

Freedom of Information: A Guide to Handling Requests

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Guidance

Freedom of Information: A Guide to Handling Requests

Who needs to know about the Guidance?

Members of Staff who respond to Freedom of Information requests

Purpose of the Guidance

This Guidance aims to offer practical assistance in addressing requests made under the Freedom of Information Act 2000 ('the Act'). The information sheet Freedom of Information Act 2000: [FOI Questions and Answers](#) sets out the details about the Act.

The University is a public authority for the purposes of the Act.

The Act provides public access to information held by public authorities. It does this in two ways:

- public authorities have to publish certain information about their activities; and
- members of the public can request information from public authorities.

The Act covers any recorded information held by a public authority

Public authorities spend money collected from taxpayers and make decisions that significantly affect many people's lives. Access to information helps the public make public authorities accountable for their actions and allows public debate to be better informed and more productive.

Contacts

Governance and Legal Service is responsible for:

- Providing advice and assistance
- Guidance and templates
- Organising training

The team can be contacted by emailing: dp.officer@canterbury.ac.uk.

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Contents

Freedom of Information: A Guide to Handling Requests	2
Key points about Freedom of Information	2
General Guidance.....	2
A Step-by-Step Guide	3
Step 1 Receive and Assess the Request.....	3
Step 2 Answering simple or routine requests.....	4
Step 3 Seeking advice on Freedom of Information and assistance for unusual requests.....	5

Freedom of Information: A Guide to Handling Requests

Key points about Freedom of Information

- Everybody has a right to access official information.
- Almost any question in writing (even an email) could be a freedom of information request.
- A requester does not need to give us a reason for wanting the information.
- We must justify refusing information we hold following a request.
- Any staff member (even a part-time or temporary worker) could receive an information request.
- It covers almost all information held by the University – regardless of the date or person creating it. It includes those outside the University.
- Some information may be exempt from disclosure: Governance and Legal Services (dp.officer@canterbury.ac.uk) will deal with these exemptions.
- We need to consider any information we release under the Act as if released to the world at large
- It is a personal criminal offence to destroy information subject to an information request

General Guidance

1. All requests under the Freedom of Information Act must:
 - be in writing (but this can include emails)
 - state clearly what information is required
 - state the name of the applicant, and an address for correspondence
2. Requests do not have to refer to the Act as long as they meet the criteria above.

Freedom of Information: A Guide to Handling Requests

3. Telephone requests for information do not fall under the terms of the Act (although they do under the Environmental Information Regulations 2004). However, there is a duty to assist, for instance, by suggesting the enquirer puts a request in writing.
4. The Act requires the University to deal with written requests promptly and within 20 working days following the date of receipt. 'Working Days' are all days except Saturdays and Sundays, Christmas Day and Good Friday, and UK Bank Holidays. The discretionary days when the University is closed at Christmas count as working days.
5. It will help if you set up email out of office messages when away, directing an enquirer to an alternate who can act on your behalf. You should ensure the alternate is available during that period and is aware of this guidance.
6. You should also arrange for someone else to check correspondence when away from work.
7. The Act does not give people access to their data (information about themselves). Should a person wish to see the information we hold about them, they can make a subject access request under the UK General Data Protection Regulation (GDPR).
8. General media enquiries from journalists are not Freedom of Information requests. You should refer the media to Corporate Communications (email: corporatecommunications@canterbury.ac.uk).

A Step-by-Step Guide

Step 1 Receive and Assess the Request

1. Should you be the first person to receive the communication, you should record the date, especially if you are not the person who will be making a response. The University has 20 working days in which to respond.
2. Decide whether you can respond or whether it has to be passed on.
3. If you need to seek clarification from the requester because the request is unclear, make a file note of the date that you did this and the action taken. It can be either by endorsing the written request or attaching a note to the request. You should include your name and the date. There is a duty to assist an enquirer.
4. If you need advice from your line manager or another person, record the date you did this and the action taken. It can be either by endorsing the written request or attaching a note to the request. You should include your name and the date.
5. For straightforward requests in line with your regular duties, go to step 2.
6. If the request does not fall within your remit, immediately forward it to the relevant person. It would be best to record the date you passed the request to another person and the person's name. Where possible, inform the other person of its despatch (for instance, by telephone or email), so it can be expected.

Freedom of Information: A Guide to Handling Requests

7. If you do not know who holds the information and to whom you should pass the request, consult with your line manager or head of department.
8. If you are unsure about taking action, go to step 3.

Step 2 Answering simple or routine requests

9. You should provide the information requested promptly and, in any case, within 20 working days.
10. It would be best to keep a log of what was sent and when. You need to keep all correspondence for one year in the event of a query.
11. The obligation is to provide information and not documents. The most straightforward approach may be to provide the document concerned in many cases.
12. Most requests are made by email and answered by email, often with email attachments. There is an obligation on the University to give preference to the enquirer's favoured means of communication.
13. Should you be unable to locate the information after searching, you should raise the matter with your line manager or head of department before responding.
14. There is an obligation to provide information where the notional administrative cost would be less than £450. You should note that the enquirer will not be charged. Such costs are calculated at £25 per hour per person regardless of the actual cost or rate of pay. The limit will be exceeded if these activities exceed 18 hours. Should the estimated cost of providing the information be more, you need to raise the matter with your line manager or head of department and with Governance and Legal Services (dp.officer@canterbury.ac.uk).
15. The calculation of the cost can include:
 - determining whether the requested information is held
 - locating and retrieving the information;
 - retrieving the information, or a document that may contain the information; and
 - extracting the information
16. The University's approach to charging is set out in Freedom of Information: [FOI Fee Charges](#). The University may charge for photocopying and postage. An estimate of substantial costs needs to be made, and the enquirer informed. There is still a requirement to respond within 20 working days. No charge should be made if
 - the information is generally provided free or would incur only modest costs.
 - the cost is less than £10.

Freedom of Information: A Guide to Handling Requests

Step 3 Seeking advice on Freedom of Information and assistance for unusual requests

17. You should contact Governance and Legal Services (dp.officer@canterbury.ac.uk) in the following circumstances if:

- you require any advice about the Act
- the request is complex, unusual or particularly sensitive
- you wish to refuse the request because of its sensitivity (e.g. it is commercially sensitive, confidential, personal data or likely to compromise someone's health and safety)
- the request appears to be part of an orchestrated campaign or is repetitive or vexatious (i.e. intended to disrupt the work of the University)
- the notional administrative cost will be more than £450 to fulfil the request

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