



Freedom of Information Request Policy

DOCUMENT MANAGEMENT

The purpose of this section is to provide details of the official versions and controls relating to the management of the Clear Desk Policy.

KEY PERSONNEL

Role	Responsible Person Grade	Responsible Action/ity
Author	Head of Corporate Services	Draft
	Data Protection Officer	Review
Review	ICT & Compliance Manager	Review
Owner	-Board	Approval

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DOCUMENT HISTORY

1.0Version 1	March 2017	Created
2.0Version 2	April 2021	Review from ICT & Compliance Manager
3.0	May 2025	Review from Data Protection Officer (DPO)

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Date of next review: [May 2028April 2024](#)

1. Introduction

- 1.1. Usel is committed to fulfilling its duty as a Non-Departmental Public Body in relation to the Freedom of Information Act (Northern Ireland) 2000 and this policy applies to Usel Directors, Managers and all members of staff.

2. Purpose

- 2.1. Usel Directors, Managers and all members of staff have a legal obligation to act in the best interests of Usel and in accordance with Usel's governing documents.
- 2.2. This policy is to provide initial guidance in identifying and responding to FOI requests.
- 2.3. Usel has 2 separate duties when responding to FOI requests:
 - To tell the applicant whether Usel holds any information falling within the scope of their request
 - To provide the information

3. What is a Freedom of Information request?

- 3.1. Anyone has the right to request information from a public body and a response is required by Usel within 20 working days (counting the first working day after the request is received as the first day.)
- 3.2. For a request to be valid under the Freedom of Information Act it must be in writing; include the applicant's real name; the address for correspondence and describe the information requested. N.B. A request can be made in the name of an organisation, or by one person on behalf of another.
- 3.3. Applicants do not have to mention the Act or direct their request to a designated member of staff. Usel cannot ignore or refuse a request simply because it is addressed to a different member of staff.
- 3.4. Any letter or email to a public body asking for information is a request for recorded information under the Act. The provisions of the Act need to come into force only if:
 - The applicant makes it clear they expect a response
 - You cannot provide the requested information straight away

- 3.5. It is important to identify the relevant legislation when responding to a request for information:
- If the applicant is asking for their own personal data, then this should be dealt as a subject access request under the Data Protection Act.
 - If the applicant is asking for 'Environmental information', the request is covered by the Environmental Information Regulations 2004.
- 3.6. Any other non-routine request for information Usel holds should be dealt with under the Freedom of Information Act.
- 3.7. Where an applicant seems to be requesting information but has failed to make a valid Freedom of Information request, they should be directed to www.ico.org.uk for guidance on how to make a valid FOI Act request.

4. Responding to a Freedom of Information request

- 4.1. All responses by Usel to a request for information must be contained within Usel's FOI response template and printed on Usel headed paper.
- 4.2. It is recommended that the reply is in the same format/media, such as an e-mail, as the original request unless the applicant explicitly specifies some other format. If the reply is via e-mail then the formal response letter, with any enclosures, should be as an attachment to the e-mail and preferably in Adobe .pdf format. It is imperative that an ordinary Microsoft WORD .doc file is not used to prevent the document to be tampered with.
- 4.3. In accordance to the FOI Act, a response should be provided if Usel has information in its records that answers the request. However, Usel is not required to answer a question if the relevant information is not already in recorded form, or the information requires protection and to be kept confidential.

5. Providing Information to a Freedom of Information request

- 5.1. When compiling a response to a request for information Usel's FOI response template must be used. The template is saved on a shared

internal folder.

- 5.2. Information may have to be drawn from multiple sources. Therefore, adequate searches must be carried out and convincing reasons given that no recorded information is held. The thoroughness of searches and strength of reasoning will be investigated by the Information Commissioner's Office, if the applicant makes a FOI Act complaint against Usel

6. Refusing a Freedom of Information request

- 6.1. If Usel refuses all or any part of a request, it must send the applicant a written refusal notice. The template is saved on Sharepoint. Usel will need to issue a refusal notice if it is either refusing to say whether it holds the information at all, or confirming that information is held but Usel is refusing to release it.
- 6.2. Usel may refuse an entire request under the following circumstances:
- It would exceed £450 to comply, or take up too much staff time to deal with the request; or
 - The request is vexatious; or
 - The request repeats a previous request from the same person (This provision is found at section 12 of the Act FOI handling requests)
- The flowchart at https://ico.org.uk/media/fororganisations/documents/1167/flowchart_of_request_handling_under_foia.pdf offers a clear summary of guidance.

7. Registration of all FOI requests

- ~~7.1. All FOI requests must be directed to Usel's Data Protection Officer. Advice on the details required for an accurate and timely response, will be sought by Usel's Data Protection Officer from relevant members of staff. Usel's Data Protection Officer will maintain the Freedom of Information requests register.~~

- 1.1. If you believe that the information you require is not readily accessible (i.e. it cannot be found on the web site, etc. applications for information can be made in one of two ways:

E-MAIL – send your request to the following e-mail address:
dataprotection@usel.co.uk

POST – send your written request to:
[Data Protection Officer](#)
[Usel](#)
[181-182 Cambrai Street](#)

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To provide an efficient service, it would be helpful if you: -

- Include your full name and postal address.
- Describe in as much detail as possible the information you require, providing any relevant dates, events or subject-headings that will enable us to ascertain if we hold the information.

7.1. • State if you have any preference for the format in which the information should be supplied (e.g. electronic, paper; a summary or table of statistics, etc.).

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