



CODE OF PRACTICE - ACCESS TO INFORMATION

Version 3: July 2009

1. INTRODUCTION AND CONTEXT

- 1.1 So far as is possible, Bournemouth University wishes to provide its staff and students, and other members of the public, with any information they need that is held by the University. The University is committed to promoting public understanding of its nature and activities via the systematic publication of all relevant information, and will make every effort to provide, where practical and permissible, additional information to members of the public in cases where routinely published information does not provide them with the information they require.
- 1.2 Additionally, under the terms of the Data Protection Act 1998 and the Freedom of Information Act 2000, individuals have legal rights in regard to obtaining information held by the University.

2. REQUEST FOR PERSONAL INFORMATION

- 2.1 Under the terms of the Data Protection Act 1998 an individual has the right to ask the University for any Personal Information held about them and to expect the University to process their personal information in accordance with the Principles specified in the Data Protection Act 1998. Examples of personal information are:

- staff file
- student file
- library borrowing record

- 2.2 To ensure compliance with the Data Protection Act, and to maintain confidentiality, the University will require proof of identity from those seeking to access their personal information. Failure to provide this will result in the information being withheld.
- 2.3 There will be a Subject Access request charge of £10 for each request submitted.

3. REQUEST FOR PERSONAL INFORMATION ON BEHALF OF A THIRD PARTY

- 3.1 There may be occasions where it is necessary to request personal information on behalf of a third party. In this instance the requester will need to provide written evidence that they have the authority of the Data Subject. Additionally they will need to provide proof of both their own identity and of that of the Data Subject.

4. REQUEST FOR EXAM SCRIPTS

- 4.1 The Data Protection Act 1998 allows students the right to access examiners' comments written on examination scripts. Bournemouth University has decided to implement this right of access by allowing all students to obtain a copy of their examinations script should they wish it.
- 4.2 Any student wishing to obtain a copy of their examination script should put their request in writing to their Programmes Administrator together with the £10 Subject Access Request fee. Please note that, as with all other requests for personal information, proof of identity will be required.

- 4.3 It may also be possible for students to meet with their tutor to discuss their exam script if they are required to retake a particular examination. Providing that a copy of the script is not required, no charge will be due.

5. REQUEST FOR NON-PERSONAL INFORMATION

- 5.1 Under the terms of the Freedom of Information Act 2000 an individual has the right to ask for any information held by the University. Examples of non-personal information are:

- Minutes of meetings
- Statistical information
- Annual reports

- 5.2 The University already makes public large quantities of the information that it holds via its and information about this is available in the Publication Scheme, accessible at the following web address – www.bournemouth.ac.uk/foi - or from the University Information Officer. Before submitting any request it is advisory to check the University's Publication Scheme to determine whether the information required is already available. Please note that requesters asking for readily available information will be directed to the Publication Scheme.

- 5.3 The University is permitted to make a charge for supplying the requested information if appropriate. Printing, postage and packing may be charged for all information and if it will take in excess of 2 and a half days of staff time to compile the information (£450) staff costs may also be charged. Requests which would cost more than £450 to fulfil may legitimately be refused.

- 5.4 The University is also permitted not to respond to vexatious or malicious requests, which include multiple requests from one person or duplicate requests from individuals.

6. EXEMPT INFORMATION

- 6.1 The Freedom of Information Act 2000 provides for specific categories of information to be exempt. Information that the University considers falls within an exempted category will not be provided in response to a request (but see Section xx Appeal), providing that it would not be considered in the greater Public Interest to disclose such information. Examples of categories of exemptions are:

a) Confidentiality

Information held by the University which was obtained from any other person, and where the University believes that disclosure of the information would constitute a breach of confidence.

b) Commercial Interests

Information the University considers to be a trade secret, or information whose disclosure would, or would be likely to, prejudice the commercial interests of any person (including the University itself).

c) Information intended for Future Publication

Any information that the University holds and that it intends to publish at some point in the future, normally as part of a formal publication such as a report, will not normally be supplied in response to an Information Request

Further information about all exemptions that are created by the Act are available from the Information Commissioner

7. MAKING A REQUEST FOR INFORMATION

- 7.1 Information requests should be made using the appropriate form (Subject Access Request form for requests being made under the Data Protection Act 1998 and Information Request Form for requests being made under the Freedom of Information Act 2000). Both forms are available on the University's website or from the University's Information Officer. Alternatively requests can be made by letter, email or fax.

8. RESPONSE TIMES

- 8.1 The University will respond to requests within the following legally prescribed timescales.

Data Protection Act Subject Access Requests	40 days
Freedom of Information Act Information Requests	20 working days

9. RIGHT TO APPEAL

- 9.1 If the University has agreed that it holds specific information that you requested, but refuses to provide you with that information, you may appeal. Appeals should be sent to the Registrar who will review your request and may amend the University's initial decision.
- 9.2 Should the University still refuse to supply requested information, an appeal may be made to the Information Commissioner.

10. FURTHER INFORMATION

- 10.1 Further information about the University's Publication Scheme or any other aspect of accessing information can be obtained from the University's website at www.bournemouth.ac.uk/foi or from

Information Officer, Legal Services
Bournemouth University
Melbury House, 4th Floor
1-3 Oxford Road
Bournemouth
Dorset BH8 8ES

Tel: +44 (0) 1202 961211
Fax: +44 (0) 1202 961201
Email: information@bournemouth.ac.uk

- 10.2 Further information about the Data Protection Act 1998 and the Freedom of Information Act 2000, including definitions of exempted information, and details of enforcement, can be obtained from:

Information Commissioner
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Tel: +44 (0) 1625 545700
Email: mail@ico.gsi.gov.uk
Web: www.informationcommissioner.gov.uk