



SECRETARIAT

Frequently asked questions – for the public

If you have any questions relating to the Freedom of Information Act 2000 please contact the Secretariat on 0151 231 3550/3116 or email: foi@ljmu.ac.uk

[What is the Freedom of Information Act?](#)

[What information is available?](#)

[What are the University's obligations under the Act?](#)

[What should I do before I make a request?](#)

[How do I access information?](#)

[How should I word my request to get the best result?](#)

[Information request dos and don'ts](#)

[Is there any information which the University does not have to make available?](#)

[Can I access information about me held by the University?](#)

[Can I complain if the University refuses my request or I am dissatisfied with the way it has been dealt with?](#)

What is the Freedom of Information Act?

The Freedom of Information Act 2000 is a law that: gives everyone a general right of access to information held by the University; requires that written requests for information must be answered within 20 working days; protects information from being released in some circumstances; requires the University to produce a guide to routinely published information called a 'Publication Scheme'; covers all information held by the

University e.g. in paper files, computer files, emails, audio and video recordings, photographs and brochures, whether current or archived. [\(Top\)](#)

What information is available?

Any information held by a public authority (which includes a university) is eligible for release to members of the public. However, a number of exemptions may be applied to protect information properly kept confidential. Many of these are qualified exemptions which mean that the 'public interest test' must be applied when considering whether to release information. Reasons including data protection, confidentiality, and the commercial interest of Liverpool John Moores University may still mean that information is not and should not be released. Information that relates to staff personally may be considered for disclosure under the terms of the Freedom of Information Act, where there is a strong public interest in provision of such information. Where a conflict arises, Data Protection will take precedence. For example, information which is about the home or family life of an individual, his or her personal finances, or that consists of personal references or refers to internal disciplinary matters, is unlikely to be released because it is protected under the terms of the Data Protection Act 1998. By contrast, information which is about someone acting in an official or work capacity will normally be provided on request under the Freedom of Information Act, unless there is some risk to the individual concerned. [\(Top\)](#)

What are the University's obligations under the Act?

The University is required: to adopt and maintain a 'Publication Scheme'; to provide advice and assistance to people who have or propose to make requests for information (see link below in the next paragraph); and to provide individuals with a 'general right of access', on written request, to information held by the University and to do this promptly and in any event not later

than the twentieth working day following the date of receipt of the request. Unless an exemption applies under the terms of the Act there are two aspects to this general right of access: the right to be told whether or not the University holds the information; and, if that is the case, to have the information communicated to them. ([Top](#))

What should I do before I make a request?

You can ask for any information you choose, at any time, but you may not always succeed in getting it. Before you make a request, it may help to consider the following questions.

- Is the information you want already available, for example, on the University's website?
The University must make certain information routinely available. You can find out what information is available by checking the University's publication scheme or guide to information. You can find a copy of Liverpool John Moores University's publication scheme [here](#).
- Is the information you want your own personal data? If your request is for information about yourself, such as your medical records, you should make a [subject access request](#) under the Data Protection Act 1998.
- Is the University likely to have the information?
It may save you time if you check with the University whether it is likely to have the information you want. For example, you may not be sure whether the information you want is held by your district council. The University must give reasonable advice and assistance to anyone asking for information, so you should feel free to ask for help in making your request.
- Is the information you want suitable for general publication?

The aim of the Freedom of Information Act is to make information available to the general public. You can only obtain information that would be given to anybody who asked for it, or would be suitable for the general public to see. Some information, such as records about a dead relative, or documents you need for legal purposes, may not always be available under the Act. However, you may have a right to see the information you want under other legislation. The University will advise you. [\(Top\)](#)

How do I access information?

There are two ways you can access information held by the University using the Freedom of Information Act. The first is via the Publication Scheme which lists the types of information the University makes available to the public as a matter of routine e.g. prospectuses; who we are, what we do; and what we spend and how. To find out whether the University publishes the information you would like access to, have a look at the University's 'Publication Scheme' [here](#). [\(Top\)](#)

How should I word my request to get the best result?

Most people will exercise their rights responsibly but we also recognise that some individuals and organisations submit requests which may, whether by accident or design, cause the University an unjustified or disproportionate level of disruption or irritation. Some requests can cause distress to members of staff in the University.

The FOI Act has a built in safeguard to protect the University from having to deal with such requests (called vexatious requests under Section 14).

All requests place some degree of demand on the University's resources in terms of costs and staff time, and we are expected to absorb a certain level of disruption and annoyance to meet

the underlying commitment to transparency and openness under the FOI Act. The University also accepts requests can be challenging in their language but using threatening or abusive language increases the risk that your request will be refused.

It can be difficult for requesters to understand how information is labelled and organised by the University – the Act contains a provision that ensures that the University must consider whether it should provide you with advice and assistance, within reasonable limits.

Nonetheless, the amount of time and resources that a public authority has to expend in responding to a request should not be out of all proportion to that request's value and purpose.

You need to consider the dos and don'ts below – think about your request objectively – does it trigger any don'ts? If so you may want to rethink your information request otherwise it may be refused as vexatious.

If your request does lack any serious or clear purpose or if it is not focused on acquiring information, then the FOI Act is not an appropriate means through which to pursue your concern. You might do better to explore whether there are other more suitable channels through which to take up the issue with the University.

You should also bear in mind that the FOI Act includes a safeguard against requests which exceed the cost limits for compliance (Section 12).

Therefore, if you are planning to ask for a large volume of information, or make a very general request, you should first consider whether you could narrow or refocus the scope of the request, as this may help you get what you really want and reduce any unnecessary burden or costs on the University.

Alternatively, you could try approaching the University for advice and assistance to help you reduce the scope of your request and cut down the cost of compliance – we have a duty to consider what advice and assistance we can provide.

Although you don't have to say why you want the information, if you are happy to do so it might avoid a lot of wasted time and be more likely to get what you want. [\(Top\)](#)

Information request dos and don'ts

The Information Commissioner's Office has produced the following list of dos and don'ts as a quick reference tool to help users make effective freedom of information requests.

Your request will be much more effective if it is CLEAR, SPECIFIC, FOCUSED, UNTHREATENING.

Do	Don't
Find out whom to send your request to. If you address your request directly to the appropriate contact within the University then you may receive a prompter response. Requests should be sent to foi@ljmu.ac.uk	Use offensive or threatening language.
Include your name, address and other contact details in the request (email address is acceptable).	Level unfounded accusations at the University or its staff.
Clearly state that you are making your request under the	Make personal attacks against employees.

Freedom of Information Act.	
Be as specific as possible about the information you want rather than asking general questions. Try to include details such as dates and names whenever you can. It may also assist the University in identifying the information if you explain the purpose behind your request.	Use FOI to reopen grievances which have already been fully addressed by the University, or subjected to independent investigation with no evidence of wrongdoing being found.
Re-read your request to check for any wording which is unclear or open to interpretation.	Make assumptions about how the University organises its information or tell them how to search for the information you want.
Use straightforward, polite language; avoid basing your request or question on assumptions or opinions, or mixing requests with complaints or comments.	Bury your request in amongst lengthy correspondence on other matters or underlying complaints.
Specify whether you have any preferences as to how you would like to receive the information, for example if you would prefer a paper copy or to receive an email.	Use requests as a way of 'scoring points' against the University.
Give the University ample opportunity to address any previous requests you have made before submitting new ones.	Send 'catch-all' requests for information (such as 'please provide me with everything you hold about 'x') when you aren't sure what specific

	<p>documents to ask for. If in doubt, try searching on the University's website or enquiring whether any indexes and file lists are available. Alternatively, ask the University for some advice and assistance in framing your request.</p>
<p>Stay focused on the line of enquiry you are pursuing. Don't let your attention start to drift onto issues of minor relevance.</p>	<p>Submit frivolous or trivial requests; remember that processing any information request involves some cost to the public purse.</p>
<p>Think about whether making a request is the best way of achieving what you want. If you have an underlying complaint then it may be better to just take your complaint to the relevant authority and let them investigate.</p>	<p>Disrupt the University by the sheer weight of requests or the volume of information requested. Whether you are acting alone or in concert with others, this is a clear misuse of the Act and an abuse of your 'right to know'.</p>
<p>Aim to be flexible if the University advises that it can't meet the full request on cost grounds and asks you to narrow it down. Try to work with the University to produce a streamlined version of the request which still covers the core information that is of most importance to you.</p>	<p>Deliberately 'fish' for information by submitting a very broad or random request in the hope it will catch something noteworthy or otherwise useful. Requests should be directed towards obtaining information on a particular issue, rather than relying on pot luck to see if anything of interest is revealed.</p>

	Make repeat requests unless circumstances, or the information itself, have changed to the extent that there are justifiable grounds to ask for the information again.

[\(Top\)](#)

Is there any information which the University does not have to make available?

The Freedom of Information Act outlines some types of information which are exempt from disclosure. Generally the University is not required to disclose:

- Information about living individuals the processing of which is covered by the Data Protection Act 1998.
- Information that might jeopardise the health and safety of staff, students or the public.
- Information that might prejudice the University's commercial interests.
- Information that would prejudice the prevention or detection of crime or the prosecution of offenders.
- Information concerning legal proceedings or investigations being carried out by the University that might lead to criminal or civil proceedings.
- Information held under obligation of confidentiality.
- Information that is published elsewhere or that is intended for publication at a later date (e.g. draft versions of documents, information subject to amendment or approval by the appropriate University body). [\(Top\)](#)

Can I access information about me held by the University?

Access to personal information is regulated by the Data Protection Act 1998. If you have any queries relating to information the University holds about you, contact the Secretariat on 0151 231 3116/3550 or email: foi@ljmu.ac.uk
([Top](#))

Can I complain if the University refuses my request or I am dissatisfied with the way it has been dealt with?

Yes. You should first complain to the University and ask to conduct an internal review. For freedom of information complaints the Information Commissioner's Office (ICO) recommends that you do this as soon as possible and within two months of receiving the University's final response.

You may request an internal review by the University, in writing to:

Professor Robin Leatherbarrow
Pro-Vice-Chancellor (Research, Scholarship & Knowledge Transfer)
Liverpool John Moores University
Egerton Court, 2 Rodney Street,
Liverpool, L1 2UA
R.J.L Leatherbarrow@ljmu.ac.uk

The ICO recommends that the University carry out internal reviews within 20 working days. The University cannot charge for carrying out an internal review.

If you believe that the University has not dealt with your complaint properly, or if you are dissatisfied with the internal review, please contact the ICO at:

The Information Commissioner

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Details on how to complain can be found on the Information
Commissioner's website: www.ico.org.uk ([Top](#))