

Freedom of Information Policy

1. Policy Statement

- 1.1 The Freedom of Information Act 2000 (“the Act”) became enforceable on the 1 January 2005. The Act gives the public a right of access to organisational information held by public authorities. This definition includes Universities.
- 1.2 The Act and the Data Protection Act 1998 are overseen and enforced by the Information Commissioners Office (ICO), who is an independent public body responsible directly to Parliament.
- 1.3 The University of Wolverhampton (“the University”) fully supports increased public access to organisational information. However, it is important to note that not all organisational information can be released. The University may choose not to release information for a variety of reasons, as defined by the Act. These can range from but are not limited to commercial sensitivity, health & safety and security. As per the act, the University can also charge a fee for providing some of the information requested by the public.

2. Scope of Policy

- 2.1 This policy applies to all members of the University group. For the purposes of this policy, the term “Staff” means all members of University staff including permanent, fixed term, and temporary staff, governors, secondees, any third party representatives, agency workers, volunteers, interns, agents and sponsors engaged with the University in the UK or overseas. This also includes employees of the University’s subsidiary companies.
- 2.2 All contractors and agents acting for or on behalf of the University should be made aware of this policy at the time of signing any contract(s) with the University. All contracts should also reference the University’s obligations under the Freedom of Information Act.
- 2.3 The University Secretary is responsible for the overall operation of this policy supported by the Data Protection and FOI Manager.

3. Right to Information

- 3.1 The Act places several duties on the University (subject to certain exemptions) as follows:
 - (i) Any person who makes a request must be informed whether the information is held by the University and whether there are any cost implications involved
 - (ii) Information requested must be supplied within 20 working days
 - (iii) Requestors are not required to indicate that their request is an FOI request for information. Therefore it is advisable to treat all non-routine

requests for information, except those identified as concerning the requestor's own personal data, as FOI requests

- (iv) The information requested must be supplied in a format acceptable to the applicant (so far as is reasonably practicable and subject to cost); and;
- (v) There is a duty to provide advice and assistance to anyone seeking information.

4. How to make a Freedom of Information request

- 4.1 All requests to the University under the Act should be sent to foi@wlv.ac.uk or the Offices of the Vice-Chancellor, University of Wolverhampton, Wulfruna Street, Wolverhampton, WV1 1LY.
- 4.2 FOI requests received at the University will be acknowledged and responded to within the statutory twenty working day timescale. Where extensions of time or clarification of the information requested are required, the University will endeavor to inform applicants of this at the earliest opportunity.

5. Charging

- 5.1 Under the Act the University has the right to charge applicants for supplying the requested information but is under no obligation to provide information if the cost of doing so would be in excess of the 'fees limit'. The fees limit is specified as £450 in the Act. This represents the estimated cost of one person spending 18 hours in determining whether the University holds the information and then locating, retrieving and extracting the information. The University is required by law to calculate the time spent responding to these requests at no more than £25 per person per hour.
- 5.2 If the University reasonably believes that the time taken to search for the information will exceed 18 hours (£25 per hour) or more than £450, the University is entitled either to refuse the request altogether or to charge for all the time taken to respond. The University is legally required to issue a Fees Notice to the applicant before replying to the request, so the applicant can decide whether to continue with the request.

6. Request for an internal review

- 6.1 Where an applicant is unhappy with our initial response to their request for information they have the option of liaising with the Data Protection & FOI Manager informally (foi@wlv.ac.uk) in order to see if a resolution can be reached whereby both parties are satisfied with the outcome.
- 6.2 Where an applicant is still unhappy with the resolution/response received at the informal stage, they may request that the decision is formally internally reviewed. Applicants who wish for an Internal Review of the response provided to them must make their request in

writing to foi@wlv.ac.uk or to Offices of the Vice-Chancellor, University of Wolverhampton, Wulfruna Street, Wolverhampton, WV1 1LY.

7. Appeal to the Information Commissioner's Office (ICO)

- 7.1 If the applicant is not satisfied with the outcome of their Internal Review, they can apply under Section 50 of the Act to the Information Commissioners Office (ICO) for a decision on whether their request for information to the University has been dealt with in accordance with the requirements of the Act.
- 7.2 Applicants can only appeal to the ICO provided they have first received an Internal Review.
- 7.3 Should applicants wish to refer the matter to the ICO, they are directed to the ICO's website <https://ico.org.uk/>
- 7.4 The ICO will then issue a 'decision notice' to the University so that the matter can be reviewed and investigated further.

8. Publication Schemes

- 8.1 Section 19 of the Act places a duty on every public authority to:-
- (i) adopt and maintain a scheme which relates to the publication of information by the authority and is approved by the Information Commissioner;
 - (ii) to publish information in accordance with its publication scheme; and
 - (iii) review its publication scheme from time to time.
- 8.2 The University's Publication Scheme is available and accessible on the University website <http://www.wlv.ac.uk/about-us/governance/legal-information/publications-scheme/>.

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