# Governance and Legal

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Statutory Requests for Information (FOI, DPA, EIR)

#### Introduction

This policycoers requests for information made under the Freedom of Information Act 2000, the Enironmental Information Regulations 2004, 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) proides for a general right of access to information held in recorded form bypublic bodies, including De Montfort UniersityThe Act enables anyone, any a Freedom of Information w Request to DMU.

For an FOI request to be | alid it must meet the follo

- Requests must be made in (email, letter etc)
- Requests must include a requester's real name: Anyariation of a title or first name combined surname (e.g. Mr Smith, John Smith) w meet this requirement. Ho a set of initials,
- Requests must include



solelyof the Uniersity the requester may be offered a copyof this in the first instance to ensure a quicker response.

Where the uniersityconsiders that an exemption or exemptions rall of the requested information being released, it applied and he Uniersitycomplies the Information Commissioners or other appropriate code	maypreent some or  w es of practice.	
Where information requested maybe held in differ ent parts of the Information Goernance Team ordinate gathering, assessi response.	· · · · · · · · · · · · · · · · · · ·	
The Uniersity collate and extract information from existing records in compliance	w e	
The Uniersity	W	
Publication Scheme		
Under the proisions of the Freedom of Information Act, the uniers Publication Scheme approved by Information Commissioner (responsible for ensuring compliance	Independent person	W
To ie DMU	w page on the w	
The Environmental Information Regulations 2004		

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The Enironmental Information Regulations 2004 (EIR) is an access regime that shares manysimilarities (and some crucial differences)

Act. Requests for the follo

vequests for the folio

- The state of the elements of the enironment, such as air, biological diersity
- Emissions and discharges (gases and fluids), noise, energy radiation, other such substances
- Measures and actiities such as policies, plans, and agreements affecting or likelyto affect the state of the elements of the enironment
- Reports, cost-benefit and economic analyses
- The state of human health and safety contamination of the food chain
- Cultural sites and built structures (as theymaybe affected byenironmental factors)

Requests do not have to be made in		
lead to a quicker response. Where informatio	n is not subject to a legal	exception from
disclosure,	da <b>ş</b> .	W

De Montfort Expertise Ltd



De Montfort Expertise Let (DMEL) is a uniersityoffers commercial actiities . As a under the Freedom of Information Act or the Enironmental Information Regulations . Any equests for DMEL related information Montfort Uniersity equests.

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The Students' Union

De Montfort Students'Union is a Priate companylimited byguarantee and as such not a "public authority in the sense of the Freedom of Information Act. The Freedom of Information Act allo wrecords 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 aguer than that in the Freedom of Information Act).

Records ersityholds about the Students' Union, including communications w
Students' Union, are coered bythe Freedom of Information Act and the Enironmental Information Regulations, and can be requested.

In cases w
mayconsult
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Enironmental Information request mayinole the disclosure of information
proided to the Uniersitybythe Union, or
commercial interests of the Union. Ho

Montfort Uniersity In all cases, the Uniersity Information Goernance Manager and Data Protection Officer

Requesting your own data

All liing people for data hae the right to make a Subject Access Request (SAR) to find out them. The Uniersity respond to anysuch requests 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 t circumstances DMU shall inform the data subject of anysuch extension month of receipt of the request, together

There is not normally a fee for a SAR, but if the request inoles an ex4 ()/TJ0



To help us locate the information, the request should include the data subjects name (and anyother names they have been kno eleant), the period for information relates (the calendar yar(s), or academic yar(s) for students), the date of birth, the address at the time, and the DMU identification number (if releant). In addition information such as the facultythe indiidual studied or directorate they

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We send the information to you byemail in an encrypted of format unless you specify an alternatie.

We normallyneed to erifythe identity of the requestor and hence mayneed to see eidence of their identity. We ask for photo ID such as passport or drier 's licence if possible, or a birth certificate or other approved. ID if this is not possible. This information

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

#### Third Party Requests

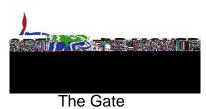
The Data Subject can ask a third party(for example a solicitor) to make a SAR on their behalf. We act on the Data Subjects behalf if they us identity w

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

### Requests from official bodies

Where requests are receied for the personal data of indiiduals from bodies that hae a legal right to access the personal information of the Data Subject



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Or ia the ICO can be found.

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

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Records and Statistics

Records relating to requests reports on numbers and trends relating to requests Goernance and Clark SecurityBoard.

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# 1. Document Approval

Approved by Information Goernance and Clover Security Board

Reie Information Goernance Manager

# **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