

The Freedom of Information (Scotland) Act 2002 What everyone needs to know

The Freedom of Information (Scotland) Act, 2002, (FOI) provides important new rights of access to information held by Scottish public authorities, including Heriot-Watt University.

From 1 January 2005 if anyone asks us for information we must provide it, or a valid reason for not doing so, within 20 working days.

FOI applies to

- All information we produce or receive in the course of our work
- Information in any formats, of any age

Be FOI aware...

- Anyone within the University can receive or make a request for information.
- Requests can come from anywhere in the world.
- People asking for information don't have to mention FOI.
- People don't have to tell us why they want the information.

What should I do if I am asked for information?

- Apply good customer service. We must advise and assist everyone who asks us for information.
- Record requests for information: date, name and contact address, the information required and pass on immediately to the appropriate person/office.
- Ask enquirers to put complex requests in writing but deal with straightforward requests as normal.
- Make arrangements with colleagues to process enquiries in your absence.

Would I answer this request normally?

- If YES: answer it as normal within the 20 working day deadline.
- If NO: do you know who would answer this request normally? If YES: forward the request immediately to that person, copying to their School/Section office in case they are not in.
- If you are unsure, forward the request immediately to your School/Section FOI co-ordinator.

What if I think the information is confidential?

- If you are asked for information that you think is confidential, pass the request immediately to your FOI co-ordinator.
- Decisions to withhold information must be taken by section heads, with advice from the University FOI co-ordinator. There are limited exemptions from the right to access information under FOI.

Records Management and Freedom of Information

- All records you create or receive in the course of your work, including emails, are potentially open to disclosure under FOI.
- Ensure that records are accessible to colleagues who need to refer to them in your absence.
- Apply good housekeeping: follow University procedures for filing records and how long they should be kept <http://www.hw.ac.uk/archive/records/FullPlan5.pdf>

Help and advice on Freedom of Information, Data Protection and Records Management

Contact: Ann Jones, University Archivist, FOI co-ordinator

- x3219
- email: a.e.jones@hw.ac.uk
- or: foi@hw.ac.uk
- <http://www.hw.ac.uk/foi/>