

Freedom of Information Act and Environmental Information Regulations Policy

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| Ownership | Data Protection Officer |
| Policy contact | gja@gold.ac.uk |
| Approval | Council |
| Protective Marking | Public |
| Last review date | October 2023 |
| Next review date | October 2025 |

1 Introduction

- 1.1 All Higher Education Institutions (HEIs) in England, Wales and Northern Ireland are subject to the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR) due to their receipt of public funding.
 - 1.2 This Policy outlines how Goldsmiths, University of London (the College) will comply with its statutory obligations under the FOIA and EIR.
 - 1.3 The Policy applies to all requests for information that staff or contractors working for the College may receive.
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2 Key Principles

- 2.1 Any individual of any nationality may submit a request for information to a public authority. Authorities are required to provide a response within 20 working days of the date of receipt.
- 2.2 Requesters are directed to submit their requests to gia@gold.ac.uk. However, should a member of staff in any College department or service receive a request for information, it must be forwarded to the Data Protection Officer via gia@gold.ac.uk as quickly as possible.
- 2.3 A Freedom of Information request can be considered valid if it meets the specifications set out in [Section 8](#) of the FOIA. The EIR do not specify how a request must be made.
- 2.4 Requests apply to all recorded information, including printed or handwritten documents, digital files, databases, emails, SMS and chat messages (e.g. Teams), photographs, and audio / video recordings.
- 2.5 Any disclosure the College makes in response to a request is regarded as being made to the world at large, and not only to the person making the request.
- 2.6 Conjecture as to the motivation behind a request, a requester's identity, or what their intentions are for the information they seek can hold no bearing over the College's final response to a request.
- 2.7 It is a criminal offence to intentionally conceal, destroy or alter recorded information that is subject to an FOI or EIR request, in order to prevent its disclosure into the public domain.
- 2.8 The Goldsmiths Students' Union is not considered a public authority under the FOIA or EIR.

- 2.9 In some instances, the College may rely upon the opinion of the Qualified Person when determining how it will respond to a request for information. The College's Qualified Person is the Warden, as appointed by the Minister for Education.
- 2.10 The FOIA does not grant individuals access to their own personal data. Individuals seeking the personal data that a public authority holds in relation to them must instead submit a Data Subject Access Request (DSAR) in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA) to dp@gold.ac.uk.
- 2.11 Where appropriate, the College will consider the application of exemptions to disclosure of information as set out under the FOIA and the EIR.
- 2.12 Where the application of an exemption requires the College to undertake a "Public Interest Test", it may extend the statutory 20 working day response window by a further 20 working days.
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3 Complaints

- 3.1 Where a requester is dissatisfied with the College's response to their FOI or EIR request, they may ask for an internal review into how their request was processed.
- 3.2 The College aims to conclude each internal review within 40 working days of the date they are asked for.
- 3.3 Public authorities are not obliged to provide an internal review of an FOI request if it is requested more than 40 working days after the authority responded to the initial request.
- 3.4 If a requester is still dissatisfied following the conclusion of the internal review, then under Section 50 of the FOIA they may submit a complaint to the ICO.
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4 Publication Scheme

- 4.1 Section 19 of the FOIA requires every public authority to adopt and maintain a scheme for the regular publication of information relating to its activities, services, finances, and governance.
- 4.2 The College maintains a publication scheme on its website: <https://www.gold.ac.uk/foi/>.
- 4.3 The College's scheme is based upon, but not limited to, the guidance issued by the ICO for the format of a publication scheme.

- 4.4 Information published through the College's publication scheme will be updated on an annual basis, or whenever there is significant change to information published there.