Freedom of Information Act Policy

1. Introduction

The Freedom of Information Act ("the Act") came into force on 1st January 2005. It gives the public a right of access to information held by public authorities. The definition of a ‘public authority’ includes all universities. The University of Liverpool ("the University") fully supports this increased public access to information. However, not all information held by the University can be released. The University may choose not to release information for a number of reasons, such as data protection, confidentiality, health and safety or to protect its commercial interests. The University may charge a fee for providing some information.

2. Right to Information

The Act places a number of obligations on the University, subject to any exemptions, as follows:

- any person who makes a request must be informed whether the University holds the information they have requested and whether there will be any cost involved. The information must be supplied within 20 working days;
- applicants are not required to indicate that their request is an FOI request for information, and it is thus sensible to treat all non-routine requests for information, except those identified as concerning the requestor’s own personal data, as FOI requests.
- the information must be supplied in a format acceptable to the applicant (so far as reasonably practicable and subject to cost); and
- there is a duty to provide advice and assistance to anyone seeking information.

3. Exemptions

Although there are a number of exemptions under the Act where the University is not required to provide the information requested, the Act limits the circumstances in which information can be withheld. Appendix A sets out the exemptions likely to apply to the University.

4. The ‘Public Interest’ Test

A number of exemptions under the Act are qualified in that they will only apply where the public interest in maintaining the information outweighs the public interest in disclosing it. Put another way, the University is being asked to assess whether maintaining the secrecy of the information serves a greater public good than permitting that information to be broadcast. In practice the public interest test involves considering the circumstances of each particular case and the exemption that covers the information but generally the balance will lie in favour of disclosure. The Act does not define what the ‘public interest’ is, although it seems clear that the term is not necessarily synonymous with ‘things the public are interested in’.

5. Charging

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’.
appropriate limit is specified as £450 in the Act. This represents the estimated costs of one person spending 18 hours in determining whether the University holds the information, locating, retrieving and extracting the information. The University is required by law to calculate the time spent responding to requests at no more than £25 per person per hour, regardless of who does the work.

If the University reasonably believes that either the cost of disbursements plus the time taken to search for the information (£25 per hour) will be more than £450 or it will take more than 2 ½ days to respond to the request, the University is entitled either to refuse the request altogether or to charge for all the time taken to respond. All decisions on such matters are at the discretion of the relevant Head of Department and the Director of Legal, Risk & Compliance. Appendix B provides more detailed guidance on the charging provisions of the Act.

6. Complaints

Where a request for information under the general right of access is denied or the requestor is unhappy or has a complaint or comment about the way in which their request for information was handled or they wish to appeal, they should write to the Director of Legal, Risk & Compliance.

7. Enforcement

If the requestor is not content with the outcome of their complaint, they can apply, under Section 50 of the Act, to the Information Commissioner for a decision on whether their request for information to the University has been dealt with in accordance with the requirements of the Act. The Information Commissioner will then issue a ‘decision notice’ to the applicant and the University.

8. Publication Schemes

8.1 Section 19 of the Act places a duty on every public authority to:-

- adopt and maintain a scheme which relates to the publication of information by the authority and is approved by the Information Commissioner;
- to publish information in accordance with its publication scheme; and
- review its publication scheme from time to time

8.2 The University’s Publication Scheme is already available and accessible on the Web and hard copy versions are available for reference from the University Library.

9. Information Commissioner

The Information Commissioner, who is an independent public official responsible directly to Parliament, has responsibility for overseeing and enforcing both the Act and the Data Protection Act 1998 and replaces the Data Protection Commissioner. In addition to the above the Commissioner has responsibility for approval of publication schemes, the promotion of good information handling and the encouragement of codes of practice for data controllers.

10. Implementing the FOIA at The University of Liverpool

The formalisation of current practice and procedures and a framework for the effective administration have been agreed and all requests to the University under the Act should be forwarded to and co-ordinated by the University’s FOI Co-ordinator in the Legal, Risk & Compliance Department who has developed procedures for requesting information, guidance on how to find information using the publication scheme.
and logging enquiries and their outcomes. For more information on the Act and its impact on the University, please see the frequently asked questions set out at Appendix D.

11. Communication

Advice to Departments will be undertaken by way of a statement by email to all Departmental FOI Co-ordinators, Heads of Departments/Schools and Deans to inform their staff of the correct procedure to follow when they receive an FOI request i.e. requesting them to forward the enquiry to the FOI Co-ordinator located in the Legal, Risk & Compliance Department. Improvements to the University’s FOI web link has been undertaken to include clear information for enquirers and incorporates a downloadable FOI request form. The Request Form and Notes for Guidance is set out at Appendix C.

KR/LJ
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Exemptions

The Freedom of Information Act limits the circumstances in which information can be withheld from an enquirer by defining a number of exemptions. Exemptions must not however be applied if there is a stronger public interest in favour of disclosure of information. The spirit of the Act is to encourage openness and we believe that Universities already have a very good reputation for this.

We should however be aware that sometimes it would be imprudent to release information into the public domain where harm may be caused as a result. Under FOI, we cannot “classify” documents as exempt; for one thing, information may move in and out of exemption over time; and for another, a document cannot be exempt just because a small part of it contains exempt (e.g. personal) information.

There are a number of exemptions under the Act where we are not be required to provide information requested. Some exemptions likely to apply are:

Section 12. Permits us not to comply with a request for information if we estimate that the cost of complying would exceed the appropriate limit.

Section 14. Means that we are not obliged to comply with a vexatious or repeated request. Part II of the Act provides certain general exemptions, some not likely to be applicable to us.

Section 21. Information accessible to applicant by other means (Absolute exemption)
Information which has already been made available by the University or by others does not have to be passed on. This may save a lot of work, as you may direct an enquirer to a publication or website where the information has already been processed and presented clearly. Familiarise yourself with the University of Liverpool FOI publication scheme (this is available from the University home page) as this contains material which has already been made available and may answer many enquirers’ questions quickly and easily.

Section 22. Information held with a view to publication at some future date whether determined or not.

This exemption may be appropriate if for example a University Lecturer were asked to divulge information which was the subject of ongoing research. Or if an administrator was working on a report, although other exemptions might also apply because the content might have a bearing on competitive advantage for example.

Section 23. Information supplied by various security authorities (Absolute exemption).

Section 24. Information required for the purpose of safeguarding national security.
Section 26. Information prejudicial to defence.

Section 27. Information prejudicial to UK international relations and interests.

Section 30. Information held for the purpose of any investigation which we have a duty to conduct with a view to it being ascertained if a person should be charged with an offence or whether a person charged with an offence is guilty of it; any investigation which may lead to a decision by us to institute criminal proceedings; and any criminal proceedings which the University has power to conduct (principally defence tribunals).

Section 31. Various provisions about law enforcement including the administration of justice (which apply to the University Courts), but also the protection of charities against misconduct or mismanagement, protecting the property of charities from loss or misapplication, securing health safety and welfare of persons at work.

Section 32. Court records (Absolute exemption).

Section 33. Functions in relation to the audit of the accounts of other public authorities or other audit functions.

Section 36. Prejudice to effective conduct of public affairs (Absolute exemption).
If releasing information would inhibit the free & frank provision of advice or exchange of views for deliberation in the opinion of a qualified person then this information may be exempt. (Under the Act, the qualified person is likely to be the Vice Chancellor or someone nominated by him and so this will only apply to high-level decision-making.)

Section 37. Communications with The Queen, other members of The Royal Family or The Royal Household, or matters relating to honours and dignities conferred by the Crown.

Section 38. Health and Safety. Information liable to endanger the physical or mental health of any individual or endanger the safety of any individual.

If by giving information to a member of the public a student or member of staff might be endangered, then this information should be withheld. An example might be internal plans of student halls of residence, or operating procedures of security systems.

Section 39. Certain environmental information.

Section 40. Personal information – regulated by Data Protection Act principles and procedures (Absolute exemption).

Information about individuals should not be divulged except under the principles of data protection. [Refer to University Data Protection Policy]
Section 41. Information provided in confidence if obtained by us from any other person, including another public authority, and if the disclosure of the information to the public by the public authority holding it would constitute a breach of confidence actionable by that or any other person (Absolute exemption).

This does not mean that information remains secret simply by virtue of being stamped “Confidential”; but please seek advice if you think the information requested may really be confidential between the University and the individual or institution which supplied it. Examples might include research questionnaires or interview recordings and the information processed from them, as well as the obvious interview references, CVs, etc.

Section 42. Legal Professional Privilege – information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. Please ask for advice before divulging legal information which may be covered by this exemption. Departments which deal regularly with lawyers need to be aware of this exemption.

Section 43. Commercial interests – information is exempt if it constitutes a trade secret; information is exempt if its disclosure would or would be likely to prejudice the commercial interests of any person including the public authority holding it.

This exemption will become more relevant to Higher Education in the next few years. Any information about future plans whose disclosure might affect Liverpool’s competitive advantage should be referred to the Chief Operating Officer’s department. This exemption is likely to be time critical.

Exemption under Section 44
Section 44 of the Freedom of Information Act states that information is absolutely exempt if its disclosure has been forbidden by other statutes. We believe that there may be instances in which such legislation applies to the University and its activities. Please consult the Chief Operating Officer if you believe that areas of your work are covered by such legislation.

You should be aware that some exemptions (e.g. those under sections 22-31, 33, 37-39, 42 and 43) are qualified, i.e. the exemption applies only where the public interest in maintaining the information outweighs the public interest in disclosing it. There is a provision in the FOI Act, which allows the 20 working day time limit to be extended to a ‘reasonable’ time, where the University is required to apply the public interest test.

However, the University must inform the applicant before the expiry of the 20 working day time limit if it needs more time to consider the public interest in disclosure and must give an estimate of the date by which it expects to make its decision. Although there is no statutory time limit on the length of time the University may take to reach a decision where the public interest must be considered, it may have to justify to the Information Commissioner any time it takes, beyond the 20 working days, to consider disclosure in the public interest.

KR/LJ
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Appendix B

Freedom of Information Act

Fee Guidance for Departments

How to calculate fees for access to information under the Freedom of Information Act

This guidance is based on the Freedom of Information Act and the mandatory FOI Fees Regulations published by the Department for Constitutional Affairs.

If you are not sure about how to calculate a fee, contact the Director of Legal, Risk & Compliance. Departments should not depart from this guidance when calculating FOI Fees.

Are we allowed to charge a fee for providing information under FOI?

Under the Freedom of Information Act the University is obliged to supply information within 20 working days. The University is entitled to charge a fee for providing this information.

Whenever we charge a fee, however, we are legally required to issue a Fees Notice to the requester BEFORE we supply the information so the requester can decide whether to continue with the request. Model Fees Notices are available from the Legal, Risk & Compliance Department.

How to manage 20-day deadlines when charging fees

The deadline of 20 working days is suspended from the date we send out the Fees Notice until we receive the fee. When we receive the fee we should then start again to comply with the request. If the requester does not send us the fee within three months of the Fees Notice, the request has lapsed and we are no longer obliged to provide the information.

What are we allowed to charge?

There are two types of charges that may be made for providing information to the public: disbursements and fees.

Disbursements

With any request for information we are always allowed to charge for the cost of disbursements. Note that this means the cost of materials, not the time spent in doing the photocopying.

Disbursements include the costs of:

- complying with the obligation to supply the information in a specific format, such as on tape, on CD ROM, on paper;
- reproducing any document containing the information, such as by photocopying;
- postage or other form of transmitting the information, such as a courier fee.
Bear in mind that for small amounts, the cost of recovery (including staff time) may be higher than the revenue generated. Nevertheless, even a relatively small charge may discourage vexatious requests. Heads of Department together with the Director of Legal, Risk & Compliance may use their discretion as to whether they decide to charge for very small fees.

**Fees for searching for information**

The University is required by law to calculate time spent responding to requests at no more than £25 per person per hour, regardless of who does the work.

We *cannot* charge a fee for the first two and a half days' time it takes to search for, sort out, edit and redact (block out or erase) the information. This is judged to be £450 of time.

However, if we reasonably believe that either:

- the cost of disbursements plus the time taken to search for the information (at £25 per hour) will be more than £450
- it will take more than two and a half days (£450) to respond to a request,

we are entitled *either* to refuse the request altogether or bill for all the time taken to respond. This should be at the discretion of your Head of Department or the Director of Legal, Risk & Compliance.

**Fees for disclosure where the cost of compliance exceeds the £450 limit**

If we do decide to provide the information and it will cost more than £450 to do this, we are allowed to charge the full cost of complying with the request, including the first £450 that we would not normally be allowed to charge.

**What are we not allowed to charge for?**

We are not allowed to charge for staff time spent:

- considering whether to apply an exemption;
- considering the public interest or prejudice;
- confirming or denying the information is held;
- supplying the applicant with the information.

We are not allowed to charge a standard flat-rate fee for requests.

**Do we have to charge VAT?**

Since the Act does not set a specific fee, any monies charged are not statutory fees. The University has been advised that:

- If the University is asked for information, and the information is only available from the University or another public authority, any fees charged should not include VAT.
- If the University is asked for information that is available from another private sector source (such as buying a book from a High Street shop), any fees would attract VAT. This is the case regardless of the cost of supplying the information.

The distinction is made so as not to distort competition between the public and private sector.
We may decide that it is more sensible to advise the applicant that the information is available elsewhere and give them advice on where to go to find the information they need.

**Single requests**

Disbursements can be charged for any Freedom of Information Request (see above).

If it costs less than £450 in total (two and a half days searching, sorting, editing and redacting plus disbursements) to answer a single request, we may only charge for the disbursements.

If it costs more than £450 (two and a half days searching, sorting, editing and redacting plus disbursements) in total, we may use our discretion either:

- to provide the information and charge the full amount (i.e. £450+) or,
- to refuse the request

Whichever decision we make, we MUST tell the requester in writing.

**Single enquiries: Is it worth recording the time spent complying with a minor request for information?**

Yes, it is, because if we receive subsequent requests from the same individual for the same or similar information within 60 working days of the first request we can treat it as a 'repeated enquiry' (see below) and may be able to charge a higher fee or refuse the request.

**Repeated requests**

A repeated request is where we receive subsequent requests from the same individual for the same or similar information within 60 working days of the first request. If we get a repeated request we can add the cost of each request together and either:

- refuse to comply with the request because it exceeds the limit of £450 or
- charge the full amount for providing the information.

"Campaign" Enquiries

"Campaign" enquiries fulfill each of the following criteria;

- there are two or more requests
- the requests must relate to any extent to the same or similar information
- they are received from different persons
- the requesters appear to be acting in concert or in pursuance of a campaign
- the requests are received within any period of 60 consecutive working days.

As with repeated requests, the rules for a single enquiry still apply, but the estimated cost of complying with any one of the requests is taken to be the total cost of complying with all of them. This is known as "aggregation of related requests". This would normally mean that it would be too expensive to comply with the request.

If a large group of people are making similar requests we should give serious consideration to publishing the information on a website to save on the cost of responding to each request. If it takes more than two and a half days to find and collate the information it is still at our discretion whether we do this, but if a large
section of the public are requesting information it is good public relations to take all reasonable steps to provide as much information as possible, without damaging the legitimate interests of others.

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Freedom of Information
Information Request

This form is designed to assist in requesting information under the Freedom of Information Act. You are not obliged to use the form if you are requesting information, but it may be useful in structuring your request. In order to deal with any request for information The University of Liverpool will need to have the information detailed here regardless of whether the form is used. Please also take the time to read the accompanying notes.

**APPLICANT DETAILS**

| *Full Name |
| Address |
| Telephone number |
| Fax number |
| *Email |

* Must be supplied so that we can carry out request. Address can be either postal or email, or both.

**DESCRIPTION OF INFORMATION REQUIRED**

Please provide as much detail as possible in order to help locate the information. See notes below to help clarify your request for information.

**FORMAT OF INFORMATION**

Please specify format in which you would like the information to be supplied, e.g. paper copy or email attachment. Where practical, we will supply information in the format of your choice, although there may be a cost associated with this.
Notes for Guidance

Requesting information.

- The University can ask you to clarify your request where information cannot be located from the original request.
- The FOI Co-ordinator can advise and assist you in your request for information.
- The more detail you can provide in your request for information, the simpler it will be for us to try and answer it. Examples of the type of useful information may include:
  - Whether it is likely to be held by a specific department.
  - Whether it is likely to be held with or contained in specific University documentation e.g. minutes of a committee, annual report.
  - Any file references or document titles associated with the information.
  - Whether it is information referred to on the University Web Site. If so provide details of the URL.
  - Whether it has been previously supplied to you. If so the details of that request will be extremely useful.

Refusal of requests for information

- The University may refuse to answer, either partially or in whole your request for information.
- Refusals will be based on our application of the exemptions regarding access to information contained within the Freedom of Information Act.
- Certain requests for information may be answered by providing redacted information. Redacted information is where specific content has been left out of a document because it contains exempt material under the terms of the Freedom of Information Act or the Data Protection Act 1998.
- Where this happens (either a total refusal of a request, or a partial refusal with the supply of redacted information) you will be given a full explanation for the decision and actions we take.
- You will also be supplied with the details of the appeals procedures open to you.

Format of Information

- Not all information can be supplied in the format requested.
- Some information may be contained within paper or bound documents that cannot be photocopied, or it may take too much time and/or cost too much to provide copies.
- If this is the case you will be given the option to come and view the original material at The University of Liverpool.
- If we discover that the information is freely available elsewhere, for example in a document or via our website, or via a third party, you will be told this and given guidance on where to find that information.

Please send completed forms to:

The FOI Co-ordinator,
The University of Liverpool,
The Foundation Building,
765 Brownlow Hill,
Liverpool L69 7ZX or foi@liverpool.ac.uk
Frequently Asked Questions

1. **Q: What is the Freedom of Information Act?**

   A: The Freedom of Information Act (FOI) came into force on 1st January 2005. The Act gives individuals a general right of access to recorded information that is “held” by public authorities (this includes Universities) and places a duty on these bodies to be open and accountable to the public.

2. **Q: What is an FOI request?**

   A: An FOI request is any request for information that is held in permanent form, for example a letter, email or fax. All that the applicant needs to do is to provide a name and address with their request (this can include email). The request can originate from any person (legal or private) and from anywhere in the world. The applicant does not have to mention the Act or the reason why they want the information.

3. **Q: What does the Act mean by ‘recorded information’?**

   A: All information that the University holds in permanent form, such as on computerised systems, in filing cabinets, on PCs, in emails or hand-written notes. It does not cover non-recorded information (e.g. information in your head).

4. **Q: What if a request is not clear?**

   A: It is acceptable to refer a request back to the applicant if the reason in doing so is to provide a better response. In such cases the ‘20 working day clock’ stops whilst the clarification is sought, and starts again when the clarification is received.

5. **Q: Can we ask the requester why they want the information?**

   A: We can, but it is not relevant for the purposes of the Act and the applicant is under no obligation to tell us.

6. **Q: Providing information can be expensive. Are we allowed to charge?**

   A: Yes. In brief the University can charge the cost of photocopying and postage on FOI requests.

   Also – in accordance with FOI Fees Regulations, if it is estimated that the cost of answering a request is going to exceed £450 (calculated at the rate of £25 per person per hour), the University can choose either to charge the appropriate fee or to refuse to answer the request. Bear in mind however that the charge time for handling FOI requests has been worked out on an assumption that efficient records management is in place. The law does not allow the University to charge for its own inefficiency.
7. Q: Does the introduction of the new FOI Policy mean that all existing practices, in respect of requests for information, will now have to be changed?

A: Yes. Although the University already answers many FOI requests for information, these are often dealt with at Departmental level and the University has no central record of requests. Under the new procedure, all requests will be co-ordinated by Legal, Risk & Compliance so that a consistent approach is adopted and a central record of requests is retained.

8. Q: If the University receives an FOI request but does not want to release the information, what can be done?

A: The Act establishes a general right of access to all of the University’s recorded information so it is highly probable that the University will not be legally entitled to withhold requested information. Under the Act, information can only be legitimately withheld if an exemption specified within the Act applies.

9. Q: How do we ensure that the response we give to applicants, under the Act, is consistent across the University?

A: The basic requirement is to have an FOI Policy underpinning published procedures for handling FOI requests – both of these requirements are now in place. Central co-ordination and specialist support is effected through Legal, Risk & Compliance. Additionally there is a network of departmental representatives to ensure effective liaison between Legal, Risk & Compliance and departments.

10. Q: What is the role of Legal, Risk & Compliance in this area?

A: Legal, Risk & Compliance is responsible for co-ordinating the University’s compliance with the Act and will formally respond to all FOI requests.

11. Q: If we receive an FOI request for information that we do not want to make available, can we opt to destroy it rather than hand a copy over?

A: No. It is a criminal offence to destroy, obscure or erase material in response to a valid request (Section 77 FOI). Individual staff members may be criminally liable (i.e. at a personal level) if they destroy information (or instruct others to destroy information) following receipt of a valid request.

12. Q: What statistics do we have to keep on FOI requests?

A: There is no requirement under the Act to keep any request statistics. However details of requests will be logged and maintained centrally in order to ensure that the University is adequately prepared for any appeals that might occur, as well as in helping to identify patterns of requests and to flag areas of concern.

13. Q: What are our obligations under FOI to make information available in the format of the applicant’s choice (e.g. a foreign language, audio, Braille or large-print)?

A: The requirement is to provide information in the format that the applicant expresses, ‘as far as reasonably practicable’. However other legislation is relevant here e.g. the Disability Discrimination Act, and needs to be taken into account.
14. Q: Which takes precedence – Copyright or the FOI Act?

A: The Copyright Designs and Patents Act (Section 50) states that information should be released if required by any other Act of Parliament. So, provided no exemptions apply, information should be released.

However, information may be exempt from disclosure under the FOI Act if its disclosure would constitute ‘an actionable breach of confidence’. Consultation therefore (with the copyright owner) may be required before disclosure takes place. It is also good practice to advise an applicant that making additional copies of information that has been disclosed, or selling such copies to another party may be a breach of copyright.

15. Q: Which takes precedence – The Data Protection Act or the FOI Act?

A: There will generally be no conflict between the two Acts. If in doubt always contact Legal, Risk & Compliance. If you receive a Subject Access Request for information in respect of personal data you should immediately pass the request to Legal, Risk & Compliance, which is also responsible for co-ordinating the University’s response to the Data Protection Act 1998.

16. Q: Can I avoid information being caught by the FOI Act by taking work home?

A: No. Geographical location is not a factor in deciding whether information is ‘held’ by the University or not. If you take work home then that information is covered by the Act, in the same way as if it were ‘held’ within a University office.

17. Q: Where in the University does legal responsibility for the FOI Act actually rest?

A: Any enforcement notice would be served on the ‘public authority’ (i.e. in our case ‘the University’) as an entity. However there is an important exception. Individual staff members can be criminally liable at a personal level if they destroy information (or instruct others to destroy information) following the receipt of a valid request.

18. Q: What if we receive a request for information, but just can’t find the information?

A: The introduction of the Act has highlighted the clear importance of effective records management. The time limit of 20 working days means that it must be possible to retrieve information easily in order to meet the requirements of the Act. This means that effective filing systems need to be in place to reduce the time required in searching for information.

It also needs to be clearly understood that inefficient filing will not excuse non-compliance with the Act.

19. Q: What is a Publication Scheme?

A: The Act requires the University to maintain a ‘Publication Scheme’ that is approved by the Information Commissioner’s Office. A publication scheme is essentially a classified index to all information that the University holds and which is intended to be made ‘routinely available’ to the public. The University’s publication scheme is available at:
http://www.liv.ac.uk/webteam/foi/uolps.pdf
20. **Q:** What are the University’s obligations regarding the Publication Scheme?

**A:** The Scheme must be kept up to date and must be accurate. The University has undertaken not to charge fees for provision of information contained within its Publication Scheme, except where noted within the scheme itself (i.e. disbursements).

21. **Q:** I often get questionnaires sent to me. Do these count as FOI requests?

**A:** Does the questionnaire ask for existing recorded information? Bear in mind that there is no obligation under the Act to create new recorded information in response to an FOI request. It is highly unlikely that a questionnaire would constitute a FOI request.

22. **Q:** I am a member of several professional emailing lists. Does a question asking members for information constitute an FOI request?

**A:** It is highly unlikely that a question submitted to an emailing list, would be regarded as an FOI request.

23. **Q:** Will University librarians need to deal with FOI requests from students in order to help them complete their assignments?

**A:** No. The FOI Act does not require University librarians to do research for readers. The library’s resources are exempt from individual access requests because the information is already ‘reasonably accessible’ (Section 21).

24. **Q:** If we receive a request for teaching and learning materials do we have to comply?

**A:** Probably not. It is unlikely the University would have to provide access to teaching and learning materials that are normally available only to fee paying students.

25. **Q:** What should I do when I receive a request for information and do I need to recognise it as an FOI request?

**A:** How you handle the request depends on the nature of it and your role in the University. If you routinely give out certain information to the public, staff and students, continue to give out this information as before. If you receive a request for information which mentions Freedom of Information or is NOT information you already routinely provide in the course of your work, then contact Legal, Risk & Compliance.

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