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Results from the JISC infoNet/UUK/GuildHE Information Legislation & Management Survey 2009 based on 45 returns

1. Institution details

Q.2. What type of institution do you represent?

![Institution type chart]

Q.3. In which country is your institution located?

![Institution location chart]
Q.4. Approximately how many full time equivalent (FTE) students does your institution have?

<table>
<thead>
<tr>
<th>Number of FTE Students</th>
<th>Number of Institutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 1k</td>
<td>2</td>
</tr>
<tr>
<td>1k - 5k</td>
<td>5</td>
</tr>
<tr>
<td>5k - 10k</td>
<td>3</td>
</tr>
<tr>
<td>10k - 15k</td>
<td>11</td>
</tr>
<tr>
<td>15k - 20k</td>
<td>13</td>
</tr>
<tr>
<td>20k - 25k</td>
<td>5</td>
</tr>
<tr>
<td>25k - 30k</td>
<td>3</td>
</tr>
<tr>
<td>30k - 35k</td>
<td>1</td>
</tr>
<tr>
<td>Over 35k</td>
<td>2</td>
</tr>
</tbody>
</table>
2. Requests

2.1. Volume of requests

Q.5. According to the definition of a request stated in Question 5, how many FOI or Environmental Information Regulations (EIR) requests or Data Protection Act (DPA) Subject Access Requests for personal data on Data Subjects by 3rd parties did you receive during the following months in 2009?

Freedom of Information (FOI)

![Total volume of FOI requests received per month during 2009](chart1)

![Average No of FOI requests received per institution per month during 2009](chart2)
Environmental Information Regulations (EIR)

Trend in mean average No. of FOI requests per institution per month

<table>
<thead>
<tr>
<th>Year</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>2</td>
<td>0</td>
<td>8</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2006</td>
<td>2</td>
<td>0</td>
<td>8</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2007</td>
<td>2</td>
<td>0</td>
<td>8</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2008</td>
<td>5</td>
<td>4</td>
<td>10</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>5</td>
<td>2</td>
<td>16</td>
</tr>
<tr>
<td>2009</td>
<td>6.2</td>
<td>5.4</td>
<td>3.2</td>
<td>2.8</td>
<td>1.0</td>
<td>2.0</td>
<td>3.0</td>
<td>4.0</td>
<td>5.0</td>
<td>6.0</td>
<td>7.0</td>
<td>8.0</td>
<td>18</td>
</tr>
</tbody>
</table>
Average No of of EIR requests received per month during 2009

<table>
<thead>
<tr>
<th>Number</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.09</td>
<td></td>
<td></td>
<td>0.30</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.04</td>
<td></td>
<td></td>
<td>0.52</td>
</tr>
</tbody>
</table>

Trend in mean average No. of EIR requests per institution per month

<table>
<thead>
<tr>
<th>Number</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.02</td>
<td></td>
<td>0.04</td>
<td></td>
<td>0.12</td>
</tr>
</tbody>
</table>
Data Protection Act (DPA)

**Total volume of DPA requests received per month during 2009**

![Bar chart showing total volume of DPA requests received per month during 2009.](chart1)

**Average No of of DPA requests received per month during 2009**

![Bar chart showing average number of DPA requests received per month during 2009.](chart2)
Comparison

Comparison of average No. of FOI requests received per institution per month

* Note: Figures for November and December 2005 were not collected
Comparison of average No. of EIR requests received per institution per month

Comparison of average No. of DPA requests received per institution per month
Q.6. Of the total number of FOI and EIR requests received how many have resulted in the following responses:

Responses to total requests received

- Disclosed in full: 66%
- Partially withheld due to exemptions: 16%
- Fully withheld due to an exemption(s): 7%
- Withheld due to a fee being charged but not received: 0%
- Request refused due to information not being held: 7%
- Request refused as being repeated / vexatious: 0%
- Other: 4%

Comparison of trends in disclosure rates

- Fully disclosed: 63%, 62%, 62%, 59%, 66%
- Disclosed in part: 18%, 18%, 13%, 17%, 16%
- Fully withheld: 12%, 7%, 7%, 8%, 7%
2.2. Types of request

Q.7. Of the total number of requests received which you have dealt with under FOI how many have related to the following subject areas: (if a request covers more than one of the areas outlined below please record it under the principal subject area)

*Note: Figures for 'student issues' were not collected in 2005. Figures for 'IT provision & use' and 'Commercial activities' were only collected from 2007.
2.3. Types of requester

Q.8. Of the FOI & EIR requests you have received since January 2009 how many have been from each of the following categories of requester. Please provide separate figures for FOI and EIR:

**FOI**

![Total no. of FOI requests received by type of requester](image1)

**EIR**

![Total no. of EIR requests received by type of requester](image2)
Comparison

Comparison of total No. of FOI requests received by type of requester

*Note: Figures for ‘Trade Unions’ were not collected in 2005. Figures for ‘MPs/political parties’ were collected from 2008 onwards.

Comparison of total No. of EIR requests received by type of requester
2.4. Responding to requests

Q.9. If you routinely record the amount of time it takes to answer an FOI/EIR request or DPA SAR please indicate how many requests have taken the following periods of time to complete (from start to finish).

**FOI**

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 1 day</td>
<td>89%</td>
</tr>
<tr>
<td>Between 1 and 5 days</td>
<td>11%</td>
</tr>
<tr>
<td>Between 5 and 10 days</td>
<td>0%</td>
</tr>
<tr>
<td>Between 10 and 15 days</td>
<td>0%</td>
</tr>
<tr>
<td>Between 15 and 20 days</td>
<td>0%</td>
</tr>
</tbody>
</table>

**Time spent actively working on FOI request**

- Between 5 and 10 days: 0%
- Between 1 and 5 days: 11%
- Between 10 and 15 days: 0%
- Between 15 and 20 days: 0%
- Less than 1 day: 89%

**Total elapsed time spent on preparing FOI request**

- Less than 1 day: 5%
- Between 10 and 15 days: 17%
- Between 10 and 15 days: 18%
- Between 15 and 20 days: 40%
- Between 15 and 20 days: 20%
- Between 5 and 10 days: 18%
Time spent actively working on EIR request

- Less than 1 day: 83%
- Between 1 and 5 days: 17%
- Between 5 and 10 days: 0%
- Between 10 and 15 days: 0%
- Between 15 and 20 days: 0%

Total elapsed time spent on preparing EIR request

- Less than 1 day: 0%
- Between 1 and 5 days: 16%
- Between 5 and 10 days: 39%
- Between 10 and 15 days: 17%
- Between 15 and 20 days: 28%
Q.10 How many FOI or EIR requests did you receive during 2009 which you did not complete within 20 working days?

144 requests out of a total of 3195 (4.5%) received were not completed within 20 working days.

Of those 144, 19 (0.6%) were caused by extensions to the deadline to allow for consideration of the public interest test.

Q.11. How many DPA subject access requests did you receive during 2009 which you did not complete within 40 days?

24 Subject Access Requests out of a total of 1274 (3.1%) were not completed within 40 days.
Q.12. Please rank the steps below in order of the amount of time they usually take when completing an FOI or EIR request (ranging from 1 = longest time to complete to 7 = shortest time to complete)

**Time taken to officially log an FOI and EIR request**

- Extremely long: 5%
- Very long: 2%
- Long: 2%
- Quick: 5%
- Very quick: 13%
- Extremely quick: 73%

**Time taken identifying the relevant information sources**

- Extremely long: 7%
- Very long: 15%
- Long: 8%
- Average: 15%
- Quick: 15%
- Very quick: 40%
Time taken locating & accessing the required information

- Extremely long: 39%
- Very Long: 15%
- Long: 18%
- Average: 15%
- Quick: 10%
- Extremely quick: 3%

Time taken reviewing the information

- Extremely long: 30%
- Very Long: 25%
- Long: 22%
- Average: 10%
- Quick: 3%
- Very quick: 3%
Time taken considering exemptions

- Extremely long: 12%
- Very long: 22%
- Long: 25%
- Average: 23%
- Quick: 8%
- Very quick: 5%
- Extremely quick: 5%

Time taken obtaining internal approval for decision taken

- Extremely long: 5%
- Very long: 11%
- Long: 26%
- Average: 16%
- Quick: 26%
- Very quick: 11%
- Extremely quick: 5%
Q.13. On average, how many members of staff are actively involved in responding to an FOI, EIR or DPA request?

**Average No of staff involved in responding to FOI requests**

- **1 staff**: 17%
- **2-3 staff**: 71%
- **4-5 staff**: 12%
- **1 staff**: 17%
- **2-3 staff**: 71%
- **4-5 staff**: 12%
Average No of staff involved in responding to EIR requests

- 1 staff: 29%
- 2-3 staff: 61%
- 4-5 staff: 7%
- More than 5: 3%

Average No of staff involved in responding to DPA requests

- 1 staff: 18%
- 2-3 staff: 55%
- 4-5 staff: 22%
- More than 5: 5%
Q.14. How many FOI or EIR requests did you receive during 2009 for which you charged a fee?

There were no FOI or EIR requests in 2009 which resulted in a fee being charged

Q.15. How many FOI or EIR requests did you receive during 2009 for which you charged for disbursements

1 out of 3195 requests (0.03%) which were either answered partially or in full resulted in disbursements being charged

Q.16. During 2009 how many DPA subject access requests did you charge a £10 fee for?

455 out of 1274 Subject Access Requests (36.0%) required payment of a £10 fee

Q.17. Do you publish the FOI or EIR requests you have received and the answers/information you have given (e.g. in the form of a disclosure log)?

4 institutions do publish the information they provide

39 institutions do not

Reasons stated for not implementing a Disclosure Log

- Limited value would not justify resources required: 43%
- It is not mandatory: 28%
- Limited value would not justify resources required: 43%
- Other: 8%
- Unaware of Disclosure Logs: 0%
- It might encourage additional requests: 8%
- One is planned but not yet implemented: 13%
2.5. Exemptions applied

Q.18. Since January 2009 how many times have you relied on the following exemptions to withhold information requested under FOI/FOISA

No of times each exemption has been used to withhold information for FOI requests

<table>
<thead>
<tr>
<th>Exemption</th>
<th>Usage Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>s12</td>
<td>152</td>
</tr>
<tr>
<td>s21</td>
<td>117</td>
</tr>
<tr>
<td>s22</td>
<td>32</td>
</tr>
<tr>
<td>s23</td>
<td>5</td>
</tr>
<tr>
<td>s24</td>
<td>10</td>
</tr>
<tr>
<td>s25</td>
<td>0</td>
</tr>
<tr>
<td>s26</td>
<td>0</td>
</tr>
<tr>
<td>s27</td>
<td>1</td>
</tr>
<tr>
<td>s28</td>
<td>0</td>
</tr>
<tr>
<td>s29</td>
<td>0</td>
</tr>
<tr>
<td>s30</td>
<td>1</td>
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<td>s31</td>
<td>0</td>
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<td>s32</td>
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<td>s33</td>
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<td>s34</td>
<td>1</td>
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<td>s35</td>
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<td>s36</td>
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<td>s37</td>
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<tr>
<td>s38</td>
<td>9</td>
</tr>
<tr>
<td>s39</td>
<td>2</td>
</tr>
<tr>
<td>s40</td>
<td>11</td>
</tr>
<tr>
<td>s41</td>
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</tr>
<tr>
<td>s42</td>
<td>0</td>
</tr>
<tr>
<td>s43</td>
<td>0</td>
</tr>
<tr>
<td>s44</td>
<td>60</td>
</tr>
</tbody>
</table>

No of times each exemption has been used to withhold information under FOISA

<table>
<thead>
<tr>
<th>Exemption</th>
<th>Usage Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>s12</td>
<td>2</td>
</tr>
<tr>
<td>s25</td>
<td>7</td>
</tr>
<tr>
<td>s26</td>
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<td>s27</td>
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<td>s28</td>
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<td>s39</td>
<td>13</td>
</tr>
<tr>
<td>s40</td>
<td>9</td>
</tr>
<tr>
<td>s41</td>
<td>0</td>
</tr>
</tbody>
</table>
Key to exemption numbers

12. Exemption where cost of compliance exceeds appropriate limit
21. Information accessible to applicant by other means.
22. Information intended for future publication.
23. Information supplied by, or relating to, bodies dealing with security matters.
25. Certificates under ss. 23 and 24: supplementary provisions.
27. International relations.
28. Relations within the United Kingdom.
29. The economy.
30. Investigations and proceedings conducted by public authorities.
31. Law enforcement.
32. Court records, etc.
33. Audit functions.
34. Parliamentary privilege.
35. Formulation of government policy, etc.
36. Prejudice to effective conduct of public affairs.
37. Communications with Her Majesty, etc. and honours.
38. Health and safety.
40. Personal information.
41. Information provided in confidence.
42. Legal professional privilege.
43. Commercial interests.
44. Prohibitions on disclosure.

Comparison

Comparison of times each exemption has been used to withhold information under FOI
2.6. Appeals process

Q.19. Since January 2009 how many requests for information which have been either partially or completely refused by the institution have subsequently been subject to an internal appeal

70 decisions to withhold information have been subject to an internal appeal (0.47% of all FOI/EIR requests received)

Of these:

- 48 Upheld by the internal appeal
- 15 Overruled by the internal appeal
- 7 Decisions still pending

Q.20. How many requests since January 2009 have been the subject of external appeal (i.e. involving the Office of the Information Commissioner, Scottish Information Commissioner, the Information Tribunal or the Court of Session)?

15 decisions to withhold information have been the subject of external appeal (0.42% of all FOI/EIR/DPA requests received). 9 related to FOI, 1 to EIR and 5 to DPA information requests.

How many of these decisions to refuse a request, either partially or completely, were:

<table>
<thead>
<tr>
<th></th>
<th>FOI</th>
<th>EIR</th>
<th>DPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upheld completely by</td>
<td>1</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>the external appeal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upheld in part by</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>the external appeal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overruled by the</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>external appeal</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Q.21. How many times since January 2009 have you sought formal legal advice when responding to a request or appeal?

Legal advice has been sought on 31 occasions regarding FOI matters
3. Staffing Issues

Q.22. Do you have an officially designated FOI Officer and/or team?

40 (91%) Yes

Q.23. If so, approximately what equivalent FTE resource is devoted to FOI issues (please note this can be more than 1.0 FTE if more than one person is employed in this area)?

![FTE resource devoted to information compliance issues](image-url)
4. Records Management

Q.24. Does your institution have an officially designated Records Manager and/or team?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>33 (75%)</td>
<td>11 (25%)</td>
</tr>
</tbody>
</table>

Q.25. Do you have an approved records management policy in place?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>35 (80%)</td>
<td>9 (20%)</td>
</tr>
</tbody>
</table>

Q.26. Which of the following best describes your institution's approach to implementing an Electronic Document & Records Management System?

**Institutional attitudes towards implementing an EDRMS**

- **We are considering whether to implement one** 49%
- **We have successfully implemented one already** 2%
- **We are planning to implement one in the near future** 16%
- **We have no plans to implement one** 21%
- **We are in the process of implementing one** 12%
Q.27. What use have you made of the data from previous iterations of this survey within your institution?

![Pie chart showing use of data]

- To inform management: 26%
- To benchmark: 24%
- General professional interest: 29%
- To support requests for extra staffing/funding: 2%
- None: 6%
- Other: 1%
- Referenced in published papers: 0%
- To inform presentations and training (internal): 11%
- To inform presentations and training (external): 1%
- To inform presentations and training (external): 1%
- To inform presentations and training (internal): 1%

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