We use cookies to ensure that we deliver the best user experience of our website. If you would like to, you can change your cookie settings at any time. Continue

Freedom of Information

The **Freedom of Information Act (http://www.legislation.gov.uk/ukpga/2000/36/contents)** was passed on 30 November 2000 and came into force on 1 January 2005. It gives individuals and companies, from anywhere in the world, the right of access to all types of 'recorded' information, which is held by public authorities. For the purposes of the Act, the University has been designated a Public Authority.

The act gives two related rights -

- The right to be told whether the information exists, and
- The right to receive it (subject to certain exemptions)

A substantial amount of information about the University can be found by visiting the **University homepage (/index.aspx)** or by consulting our **Publication Scheme (/university/governance/publication-scheme/index.aspx)** . If you are unsuccessful in locating the information you require, please make a formal request for information.

Open all sections

How to make a request for information

If you are unable to find the information you require from our website or publication scheme, a request can be made in writing, giving your name and address, and detailing the information requested, to:

The Information Compliance Manager
Legal Services
University of Birmingham
Edgbaston
Birmingham
B15 2TT

Or email: **foi@contacts.bham.ac.uk (mailto:foi@contacts.bham.ac.uk)**

Or use the form at the bottom of this page.

Please note that the University might require the payment of a fee for recovering and providing the information, or refuse to supply all or some of the information by claiming an 'exemption'; ie, we will provide a lawful reason why we will not do so. Please see the section on exemptions, and our **charging policy (PDF - 26KB) (/Documents/university/legal/charging-policy.pdf)** .

Under the Freedom of Information Act a Public Authority is required to provide the information requested within 20 working days. However, it may be necessary to go back to the enquirer for clarification on what information is being requested or to request payment of a fee. In each of these cases, the 20 day period may be extended.

Exemptions

There are 23 exemptions under the Freedom of Information Act 2000, which may be applied to information which the University has decided that it is not happy to release.

Exemptions will be applied by Legal Services. The decision will be based on the information being requested and whether its release would prejudice the University. Legal Services are required to consider whether the exemption is Absolute or Qualified.
An Absolute Exemption is where the Public Authority is not required to consider the Public Interest, these include:

- The information is readily accessible to the applicant by other means
- The information is supplied by, or relating to, bodies dealing with security matters
- The information is personal information and would be covered by the Data Protection Act 1998
- Information provided in Confidence

A Qualified Exemption is where the Public Authority is required to consider the Public Interest; ie, does the Public Interest in receiving this information outweigh the University's in withholding it. Examples of this type of exemption include:

- Information intended for future publication
- Health and Safety
- Legal Professional Privilege
- Commercial Interests

Complaints and appeals

Complaints and Appeals against a Refusal Notice issued in response to a request for information must be made in writing to the University's Information Compliance Manager (address below). Complaints in respect of the University's Publication Scheme can be made in the same way.

Information Compliance Manager
Legal Services
University of Birmingham
Edgbaston
Birmingham
B15 2TT

Or email to: **foi@contacts.bham.ac.uk (mailto:foi@contacts.bham.ac.uk)**

Complaints and Appeals will be acknowledged within five (5) working days of receipt. The Information Compliance Manager will then refer the matter to the University's Director of Legal Services or nominee for consideration. If the Director of Legal Services was involved in responding to the request at the first stage, then the University's Registrar and Secretary or nominee will be asked to investigate the matter.

The Director of Legal Services or the Registrar and Secretary as appropriate may, after having sought further information from the members of staff involved in dealing with the original request, seek to resolve the issue on the basis of the documentation submitted. Where the Director of Legal Services or the Registrar and Secretary requires further clarification, they may decide to meet with the members of staff involved in dealing with the original request.

A full response to the complaint will normally be sent direct to the Complainant(s) within fifteen (15) working days, or in the case of a complex review, especially when the public interest test is involved, within thirty (30) working days.

If, having received this response, the Complainant(s) remains dissatisfied; they may make an appeal to the Information Commissioner at the address below.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK95AF

Information Commissioner's website (http://www.ico.gov.uk/)

Glossary of terms

Decision Notice

A decision notice outlines the Information Commissioner's final assessment as to whether or not a public authority has complied with the Freedom of Information Act 2000 or the Environmental Information Regulations 2004, with regard to a specific complaint.

When a Decision Notice is issued both parties are informed of their rights to appeal to the Information Tribunal.

Publication Scheme

A document that lists information which the University publishes or makes available to the public; it also details how to obtain a copy of the information listed.

Fees Notice

It may be necessary for the University to charge a fee for recovering information which has been requested. The calculation of the fee will be included with any Fees Notice issued. The Fees Notice gives details of the estimated cost of the fees: how long the request will be kept open for, while payment is being awaited; makes suggestions about rewording the request so that the information can be provided without incurring a cost and details of how to make an appeal against the Fees Notice.

Exemption

The Act recognises that it may be necessary to withhold information and provides a number of exemptions from the right to know, it may be necessary for the Public Authority to apply a Public Interest Test.

Public Interest Test

When applying some exemptions to a request for information, it may be necessary for the Public Authority to consider if it is in the Public Interest to disclose that information. The public authority needs to decide if it serves the interests of the public to release the information or withhold it.

It is sometimes easier to ask the question "Is releasing the information in the public interest or just of interest to the public?"

Public interest will favour releasing information in relation to public accountability issues.

Vexatious Requests

The Act states that the Public Authority may refuse to supply information for repeat or vexatious requests. These will include where the applicant has repeatedly asked for similar information over a short period of time, or where the applicant makes it clear that he/she is making the enquiry to cause the Public Authority maximum inconvenience by making the request.

Refusal Notice

The statement issued in response to a request for information when claiming an exemption. It details the exemption which is being claimed and the reasons behind that decision.

Freedom of Information Request form (/forms/legal/foi.aspx)

© University of Birmingham 2014