

*For information*

**Freedom of Information Annual Report 2018-19**

Agenda: 24  
**HEFCW/19/68**

Disclosable

**11/07/2019**

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**1 Issue**

- 1.1 The Freedom of Information (Fol) Act 2000 gives the public a right of entitlement to information held by HEFCW. This paper provides a report on the number of requests received by HEFCW under the Fol Act for the financial year (FY) 2018-19.

**2 Corporate Planning Implications / Rationale for paper**

- 2.1 This report is received annually by the Audit and Risk Assurance Committee and by the Council.

**3 Recommendations**

- 3.1 The Council is invited to note the number of requests for information under the Fol Act received during FY 2018-19.

**4 Timing for decisions**

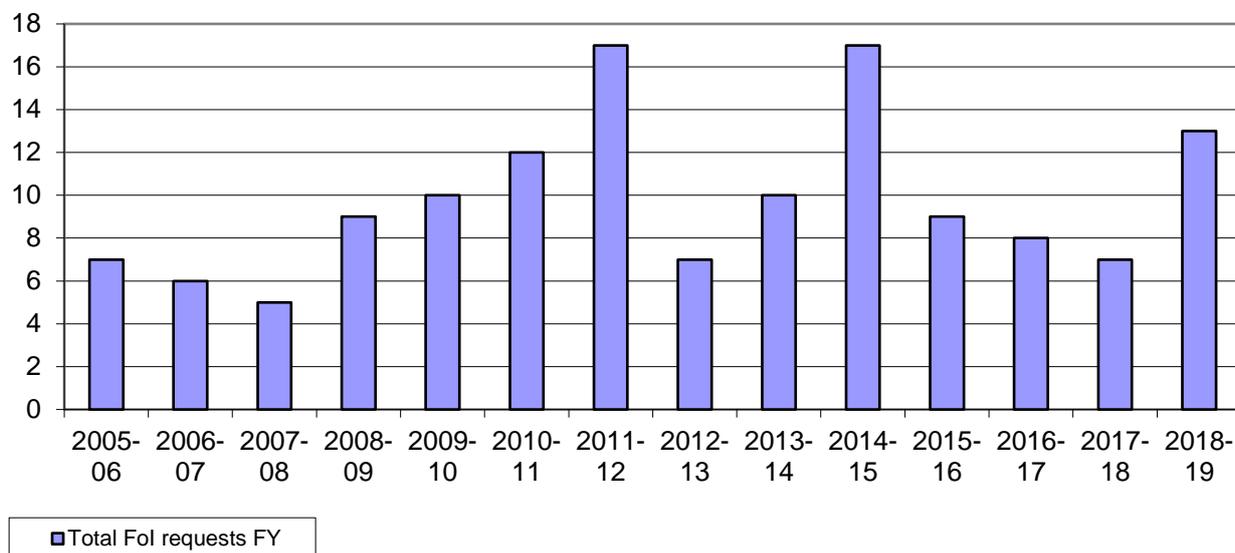
- 4.1 No decisions required. This is an annual report provided for information to the Audit and Risk Assurance Committee and to the Council.

**5 Further information**

- 5.1 Contact: Dale Hall (029 2085 9665; [dale.hall@hefcw.ac.uk](mailto:dale.hall@hefcw.ac.uk)).

## 6 Requests received under the Freedom of Information Act in FY 2018-19

6.1 To date HEFCW has received a relatively small number of FoI requests each year. The number of requests received since 2005-6 has fluctuated annually but has remained at under 20 requests per year. In FY 2018-19, 13 FoI requests were received.



6.2 The sources of the requests received in FY 2018-19 were as follows:

- Nine enquiries from individuals/researchers
- Two from news media
- Two from special interest groups

6.3 Of the 13 FoI requests received during the year:

- Eight requests were provided with the information being sought in full.
- One request was refused because it exceeded the appropriate limit under the FoI Act. A revised, shorter request subsequently was submitted and the information was provided in part, with some information withheld as it was judged to be exempt under Section 43(2) (Commercial interests) of the FoI Act.
- For one FoI request the information was provided in part, with some information withheld as it was judged to be exempt under Section 43(2) (Commercial interests) of the FoI Act.
- One FoI request was refused as the information being asked for was judged to be exempt under Section 43(2) (Commercial interests) of the FoI Act.
- One FoI request was refused because the information requested was not held by HEFCW.

## 7 Financial implications

7.1 There are no financial implications arising from this paper.

## 8 Communications implications

- 8.1 Transparency in communicating HEFCW's work should help to reduce the number of Fol requests received. In accordance with our Publication Scheme, we proactively publish information on our website. This includes circulars; information about HEFCW policy priorities; and disclosable Council agendas and papers. We have transferred to The National Archives all Council papers for the period 1992 to 2002 inclusive, which therefore places these papers in the public domain.
- 8.2 A *Handling of Freedom of Information Requests* protocol is in place between HEFCW and the Welsh Government's Higher Education Division, intended to ensure efficient and effective communication in dealing with Fol requests and to enable both parties to come to a common understanding of the information to be released.

## 9 Diversity and Equal Opportunities implications

- 9.1 This paper has no specific implications for age, disability, gender, race, religious belief, or sexual orientation. Fol requests received through the medium of Welsh are responded to in Welsh. One request was received in both Welsh and English in FY 2018-19.

## 10 Risk Assessment

Risk	Action to address risk
Legal action taken by the requestor under the Fol Act for failure by the Council to respond to, or appropriately deal with, requests for information under the Fol Act.	Requests received and co-ordinated by the Council Secretary, who manages the responses and maintains a log of requests received.  When information requested is refused there is a process in place whereby applicants may apply for a review of the decision, in which instance the review is carried out by a senior officer independently of those HEFCW staff who dealt with the original request. If an applicant is dissatisfied with the final outcome of HEFCW's internal review they can appeal to the Information Commissioner.
Resource implications of a request for a large volume of information held by the Council	Requests discussed with information holder at earliest possible stage to determine volume. Information requests can be refused if the estimated cost of responding would exceed the appropriate limit under Fol of £450.