 'Public Interest Test' (see appendix 1) has been applied. In all cases the University must explain why information has been withheld and advise the applicant accordingly.
10. Where an exemption might apply, the implementation of the Public Interest Test could have one of the following outcomes:
  - a) The public interest in releasing the information outweighs the public interest in withholding it; or

b) the information can be released despite the exemption.

11. The reasons for withholding information are laid down in the Act, and are in particular those concerning:

- i. the University's duties under the Data Protection Act 2018 and General Data Protection Regulation to keep personal and sensitive information about individuals confidential;
- ii. information accessible to applicants by other means;
- iii. information intended for future publication;
- iv. investigations and proceedings conducted by the University;
- v. law enforcement;
- vi. health and safety;
- vii. information provided in confidence;
- viii. commercial interests;
- ix. vexatious or repeated requests;
- x. where cost of compliance exceeds appropriate limit
- xi. where disclosure would prejudice the effective conduct of the University's internal affairs;
- xii. prohibitions on disclosure;

12. Anyone dissatisfied with the way the University has handled their request should in the first instance follow the University's Complaints Procedure described in the FOIA procedures.

### **Maintenance of Records**

13. All records must be stored in a manner that allows for easy retrieval. Detailed guidance is provided in the University's policy on the maintenance of records located on the University's Intranet under 'Official Documents'.

## APPENDIX 1

### **The 'Public Interest Test'**

Where an exemption might apply, the implementation of the Public Interest Test could have one of the following outcomes:

- a) the public interest in releasing the information outweighs the public interest in withholding it; or
- b) the information can be released despite the exemption.