



Policy name	Freedom of Information Policy
Subject	Information Compliance
Approving authority	IMSSC and Assurance Committee
Accountable person	Data Protection Officer
Responsible Team	Security and Information Compliance Team
Last updated	June 2025
First approved	December 2019
Version Number	Version 3

1. Introductory Purpose and Background

This Freedom of Information Policy aims to ensure that the University of Nottingham (the University) as a public authority complies with the requirements of the Freedom of Information Act 2000 (FOIA). This Policy supports transparency, accountability, and public access to information held by the University, while advancing the University's strategic objectives and reducing institutional risks associated with non-compliance.

There are two forms of disclosure placed on public authorities, including universities:

1. To proactively publish information under a "Publication Scheme". The University's Publication Scheme is available [\[here\]](#); and
2. To respond to requests for recorded information held by or on behalf of the University.

2. Scope

This Policy applies to all University of Nottingham UK employees, agents, representatives, and temporary staff working for or on behalf of the University. It is important that all employees understand how to recognise a request made under the FOIA.

3. Definitions

FOIA	The Freedom of Information Act 2000
FOIA Request	A request for information held by a public authority made under the FOIA.
EIR	Environment Information Regulations which is separate regulations governing access to environmental information.
Exemption	A provision within the FOIA that allows a public authority to withhold information from disclosure in specific circumstances.
Public Authority	An organisation, as defined by the FOIA, that has a legal obligation to respond to FOIA requests – universities are considered public authorities under the FOIA.

Publication Scheme	Information made available to the public under the FOIA – the University’s publication scheme can be found [here] .
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4. Policy

4.1 Key Principles

- The University will maintain and regularly update a Publication Scheme, as required by the FOIA.
- All FOIA requests must be handled in accordance with the statutory timeframe.
- The University will respond to requests promptly and within 20 working days
- Environmental information requests will be handled under EIR regulations

4.2 Roles and Responsibilities

- The **University Executive Board** (UEB) has overall responsibility to ensure the University meets its legal and regulatory responsibilities under FOIA legislation. The **Information Management and Security Steering Committee** (IMSSC) is responsible for overseeing the maintenance, implementation, and performance of this Policy.
- The **Data Protection Officer** (DPO) is the accountable person responsible for overseeing compliance with this Policy.
- **Faculty Pro-Vice Chancellors, Directors of Professional Service Departments** and Line Managers are responsible for ensuring employees within their respective areas, including all new employees, are aware of this Policy and support the Information Compliance Team.
- **All employees** must be aware of their responsibilities and forward any requests to the Information Compliance Team.

4.3 Handling FOI requests

4.3.1 Publication Scheme

The University will maintain and regularly update a Publication Scheme, as required by the FOIA, which will:

- Specify what information the University will make routinely available to the Public.
- Explain how it will do so.
- State whether the information will be made available free of charge or on payment of a fee.

4.3.2 Recognising and Forwarding Requests

All staff should be able to recognise an FOIA request. Key elements are:

- It must be in writing (including email, social media, or even text message).
- It should state the name of the applicant and a correspondence address.
- It should describe the information requested.
- It does not need to mention the FOIA.

- The motive for the request is irrelevant.

Any FOIA requests received must be forwarded to the Information Compliance Team immediately and not later than two working days following receipt. Requests can be forwarded to DPO@nottingham.ac.uk.

4.3.3 Processing Requests

The Information Compliance Team will:

- Log the request and start the 20-working day response clock.
- Acknowledge receipt to the applicant.
- Assess if the request is clear or if clarification is needed.
- Determine if any fees apply.
- Identify which department(s) may hold the requested information.
- Evaluate if any exemptions apply.

4.3.4 Time Limits

The University must respond promptly and no later than 20 working days following receipt of the request. The clock starts the day after the University receives the request. If clarification is required, the clock starts only after the necessary clarification is received.

4.3.5 Fees

Fees may be charged in accordance with the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. The Information Compliance Team will determine if fees apply and then inform the requester.

4.3.6 Refusal of Requests

Requests may be refused if:

- An absolute exemption applies.
- A qualified exemption applies and the public interest test favours non-disclosure.
- The request is vexatious or repeated.
- The cost of compliance exceeds the appropriate limit.

The Information Compliance Team will make all decisions regarding the application of exemptions or refusal of requests.

4.3.7 Records Management

The University maintains a Retention Schedule to ensure consistent and transparent records management.

4.3.8 Training and awareness

The Information Compliance Team will promote awareness of this Policy.

4.3.9 Complaints

The University has an Internal Review Procedure for applicants dissatisfied with the handling of their FOIA request which is provided at Appendix B.

4.3.10 Environmental Information Regulations

The Environmental Information Regulations 2004, provide an alternative disclosure framework in respect of “environmental information”. This Policy concerns FOIA, but where the EIR apply, the University will respond under that legislation, instead of the FOIA. It should be noted that requests for environmental information may be made verbally under the EIR.

4.4 The Consequences of Non-Compliance

Non-compliance with Freedom of Information Legislation can lead to regulatory action, in addition to the reputational risk of negative publicity for the University.

A failure to comply with the principles set out in this policy may amount to a disciplinary offence and may be addressed through the relevant procedures which includes, but is not limited to, the staff Disciplinary Policy.

4.5 How compliance with the Policy will be measured

Compliance will be monitored through:

- Internal review procedures;
- Response times;
- Regular policy review;
- Regular reporting to IMSSC.

4.6 Provisions for monitoring and reporting related to the Policy

Internal review procedure for handling complaints and regular reporting to the IMSSC.

5. Review

This Policy will be reviewed every two years or as required by changes in legislation or best practice.

6. Appendices and Related policies, procedures, standards, and guidance

Appendix A: Exemption List

Appendix B: Internal Review Procedure

- [Data Protection Policy](#)
- [Records Management](#)

Appendix A: Freedom of Information Act 2000 Exemptions List

This list provides an overview of the exemptions available under the Freedom of Information Act 2000 (FOIA). Exemptions are divided into two categories: absolute exemptions and qualified exemptions. Qualified exemptions are subject to a public interest test.

Absolute Exemptions

Absolute exemptions do not require a public interest test. They are:

1. Section 21: Information accessible to applicant by other means
2. Section 23: Information supplied by, or relating to, bodies dealing with security matters
3. Section 32: Court records
4. Section 34: Parliamentary privilege
5. Section 40: Personal information
6. Section 41: Information provided in confidence
7. Section 44: Prohibitions on disclosure

Qualified Exemptions

Qualified exemptions are subject to a public interest test. They are:

1. Section 22: Information intended for future publication
2. Section 22A: Research information
3. Section 24: National security
4. Section 26: Defence
5. Section 27: International relations
6. Section 28: Relations within the United Kingdom
7. Section 29: The economy
8. Section 30: Investigations and proceedings conducted by public authorities
9. Section 31: Law enforcement
10. Section 33: Audit functions
11. Section 35: Formulation of government policy, etc.
12. Section 36: Prejudice to effective conduct of public affairs
13. Section 37: Communications with His Majesty, etc., and honours
14. Section 38: Health and safety
15. Section 39: Environmental information
16. Section 42: Legal professional privilege
17. Section 43: Commercial interests

Applying Exemptions

When considering whether to apply an exemption, the University will:

1. Identify which exemption(s) may apply to the requested information.
2. For qualified exemptions, conduct a public interest test to determine if the public interest in maintaining the exemption outweighs the public interest in disclosure.
3. Apply exemptions on a case-by-case basis, considering the specific circumstances of each request.
4. Provide clear explanations to requesters when exemptions are applied, including the reasons for the decision and details of the public interest test where applicable.
5. Consider whether partial disclosure is possible by redacting exempt information.

The Information Compliance Team, in consultation with the Data Protection Officer and relevant departments, will make all decisions regarding the application of exemptions.

Appendix B: Internal Review Procedure

On receipt of a response to an FOIA request, the requester has 40 working days in which to submit a request for an internal review. Requests for an internal review can be made on the following:

- Incorrect/erroneous application of an exemption by the University
- Incorrect and/or incomplete information provided to the requester
- The University did not respond within the mandatory timescale under the FOIA

Requests for an internal review can be submitted to info.requests@nottingham.ac.uk. Please provide the reference number from your correspondence when submitting a request for an internal review.

On receipt, a request for an internal review will be passed to an 'investigator', this will usually be the Data Protection Officer (DPO). If the DPO has been involved in the original FOIA response, an alternative investigator will be appointed.

A request for an internal review will be acknowledged – this acknowledgement will be sent to the requester within 5 working days from receipt of the request for an appeal.

The request for an internal review will be dealt with appropriately in relation to the request and the details of the request. The investigation will normally be completed within 20 working days from receipt of the request. If this is not possible, the requester will be provided with updates on their internal review.

The requester will receive a response to their internal review which will provide the decision of the University and the reason for that decision. Where the University finds in favour of the requester, the requester will be provided with details of any remedial action taken and a timescale as appropriate.

Should the requester remain dissatisfied with the outcome of the internal review, they can contact the ICO at <https://ico.org.uk>.