

Governance and Legal

Statutory Requests for Information (FOI, DPA, EIR)

Introduction

This policy covers requests for information made under the Freedom of Information Act 2000, the Environmental Information Regulations 2004, as well as data made under the UK General Data Protection Regulation and Data Protection Act 2018.

Freedom of Information Act 2000

The Freedom of Information Act 2000 (FOI A) provides for a general right of access to information held in recorded form by public bodies, including De Montfort University. The Act enables anyone, anywhere in the world, to request a Freedom of Information Request to DMU.

For an FOI request to be valid it must meet the following criteria:

- Requests must be made in writing (email, letter etc) w
- Requests must include a requester's real name: Any variation of a title or first name combined with a surname (e.g. Mr Smith, John Smith) w
- Requests must include a set of initials, w
- Requests must include w



solely of the University the requester may be offered a copy of this in the first instance to ensure a quicker response.

Where the university considers that an exemption or exemptions may prevent some or all of the requested information being released, it applied and the University complies the [Information Commissioners or other appropriate codes of practice.](#)

Where information requested may be held in different parts of the University the Information Governance Team coordinate gathering, assessing and formulating the response.

The University collate and extract information from existing records in compliance

The University

Publication Scheme

Under the provisions of the Freedom of Information Act, the university must have a Publication Scheme approved by the Information Commissioner (Independent person responsible for ensuring compliance)

To ie [w](#) page on the DMU [w](#)

The Environmental Information Regulations 2004

The Environmental Information Regulations 2004 (EIR) is an access regime that shares many similarities (and some crucial differences) Act. Requests for the follo [w](#) [w](#)

- The state of the elements of the environment, such as air, biological diversity
- Emissions and discharges (gases and fluids), noise, energy radiation, other such substances
- Measures and activities such as policies, plans, and agreements affecting or likely to affect the state of the elements of the environment
- Reports, cost-benefit and economic analyses
- The state of human health and safety contamination of the food chain
- Cultural sites and built structures (as they may be affected by environmental factors)

Requests do not have to be made in lead to a quicker response. Where information is not subject to a legal exception from disclosure, [day.](#) [w](#)



De Montfort Expertise Let (DMEL) is a university offers commercial activities. As a under the Freedom of Information Act or the Environmental Information Regulations. Any requests for DMEL related information Montfort University requests.

The Students' Union

De Montfort Students' Union is a Private company limited by guarantee and as such not a "public authority" in the sense of the Freedom of Information Act. The Freedom of Information Act also records that the Student Union hold are not subject to the Act. It is also unlikely that the Union

(The definition of a "public authority" in the Regulations is broader and a greater than that in the Freedom of Information Act).

Records university holds about the Students' Union, including communications Students' Union, are covered by the Freedom of Information Act and the Environmental Information Regulations, and can be requested.

In cases may consult Environmental Information request may involve the disclosure of information provided to the University by the Union, or commercial interests of the Union. However

Montfort University In all cases, the University Information Governance Manager and Data Protection Officer

Requesting your own data

All living people for Subject Access Request (SAR) to find out their data have the right to make a request. The University respond to any such requests within one calendar month as is defined by Information Commissioner's Office guidance. Where a request is deemed particularly complex this period can be extended by a further two months. DMU shall inform the data subject of any such extension month of receipt of the request, together

There is not normally a fee for a SAR, but if the request involves an excessive amount of information



To help us locate the information, the request should include the data subject's name (and any other names they have been known as (if relevant)), the period for which the information relates (the calendar year(s), or academic year(s) for students), the date of birth, the address at the time, and the DMU identification number (if relevant). In addition, information such as the faculty the individual studied or the directorate they were in, and any other relevant information.

We will send the information to you by email in an encrypted format unless you specify an alternative.

We normally need to verify the identity of the requestor and hence may need to see evidence of their identity. We ask for photo ID such as a passport or driver's licence if possible, or a birth certificate or other approved ID if this is not possible. This information will be held in a secure system.

The fact and details that a data subject sent or received an email, and the subject line and date is deemed that person's personal data, the contents of those emails are not personal data unless they include specific additional information concerning that person.

Third Party Requests

The Data Subject can ask a third party (for example a solicitor) to make a SAR on their behalf. We will act on the Data Subject's behalf if they provide their identity to us.

Please note, the timeframe of a calendar month of the information that is being requested, **and** confirmation of either the Data Subject's identity or confirmation that a third party is entitled to act on their behalf.

Requests from official bodies

Where requests are received for the personal data of individuals from bodies that have a legal right to access the personal information of the Data Subject



The Gate
De Montfort
University Leicester
Leicestershire
LE2 7DP

T: +44 (0)116 257 7655
E: foi@dmu.ac.uk

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Water Lane
Wilmslo
Cheshire SK9
5AF

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Or via the ICO
can be found.

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If a requester is unhappy with the response to a Subject Access Request, they may appeal directly to the Information Commissioner.

Records and Statistics

Records relating to requests
reports on numbers and trends relating to requests
Goernance and Cyber Security Board.

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1. Document Approval

Approved by Information Goernance and Cyber Security Board

Reie Information Goernance Manager

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Document History

- 1.1. 28/10/2013 – Draft 1 Fraser Marshall
- 1.2. 08/04/2014 – Draft 2 Neil Faer
- 1.3. 05/01/2017 – Draft 3 Fraser Marshall
- 1.4. 25/07/2018 – Draft 4 Interim Information Goernance Manager
- 1.5. 08/10/2018 – Draft 5 Paul Starkey
- 1.6. 24/01/2019 – Draft 6 Paul Starkey
- 1.7. 25/02/2021 --Draft 7 Paul Starkey
- 1.8. 16/07/2021 -- Draft 8 Paul Starkey