



Freedom of Information: Guidance for Requesters

Documentation Cover Page					
Freedom of Information Guidance for Requesters					
Version number	Dates produced and approved (include committee)	Reason for production/ revision	Author	Location(s)	Proposed next review date and approval required
V1.0	Dec 2018 SMT	Produced to provide guidance to requesters about making a Freedom of Information Request.	Data Protection & Freedom of Information Officer	All master versions will be held in: J:\0 Quality Team - Core Documentation UCO Portal: Records & Information Management	Mar 2020 Or in response to legislative changes
V2.0	Mar 2020 SMT	Scheduled Review: No Changes	Data Protection & Freedom of Information Officer	All master versions will be held in: J:\0 Quality Team - Core Documentation UCO Portal: Records & Information Management	Mar 2023 Or in response to legislative changes
V3.0	Nov 2023 IGSSG	Scheduled Review: Administrative amendments to update wording, correct typographical errors and update weblinks.	Data Protection & Freedom of Information Officer	All master versions will be held in: SharePoint - Quality Team UCO Website	Nov 2026 Or in response to legislative changes

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FREEDOM OF INFORMATION – GUIDANCE FOR REQUESTERS

INTRODUCTION

In order to help you make a Freedom of Information Request we have developed this guidance that provides answers to some frequently asked questions about submitting a request. We hope that you find this helpful. If you have any questions about submitting a request please contact our Data Protection & Freedom of Information Officer by emailing dpfio@uco.ac.uk.

DO I HAVE A RIGHT TO ACCESS THE INFORMATION THE UCO HOLDS?

Yes. The Freedom of Information Act 2000 (FIA) has created a general right of access to information held by public authorities, including the UCO. This includes the right to be told whether the authority holds the information which you have requested, and a right of access to information held by the authority, subject to certain exemptions (see “[Will any information I request be withheld or refused?](#)”).

The Environmental Information Regulations 2004 (EIR) have created similar rights of access to information about the environment. The definition of 'environmental information' is broad, and includes information about the elements of the environment (such as land, water, biological organisms, etc.); factors which affect the environment, such as emissions or discharges; policies, plans, activities and other measures which affect any of these elements and factors; economic analyses of measures and activities; and human health and safety, food contamination, living conditions, built structures or cultural sites, to the extent that they are affected by environmental factors or elements.

As a public authority which is covered by FIA and the EIR, the UCO has a legal obligation to respond to requests from anyone within or outside the UK for information in accordance with these pieces of legislation. In addition, the UCO is required to produce and maintain a Publication Scheme describing the information which the UCO routinely makes available (see “[What is the UCO's Publication Scheme?](#)”).

Further information about your rights under the FIA and the EIR is available from the Information Commissioner's Office here: <https://ico.org.uk/for-the-public/official-information/>

WHAT IS THE UCO'S PUBLICATION SCHEME?

The FIA requires public authorities to produce, maintain and make available a Publication Scheme in the interests of openness and accountability. The purpose of a Publication Scheme is to describe the information which the authority routinely makes available, including the manner in which the information is published and whether any charges for the information apply.

The UCO has adopted the Model Publication Scheme published by the Information Commissioner¹. Our Publication Scheme outlines the classes of information which the UCO publishes or intends to publish, and is a commitment by the UCO to make available the information described.

Further information about our Publication Scheme can be found here:

<https://www.uco.ac.uk/about-uco/who-we-are/freedom-information>

¹ <https://ico.org.uk/media/for-organisations/documents/1153/model-publication-scheme.pdf>

WHY SHOULD I LOOK AT THE UCO'S PUBLICATION SCHEME BEFORE SUBMITTING AN INFORMATION REQUEST?

We recommend that you consult our Publication Scheme before submitting a FIA or EIR request as you may find that the information you are looking for is included in this and may be available on our website or easily requested through this scheme.

Our Publication Scheme covers many aspects of our activities and administration. The information included in the scheme is held in formats which can be sent out readily on request and you are likely to receive information more quickly if you request it under the Publication Scheme than if you submit a FIA or EIR request.

Under the FIA information covered by a publication scheme is exempt from FIA requests because it is already accessible under the scheme. This means that if you submit a FIA request for information which is included in our Publication Scheme, you will be directed towards the scheme.

You can consult the UCO's Publication Scheme here:

<https://www.uco.ac.uk/about-uco/who-we-are/freedom-information>

HOW DO I MAKE AN INFORMATION REQUEST TO THE UCO?

If you are considering making a request for information that the UCO holds, we recommend that you first consult our Publication Scheme as we do publish many policies, procedures and other items of information in the public domain which can be found via this guide (see "[Why should I look at the UCO's Publication Scheme before submitting an information request?](#)").

If you do not find the information via our Publication Scheme you are welcome to make a request for the information you require.

Although you can send your request to any UCO staff member you are recommended to submit your request to our Data Protection & Freedom of Information Officer (DPFIO):

The Data Protection & Freedom of Information Officer

The University College of Osteopathy

275 Borough High Street

London

SE1 1JE

Email: dpfio@uco.ac.uk

Phone: 020 7089 5355

Our DPFIO is responsible for managing all information requests and responding to such requests on behalf of the UCO and your request will be handled most efficiently if you submit it to the DPFIO.

Please include the following information in your request:

- a) Your name.
- b) An address which we can use for correspondence, and the address to which you wish us to send the information (if different) – an email address is sufficient.
- c) A description of the information which you are requesting.
- d) The format in which you would like to receive the information.

FIA requests must be submitted in writing (this can include email, letter or fax). EIR requests do not have to be in writing, but we recommend that you send a written request to avoid ambiguity.

You do not have to state that you are submitting your request under the FIA or EIR. However, we recommend that you do so, particularly if you choose to send your request to an address other than that given above.

Do not be concerned if you are uncertain whether your request is covered by the FIA or EIR as we have a duty to ensure that requests are processed according to the appropriate legislation.

If we process your request under different legislation other than the one under which you submitted it we shall inform you (see "[What happens to my information request?](#)").

WHO SHOULD I CONTACT TO MAKE AN INFORMATION REQUEST TO THE UCO?

If you wish to make an information request, please contact our Data Protection & Freedom of Information Officer (DPFIO):

The Data Protection & Freedom of Information Officer
The University College of Osteopathy
275 Borough High Street
London
SE1 1JE
Email: dpfio@uco.ac.uk
Phone: 020 7089 5355

Our DPFIO is responsible for managing all information requests and responding to such requests on behalf of the UCO and your request will be handled most efficiently if you contact the DPFIO initially (see "[How do I make an information request to the UCO?](#)").

CAN I SUBMIT MULTIPLE REQUESTS?

Yes. You can submit more than one FIA request however if you submit requests relating to the same or similar information within 60 working days of each other, we can treat them as if they were one request for the purpose of determining whether the cost of locating the information exceeds the "appropriate limit" (see "[Will any information I request be refused or withheld?](#)"). This does not apply to Environmental Information requests.

WILL I BE CHARGED FOR THE INFORMATION I REQUEST?

Normally you will not be charged for the information that you request.

You may be charged for postage and for costs associated with reproducing the information, such as printing and photocopying at the rate of £0.10 per page.

If the cost of locating or extracting the information you request is estimated to exceed the "appropriate limit" set by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004² (see "[Will any information I request be refused or withheld?](#)") you may be charged £450 or 18 hours of staff time at the rate of £25 per hour, whichever is less.

² <http://www.legislation.gov.uk/ukxi/2004/3244/contents/made>

The EIR allow authorities to make a “reasonable” charge for the provision of information. Subsequently the UCO shall only charge you for printing, photocopying and postage, at the same rate as for FIA requests stated above as long as the cost of locating the information is likely to be below the “appropriate limit”.

Where charges apply, we will send you a Fees Notice as soon as possible and within the 20 working day time limit specifying what you have to pay.

We must receive payment from you before we can supply you with the information which you have requested. If we do not receive payment from you within 60 working days for EIR requests, or 3 months for FOA requests, we will treat your request as having been withdrawn.

Separate charges apply to requests for information under the UCO’s Publication Scheme (see “[What is the UCO’s Publication Scheme?](#)”).

The DPFI/O may waive any charges at their discretion.

WILL ANY INFORMATION I REQUEST BE REFUSED OR WITHHELD?

Yes, this is possible. The FIA contains a number of exemptions and the EIR a number of exceptions which specify the circumstances in which public authorities are not obliged to provide access to information.

The types of information held by the UCO which are most likely to be subject to these exemptions or exemptions include:

- Information about yourself. This is exempt under the FIA and EIR because a right of access to information about yourself already exists under the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 (DPA). For information on how you can gain access to your personal data held by the UCO, please refer to our [Subject Access Request Procedure](#).
- Information about other people. Personal information about other people (e.g. UCO staff or students) is exempt if its disclosure would be contrary to the data protection principles set down in the UK GDPR and DPA. The UCO will follow the guidance issued by the Information Commissioner on the circumstances in which it is permissible to release third party personal data under the FIA.
- Information provided in confidence where disclosure of the information would constitute an actionable breach of confidence (i.e. one for which the UCO could be sued).
- Commercially sensitive information whose disclosure would prejudice the commercial interests of the UCO or another body.
- Information whose disclosure would endanger the health and safety of other people.
- Information whose disclosure would prejudice law enforcement, the apprehension or prosecution of offenders, the administration of justice and similar functions.
- Information which is readily accessible by other means. This applies to requests which ask for information covered by the UCO’s Publication Scheme (see “[What is the UCO’s Publication Scheme?](#)”).

Many exemptions and exceptions are subject to a public interest test. This means that before it can apply the exemption the UCO must determine that the public interest in withholding the information outweighs the public interest in releasing it. Further information about FIA exemptions and EIR exceptions to the right of access

can be found in our [Freedom of Information Policy](#) and the circumstances when we may refuse a request is available on the website of the Information Commissioner here:

FIA Exemptions:

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/refusing-a-request/>

EIR Exceptions:

<https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/refusing-a-request/>

We may refuse to comply with your information request if:

- The cost of locating or extracting the information is estimated to exceed an "appropriate limit". This limit has been set at £450³ for bodies like the UCO, or 18 hours of staff time at the rate of £25 per hour. The UCO will not normally provide information in response to FOA requests which exceed the appropriate limit.

This limit does not apply to EIR requests, but under the EIR we may refuse requests which are "manifestly unreasonable" or "too general". In the latter case, we shall attempt to refine or narrow the request by providing you with reasonable advice and assistance to enable us to fulfil your request.

- Your request is vexatious.
- Your request repeats a request you have already submitted.

We will inform you in all cases where information has been withheld or refused (see "[What happens to my information request?](#)").

CAN I REQUEST INFORMATION IN A PARTICULAR FORMAT?

Yes. When you submit your request or any time before we have responded to it, you can specify a preferred format in which the information should be communicated to you. This can include asking us to prepare a digest or summary of the information; asking for the information in a particular media (e.g. in electronic form or on paper); or asking for the opportunity to inspect records containing the information. A public authority must provide the information in the form which you have requested if it is reasonably practicable to do so.

The UCO will make reasonable efforts to provide the information in your preferred format, but please note the following:

- a) We are unable to digitise information which is only held in paper form unless you are prepared to pay the full costs of the digitisation.
- b) If you are allowed to inspect original records, this will be done by appointment and under supervision by the DPFIO.
- c) In all cases, you will receive an explanation if we are unable to provide the information in your preferred format.

³ <http://www.legislation.gov.uk/ukxi/2004/3244/contents/made>

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- d) If you do not indicate a preference as to how the information should be communicated to you, we will choose the format which involves the least cost to you and to the UCO (see [“Will I be charged for the information I request?”](#)).

WHAT HAPPENS TO MY INFORMATION REQUEST?

When we receive your information request we shall send you an acknowledgement of its receipt as soon as possible. This will indicate the deadline by when we will send you a response, and whether we will process your request as a FIA or EIR request. If this is different from the legislation under which you submitted your request, we will explain why the other legislation applies. We may also ask you to provide further information or clarification if we require this to process your request, and may contact you again for additional information or clarification if necessary.

The UCO shall then consider and work to respond to your request within the required 20 working day time limit (see [“How long will I have to wait for a response to my request?”](#)).

Our response to your request shall be provided in the format you requested as far as is reasonably possible or otherwise be provided to you in a commonly used electronic format (e.g. PDF file).

We record information about the FIA and EIR requests that we have received and how we have responded to them in our Disclosure Log. If your request is considered under the FIA or EIR it shall be added to our Disclosure Log which is available on request.

HOW LONG WILL I HAVE TO WAIT FOR A RESPONSE TO MY REQUEST?

Under the FIA and EIR the UCO is required to respond to your request within 20 working days counting the first working day after the request is received as the first day.

You can therefore expect that within 20 working days of your request we shall:

- Confirm whether we hold the information, and
- Either provide a copy or summary of the information, or inform you why the information has been withheld.

This time limit can be extended in the following circumstances:

- Any period when we are waiting for you to pay a fee which we have communicated to you in a Fees Notice (see [“Will I be charged for the information I request?”](#)) does not count towards the deadline. This applies to both FOA and EIR requests.
- If we require further information or clarification from you to enable us to process your FIA request and we communicate this to you, the 20-working day deadline starts on the date when we receive the information from you. This only applies to FIA requests.
- The FIA allows public authorities to extend the deadline for a "reasonable" period if they need extra time to decide whether the public interest in upholding an exemption outweighs the public interest in releasing the information. This only applies to FIA requests.
- The EIR allow the deadline to be extended to 40 working days if the information requested is so extensive or complex that compliance within 20 days would be impractical. This only applies to EIR requests.

The UCO shall notify you as soon as possible (and in all cases within 20 working days) if your request is likely to exceed the "appropriate limit" set by the FIA legislation, or if your EIR request is likely to be refused because it is "manifestly unreasonable" or "too general" (see "[Will any information I request be refused or withheld?](#)").

We shall provide you with reasonable advice and assistance to help you to refine or narrow your request. If we conclude that the information which you have requested is held by another authority, we will provide you with that authority's contact details and can send your request to them if you ask us to.

WHAT WILL MY RESPONSE LOOK LIKE?

Your response shall be provided to you in your preferred format as far as is reasonably possible and it will confirm or deny whether we hold the information which you have requested.

If we hold the information, we will either provide it or explain how you can gain access to it.

If we cannot provide the information, we shall explain why quoting the relevant exemption in the FIA or the relevant exception in the EIR. If the exemption or exception involved a public interest test we will explain why we decided that the public interest was in favour of withholding the information (see "[Will any information I request be refused or withheld?](#)").

In either case your response shall also inform you of your right to appeal should you be dissatisfied with the information you received or with our handling of your request (see "[Can I appeal against the response to my request?](#)").

The FIA and EIR require us to respond to your request within 20 working days, commencing on the day after receipt of your request.

When processing your request, we may need to consult other organisations or individuals who could be affected by the release of information to you. This may involve passing on some details of your request to those organisations or individuals.

CAN I RE-USE OR PUBLISH THE INFORMATION I HAVE REQUESTED?

The copyright of any information which is supplied to you will be owned by the UCO unless otherwise indicated. The supply of information under the FIA or the EIR does not give the person or organisation who receives it an automatic right to re-use the information in a way which would infringe copyright, for example, by making multiple copies, publishing and issuing copies to the public.

Brief extracts of any material which is supplied to you may be reproduced under the fair dealing provisions of the Copyright, Designs and Patents Act 1988⁴ (sections 29 and 30) for the purposes of research for non-commercial purposes, private study, criticism, review and news reporting. More extensive re-use must only be carried out with prior written permission from the UCO.

Enquiries about the re-use of material should be directed to the DPFIO (see "[Who should I contact to make an information request to the UCO?](#)" for contact details).

CAN I APPEAL AGAINST THE RESPONSE TO MY REQUEST?

Yes. If you are dissatisfied with the handling or outcome of your FIA or EIR request you have the right to raise your concerns with the UCO.

⁴ <https://www.legislation.gov.uk/ukpga/1988/48/contents>

We encourage you to resolve your concerns informally in the first instance by contacting the DPFIO (dpfio@uco.ac.uk) as this may lead to a quicker resolution of your concerns than a formal appeal.

If resolution at an informal level is not possible then you may make a formal appeal using our internal appeals procedure described in our Freedom of Information Policy. This policy enables you to request an internal review of your information request by a senior and impartial UCO staff member and is published here: <https://www.uco.ac.uk/about-uco/who-we-are/freedom-information>

All appeals (both informal and formal) should be made promptly and within 60 days of receiving the response to your request.

You should state as fully as possible why you think your request was not dealt with in accordance with the FIA or the EIR, and the remedy which you are seeking from the UCO.

Appeals should be sent in writing to the Data Protection & Freedom of Information Officer (DPFIO) at the following address.

The Data Protection & Freedom of Information Officer
The University College of Osteopathy
275 Borough High Street
London
SE1 1JE
Email: dpfio@uco.ac.uk

WHERE CAN I GET ADVICE ABOUT MAKING AN INFORMATION REQUEST?

As a public authority the UCO has a legal duty to provide you with reasonable advice and assistance in relation to your FIA and EIR requests. For example, the UCO can help you to narrow down your request to one which will fall within the "appropriate limit" set by the FIA legislation (see "[Will any information I request be refused or withheld?](#)").

If you require advice or assistance, please contact the DPFIO (see "[Who should I contact to make an information request to the UCO?](#)" for contact details).

Other organisations, such as the Citizens Advice Bureau, may also be able to assist you in developing your request: <https://www.citizensadvice.org.uk/>

Information about your rights and how to submit a FIA and EIR request is available from the Information Commissioner's Office: <https://ico.org.uk/>