

## Freedom of Information and Environmental Information Regulations Policy

<b>Policy Category:</b>	Governance
<b>Subject:</b>	Freedom of Information and Environmental Information Regulations Policy
<b>Approved by:</b>	Professional Services Management Group
<b>Policy Owner:</b>	University Secretary
<b>Related Procedures:</b>	N/A
<b>Related Policies:</b>	Data Protection Policy
<b>Related Legislation:</b>	Freedom of Information Act 2000, Environmental Information Regulations 2014
<b>Effective Date:</b>	12 April 2024
<b>Supersedes:</b>	N/A
<b>Next Review:</b>	April 2026

### 1. Introduction

1.1 Queen's University Belfast is required to comply with the Freedom of Information Act 2000 (FOIA) which gives a general right of access to information held by public authorities in the UK. Under the terms of the FOIA the University is obliged to:

- Produce and maintain a Publication Scheme outlining details of information routinely released by the University into the public domain.
- Respond to written requests for information (Access Requests), subject to exemption, within 20 working days.
- Comply with the Lord Chancellor's Code of Practice on the Discharge of Public Authorities' Functions under Part 1 of the Act (the Access Code).
- Comply with the Code of Practice on the Management of Records (the Records Management Code).

1.2 The University must also comply with the Environmental Information Regulations 2004 (EIR) which requires the University to:

- Make environmental information available proactively.
- Respond to requests for environmental information, subject to exemption.

## 2. Policy Statement

2.1 The University is committed to comply with the Freedom of Information Act and Environmental Information Regulations so that information held by the University can be made available to the general public whenever it is possible or appropriate to do so.

## 3. Scope of the Policy

3.1 This policy applies to all recorded<sup>1</sup> information held by the University, i.e. all information created, received and maintained by staff in the course of their work, irrespective of media or date. This should be taken to include information held and which relates to University activities, information that is held by a third party on behalf of the University, and in some instances information that is held by the University on behalf of someone else.

## 4. Responsibilities

4.1 As the governing body of the University, the Senate is ultimately responsible for University compliance with the FOIA and EIR. This responsibility has been delegated to the University Secretary.

### 4.2 The University Secretary

For the purpose of the Acts the University Secretary is the nominated “qualified person”. The University Secretary is responsible for considering whether a Section 36 exemption applies to any information that would prejudice the effective conduct of public affairs. If the University Secretary is not available the University’s General Counsel will determine whether the exemption applies to the requested information.

### 4.3 Information Compliance Unit

The Information Compliance Unit (ICU) is responsible for logging, coordinating, and monitoring the University’s response to FOIA and EIR requests. This duty includes overseeing internal review requests and complaints made to the Information Commissioner’s Office. The ICU is also responsible for providing procedures, guidance, and training to staff across the University about the legislation. This includes providing appropriate advice on exemptions and public interest tests, where necessary.

### 4.4 Heads of Schools/Directors

Heads of Schools and Directors of Professional Services are responsible for ensuring their school/department complies with the requirements of the legislation and this policy. This includes ensuring that information is provided promptly to the ICU and that it is accurate and approved for disclosure. It is the responsibility of all senior

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<sup>1</sup> <https://ico.org.uk/for-organisations/foi-eir-and-access-to-information/freedom-of-information-and-environmental-information-regulations/information-you-hold-for-the-purposes-of-foia/>

managers to make certain that staff within their areas are made aware of the existence and content of this policy.

#### 4.5 All Staff

All staff will familiarise themselves with the policy so that they may recognise an access request when received to forward to the ICU and ensure that information is proactively published in line with the University's Publication Scheme. All staff will provide assistance to the ICU so that access requests are responded to in compliance with the University's statutory responsibilities.

### 5. Publication Scheme

5.1 Section 19 of the FOIA places a duty on every public authority to:

- Adopt and maintain a scheme which relates to the publication of information by the authority and is approved by the Information Commissioner's Office (ICO).
- Publish information in accordance with its publication scheme.
- Review its publication scheme from time to time.

5.2 The University has adopted the model publication scheme approved by the ICO. The University's Publication Scheme is available publicly through its website or can be provided in hard copy format by request from [foi@qub.ac.uk](mailto:foi@qub.ac.uk). The Publication Scheme is reviewed on an annual basis and feedback is encouraged to assist with the review process.

5.3 The Scheme sets out the types of information the University publishes in accordance with the guidelines set out by the ICO, and these are:

- Who we are and what we do.
- What we spend and how we spend it.
- What are our priorities and how we are doing.
- How we make decisions.
- Our policies and procedures.
- Lists and registers.
- The services we offer.

### 6. Access Requests

6.1 Requests for information not included in the Publication Scheme can be accessed on request. For a request to be considered valid under the FOIA, it must:

- Be in writing.
- Include a name and address for correspondence (email address is sufficient).
- Detail the information requested.

6.2 Requests should be addressed via email to [foi@qub.ac.uk](mailto:foi@qub.ac.uk) or by post to:

Information Compliance Unit  
The Chancellery  
Queen's University Belfast  
University Road  
Belfast BT7 1NN

6.3 Requests for environmental information may be made verbally as well as in writing.

6.4 Requests made do not need to cite the legislation to be valid.

6.5 The University will respond to a request promptly and by the twentieth working day following receipt of the request. If we are unable to respond to the request within the 20 working days we will contact the requestor with an explanation and request an extension of time.

6.6 The response will confirm whether or not the University holds the information; if it does hold the information the University will release it. However, some information may be exempt from disclosure under the FOIA or EIR.

6.7 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 an "appropriate limit" – that is 18 hours or £450. Any fee for handling a request will be calculated in accordance with the provisions of the Fees Regulations<sup>2</sup>.

## 7. Wholly Owned Companies

7.1 The FOIA and EIR also extends to companies that are wholly owned by the University. A wholly owned company is one where every member of the board is:

- An employee of the University.
- An employee of the company in question.
- A person acting on behalf of either.

7.2 All subsidiary companies must comply with the terms of the Act in their own right by producing a separate publication scheme to that of the University and by handling individual requests for information. The University must ensure that all relevant companies are aware of this requirement and make suitable arrangements for compliance.

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<sup>2</sup> <https://www.legislation.gov.uk/ukxi/2004/3244/contents/made>

## 8. Related Policies

8.1 This policy should be read in conjunction with:

- Data Protection Policy
- Acceptable Use Policy
- Information Security Policies
- Records Management Policy
- Strategy 2030