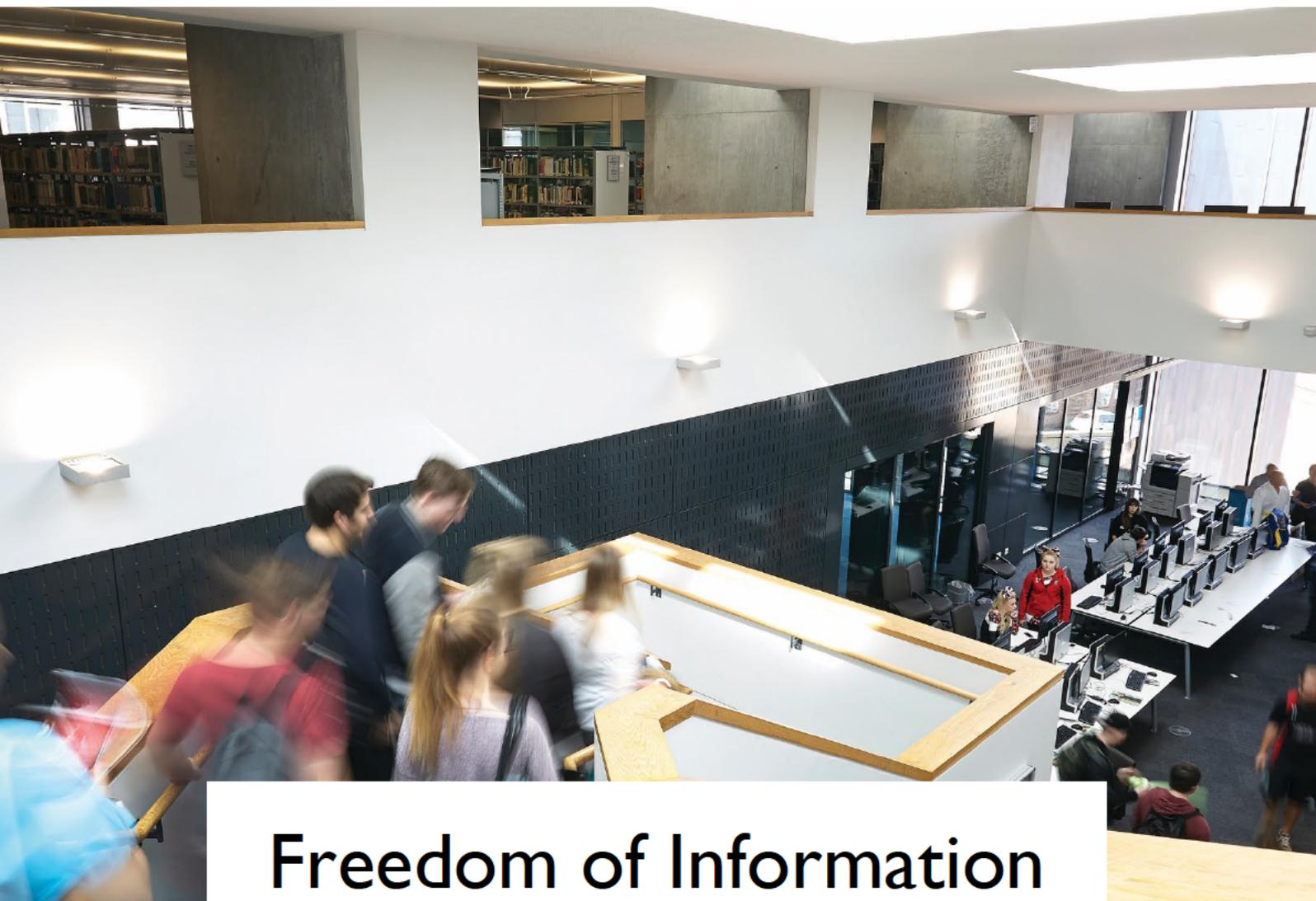




BUCKINGHAMSHIRE
NEW UNIVERSITY

EST. 1891



Freedom of Information Policy



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Purpose

- 1 The University holds and processes information of many different types. Information about people is covered by the UK General Data Protection Regulation (UK GDPR) and the university's Data Protection Policy. All other information is covered by the Freedom of Information Act 2000 (FOIA). The University is defined under Schedule 1 S53 of FOIA as a Governing body and therefore the activities it undertakes as a public authority are subject to the Act.
- 2 The main aim of the FOIA is to give the public the right of access to a wide range of official information and greater access rights to personal information. The intention is to ensure the release of information, except where disclosure would harm specified interests or is contrary to the public interest. The Act covers information produced by central and local government, the NHS, the education sector (including universities), and other public bodies.
- 3 Buckinghamshire New University (BNU) is fully committed to compliance with the FOIA and its principle of public access to official information, wherever lawful, feasible and in the public interest.

Applicability and Scope

- 4 This policy applies to all members of staff including temporary or casual or agency staff, and contractors and suppliers working for, or on behalf of, the University.
- 5 This document is the University's policy for meeting its requirements under the FOIA and incorporates guidance from the Information Commissioners' Office (ICO).
- 6 The policy provides a framework for compliance and is supported by appropriate procedures and guidance documents to provide advice and maintain good practice.

Publication scheme

- 7 Section 19 of the FOIA places a duty on every public authority to:
 - a) to adopt and maintain a scheme which relates to the publication of information by the authority and is approved by the Commissioner;
 - b) to publish information in accordance with its publication scheme; and
 - c) from time to time to review its publication scheme..
- 8 The University has adopted the model publication scheme approved by the ICO.
- 9 The University's Publication Scheme is available publicly through the website, bucks.ac.uk, or can be provided in hard copy format by request from FOIOfficer@bucks.ac.uk . The Publication Scheme is reviewed on an annual basis.
- 10 The Publication 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; and
- The services we offer.

Requests for Information

- 11 Requests for information not in the Publication Scheme can be made via email to FOIOfficer@bucks.ac.uk or by post to:
- Freedom of Information
 Buckinghamshire New University
 Queen Alexandra Road
 High Wycombe
 HP11 2JZ
- 12 For a request for information to be valid under the FOIA it must
- a) be in writing;
 - b) state the name of the applicant and an address for correspondence (email address is sufficient); and
 - c) describe the information requested.

Responding to a request

- 13 The University will respond to the request for information within twenty working days following receipt of the request. If we are unable to respond to the request within this time frame we will contact the requestor with an explanation and request an extension of time.
- 14 The response to the request 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 one of the exemptions in the FOIA.
- 15 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'. Any fee for handling a request will be calculated in accordance with the provisions of the Fees Regulations.
- 16 If a fee will be charged in response to a request the University will issue a fees notice to the applicant. If a fees notice has been issued, the University will not begin to provide information until the correct fee has been received. The 20 working day compliance period is placed 'on hold' from the date of issue until the Fee is received. If no fee is received, the request will be closed three months from the date of Fees Notice.

Exemptions

- 17 There are a number of exemptions under the FOIA where the University is not required to provide the information requested. The Act also limits the circumstances in which information can be withheld.
- 18 In cases where the University considers a request is subject to an exemption, consideration will be given as to whether or not the information can be disclosed. This would take into account the public interest, the rights of data subjects, legal and contractual obligations and issues of information access and security.
- 19 Information will only be withheld in accordance with the exemptions specified by legislation, and the reasons for applying the exemption will be provided to the requester. A full list of the exemptions can be found on the ICO's website.

Review Procedure

- 20 If a requester is dissatisfied with the response they have received from the University, they may request a review by emailing the university at FOIOfficer@bucks.ac.uk or by post to:
Freedom of Information
Buckinghamshire New University
Queen Alexandra Road
High Wycombe
HP11 2JZ
- 21 The request for review must be made in writing giving full details of the original request, any response received and the reason for requesting the review.
- 22 In line with guidance from the ICO, a request for an internal review must be submitted within 40 days of the University's final response.
- 23 The University will deal with the request for review within 20 working days of receipt. If the review will take longer to complete, the requestor will be told why and when to expect a response.
- 24 If after the receiving the response the requestor is still dissatisfied with the university response they have a right to appeal to the ICO

Records Management

- 25 Section 46 of the FOIA requires the University to follow the guidelines set down in the Lord Chancellor's Code of Practice on the management of records. The University has a Records Management Policy and a Records Retention schedule supported by associated procedures and guidance to ensure that records are managed effectively.

Responsibilities

- 26 The Director of Digital & Technical Services (DTS) is responsible for coordinating the University's Freedom of Information function. This responsibility includes providing advice,

maintaining the Publication Scheme, developing guidance material and promoting compliance with the Act and this policy in such a way as to ensure the easy, appropriate and timely retrieval of information.

- 27 All staff are responsible for ensuring the records they manage are accurate and complete, and that all requests are handled efficiently and promptly.
- 28 Every member of staff must recognise that all recorded information may be provided to the public and that in every case, the law require there to be full and unconditional disclosure unless one of the statutory exemptions / exceptions applies.
- 29 All University staff should be aware that any breach of the FOIA may result in the University's disciplinary procedures being instigated. It is also a criminal offence to intentionally conceal, destroy or alter information that is the subject of a Freedom of Information request, to prevent it from being released.

Enforcement

- 30 Any actual or suspected breach of this policy must be reported to the Director of DTS via the most suitable channel. The Director of DTS will take appropriate action and inform the relevant internal and external authorities.
- 31 Failure to comply with this policy may result in disciplinary action in accordance with the relevant process.

Key Relevant Documents

- Data Protection Policy
- FOI Publication Scheme
- Records Management Policy and Records Retention Schedule

Table of Definitions

FOI	Freedom of Information
FOIA	Freedom of Information Act 2020
ICO	Information Commisioners Office
Publication Scheme	Sets out the Univerity's high-level commitment to proactively publish information. This includes information made readily available on the University website.
UK GDPR	UK General Data Protection Regulation

Appendix: Equality Impact Assessment

As a university, we are committed to enhancing equality, diversity and inclusion (EDI). We have a legal (Equality Act 2010) and ethical obligation to ensure our policies, systems and processes are fair, inclusive and ensure every member of the BNU community can thrive.

Whilst we all have protected characteristics, we know there are certain characteristics and communities that are marginalised and underrepresented in Higher Education and the workplace. These are: different ethnicities (including Gypsy, Roma, Traveller, Showmen and Boaters, migrants, refugees and asylum seekers) Disabled individuals; neurodiverse individuals; pregnancy (including maternity and paternity impact); the LGBT+ community; carers; people of different faiths; people impacted by menopause and individuals from a range of backgrounds including: socio-economic disadvantage, homeless, alcohol and/or substance misuse, people experiencing domestic and/or sexual violence, ex-armed forces, looked after children and care leavers. We also know individuals have multiple intersectional experiences and different points in their lives and careers.

1. **With reference to the above characteristics, in what ways does this policy enhance equality and the access of opportunity at BNU?**

This policy supports users if they choose to work from a secondary location whether it be at home or from an alternate office location either on or off-site. As such it may enhance equality of opportunity by providing guidance for staff who may find it easier to work from an alternate location.

2. **In what ways does the policy adversely impact individuals from marginalised and underrepresented communities?**

This policy can be considered to support equality and diversity in so much as it does not set out to treat anyone differently, whether they share a protected characteristic or not.

3. **How does this proposal work towards achieving the BNU Equality Objectives as outlined in the [Equality Strategy 2023-2028](#)? Please signpost objectives and actions in the BNU Equality Strategy.**

By considering the potential equality and diversity impact of this policy we have demonstrated the commitment the university places on these issues.

Signed:

Name: Nichols Roussel-Milner

Date: 31-Oct-2024



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