

NCIUL FREEDOM OF INFORMATION POLICY

ADM-FIP 104

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INTRODUCTION

The Freedom of Information Policy at NCIUL is underpinned by the **Freedom of Information Act**, passed on 30 November 2000 and which came into force on 1 January 2005.

According to this new legislation, members of the public (both individual as well as companies, from everywhere in the world) have a right of access to all recorded information, held by Government and Public Authorities, subject to specific, limited exemptions. Other related access-to-information legislation are the Environmental Information Regulations (2005) and Data Protection Act (1998).

NCIUL, however, is a private limited company and, as such, is not subject to the Freedom of Information Act and is exempt from its scope.

The Director of the institution has responsibility for complying with the current legislation in this matter, including for the provision of support to all staff and dealing with complaints. However, managers at all levels are responsible for ensuring that their department/office/area is compliant with legislation. All staff must be aware of the principles and legal requirements in this context.

Should NCIUL receive a freedom of information (FOI) request, this must be passed to the Director of the institution, or, in their absence, the Business Manager, to respond to the request. No other member of the staff of NCIUL will attempt to answer a FOI request or provide any requested information.

RESPONSE TO A DIRECT FREEDOM OF INFORMATION ENQUIRY

The Director of NCIUL will respond to an FOI as follows: NCIUL is not subject to the Freedom of Information Act as it is not a public authority and has not been designated as such. As stated above, NCIUL is a private limited company.

RESPONSE TO AN INDIRECT FREEDOM OF INFORMATION ENQUIRY

NCIUL works with, and for, various public authorities which are subject to the Freedom of Information Act. This means that the information which the institution provides to such authorities may be requested by an individual under the Act. The Director of the institution will respond to an indirect FOI enquiry, to provide information where possible, in line with the Act.

- Requests must be in writing;
- they must include an address for correspondence (email to info@nciul.co.uk if preferred);
- they must provide full details of the request, although there is no requirement to explain the reasons for the request.

NCIUL will respond within 20 days and may make a charge.

Exemptions to the general Freedom of Information Policy are listed in the Freedom of Information Act (2005), meaning that under certain circumstances NCIUL does not have to provide the requested information. These can be summarised as follow:

- In a situation where, in order to deal with the request, NCIUL would spend too much money or the time staff needed for this would be too much.
- The request can be defined as vexatious.
- The same person is re-presenting a previous request.
- There is an absolute exemption, meaning that NCIUL does not need to consider the Public Interest (i.e. information provided in confidence; or the information can be easily extrapolated by the applicant in some other way; the information is personal, therefore covered by the GDPR; or it is related to bodies/authorities that deal with security matters).
- There is a qualified exemption, meaning that according to the legislation, NCIUL is required to consider the Public Matters (i.e. in case of commercial interests; Health and Safety matters; or the information is protected under the Legal Professional Privilege).

For more guidance and support, please visit <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/refusing-a-request/>.

Complaints and appeals: If an individual makes a complaint or is otherwise dissatisfied with the way their request for information is being processed by NCIUL, they should contact the Director of NCIUL.

PUBLICATION SCHEME

To ensure compliance, effectiveness, openness, transparency and quality, NCIUL has designed a Publication Scheme, where it is possible to access a substantial amount of information about NCIUL free of charge. Where access to a piece of information which is not available in the Publication Scheme is desired, a formal request for information must be made.

The publication scheme is a complete and accessible guide to all the information published routinely by NCIUL. The Publication Scheme is available online, on our website and it has been designed as a 'navigation tool' to facilitate the search for information about NCIUL

List of documentation available in the publication scheme

NCIUL overview

- A brief history
- Legal framework
- How the institution is organised
- Companies wholly or partially owned by us
- Organisations with which we collaborate
- Student activities
- Location and contact details

Financial matters

- Our annual accounts
- Funding and income
- Investment strategy
- Expenditure
- Audit
- Financial governance
- Staff allowances and expenses
- Staff pay and grading structures
- Salaries for senior staff
- Charging regimes and policies
- Expenditure exceeding £25,000 by supplier
- Procurement and tendering
- Research funding and publicly funded research outputs and data
- Course fees and funding, including scholarships, grants and bursaries

Priorities and outcomes

- Our priorities
- Teaching and learning strategy, academic quality standards, programme approval, audit and review
- Corporate relations
- Government and regulatory reports and external review
- Statistical information
- Compliance with our duties under the Equality Act 2010

Policies and procedures

- Policies and procedures for conducting our business
- Procedures and policies relating to academic services and student support
- Procedures and policies relating to human resources
- Procedures and policies relating to student recruitment
- Code of conduct for members of governing bodies
- Equality and diversity policy
- Health and safety policy
- Complaints policy
- Records management and personal data policies
- Research policy and strategy

Lists and registers

- Assets
- Registers of Interests, Register of Gifts and Hospitality for senior staff

Services

- Prospectus and course information
- Services available to the public and outside bodies
- Services for which NCIUL is entitled to charge
- Welfare and counselling services
- Careers advice, employment support and student work experience
- Conference and event facilities
- Press and media releases

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