

## Freedom of Information – guide for staff

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### What is Freedom of Information

Freedom of information is the right to request information from a public authority. The term 'public authorities' includes universities. The Freedom of Information Act (FoI) and the Environmental Information Regulations (EIR) are the two pieces of legislation that cover requests for general and environmental information respectively. The Data Protection Act (DPA) covers requests for an individual's own personal information and informs how requests for other personal information should be handled under the FoI Act and EIR.

### What does Freedom of Information require the School to do

The School must respond to written requests for information held by the School within twenty working days of receiving the request. Please note that a response does not necessarily mean providing the information if it is exempt from release, but we do need to respond to the requester about their request

If the request is a normal service enquiry that a staff member would answer as part of their daily work, this does not fall under the Freedom of Information act and should be dealt with under normal procedures.

### What are staff members required to do

Staff members are required to do the following:

- If you receive a written request for information that names the Freedom of Information Act, forward it to the Information Compliance team at [glpd.info.rights@lse.ac.uk](mailto:glpd.info.rights@lse.ac.uk) as soon as possible. The 20 working day clock starts from the time it is received by the School, so if it takes a week to get to us, we have lost a quarter of the time we have to find the information and draft a response.
- If you receive a written request for information that doesn't name the Freedom of Information Act, but is outside your normal service enquiries, forward it to the Information Compliance team at [glpd.info.rights.@lse.ac.uk](mailto:glpd.info.rights.@lse.ac.uk).
- If you receive a verbal request for environmental information, write it down and forward it to the Information Compliance team for processing. Or direct the requester to the Information Compliance team.
- If you are forwarded a request from the Information Compliance team, you must:
  - Provide the information to the Information Compliance team as soon as possible within the 20 working day period so that the response can be drafted and signed off; OR
  - Tell the Information Compliance team as soon as possible if another area of the School holds the information requested, so we can transfer the request to them as soon as possible.
  - Let the Information Compliance team know if a request is unclear or too broad. Under the Act, we are entitled to communicate with the requester, to make recommendations which will help us provide the information.
  - Advise the Information Compliance team if the information may not be collected within the cost limit. The School is required to do up to 18 hours of work to process a request. Any requests that require over 18 hours of work

can be refused. We are required to do some work towards determining the time it will take to gather all the information and may need to provide evidence

- Provide the Information Compliance team with any reasons why the information is exempt from release. All exemptions must be justified in the response, and must be made with one eye on a possible judgement by the Information Commissioner's Office.
- Provide the Information Compliance team with reasons as to why the request could be vexatious, if we have not already discussed this with you.

Staff **must not** alter, deface, block, erase, destroy or conceal information once a request has been received for it. Individuals who do this will possibly face criminal prosecution.

### **What does the Information Compliance team do**

The Information Compliance team will:

- Log each request.
- Send out the request to the relevant area of the School
- Correspond with the requester regarding:
  - requests for further information
  - requests to slim down the request so it fits within the cost limit.
- Provide advice on possible exemptions (Fol) or exceptions (EIR)/breach of the cost limit/whether the request is vexatious.
- Draft the response and sends it to the Director of Planning and Corporate Policy Division for sign off.
- Send out the response.
- Carry out internal reviews relating to requests. This will be done by the Information Compliance team member that did not handle the original request.
- Deal with any complaints made to the Information Commissioner's Office.
- Benchmark the School's Fol and DPA requests with the HE sector.

### **Using Freedom of Information in research**

Freedom of information is a useful tool for research. However, it is always better to work with the organisation(s) from which you are requesting information, to help them respond to your request. Make sure you have checked what kind of information is already made available as a matter of course, and target your requests carefully, so that you don't ask for too much information, or for something that isn't collated as a matter of course. The UCL Constitution Unit have produced a good guide for using Fol in research, available here:

<http://www.ucl.ac.uk/constitution-unit/research/foi/foi-universities/academics-guide-to-foi.pdf>