



## Advice and training

The Records Management Section is happy to help with all your information management needs, just send an email to [recordsmanagement@ed.ac.uk](mailto:recordsmanagement@ed.ac.uk). We provide advice and guidance, and deliver briefings and training courses on all areas of information management. People who attended our training courses said:

“ *Yours was by far the best training course as you ‘knew your stuff’ and came over clearly and seemed very enthusiastic* ”

“ *I’m now more confident with what to do about information requests and where to get help* ”

## Further information

For more information on freedom of information, data protection and records management, visit [www.recordsmanagement.ed.ac.uk](http://www.recordsmanagement.ed.ac.uk).

To find your local freedom of information practitioner, visit [www.recordsmanagement.ed.ac.uk/internal/practitioners/PractitionersList.htm](http://www.recordsmanagement.ed.ac.uk/internal/practitioners/PractitionersList.htm).



THE UNIVERSITY of EDINBURGH

# An introduction to freedom of information, data protection and records management

Information can be provided in alternative formats on request

the right to know

the right to know



## Information management matters

Whatever your role at the University of Edinburgh, freedom of information, data protection and records management will affect you and how you do your job. For example, at some point, you may need to handle information about an individual; you may need to know what to do when someone asks for information; or you may be asked to organise information so that you, or your colleagues, are able to find specific information quickly.

The University’s Records Management Section ([www.recordsmanagement.ed.ac.uk](http://www.recordsmanagement.ed.ac.uk)) has designed this leaflet to provide an overview of how you are affected by *The Freedom of Information (Scotland) Act 2002* and *The Data Protection Act 1998*, and to highlight how an organised approach to records management can benefit you.

The University of Edinburgh is a charitable body, registered in Scotland, with registration number SC005336.

## Freedom of information

The *Freedom of Information (Scotland) Act* allows any individual from any country the right to access information held by the University of Edinburgh. This information can be in any format, including paper files, word-processed documents, emails, spreadsheets and even Post-it notes. The Act also requires the University to manage its records in line with good records management practice.

If you receive a non-routine enquiry (for information that you would not normally provide), treat it as a freedom of information request. Even if the enquiry doesn't mention freedom of information explicitly, the University is obliged to respond within 20 working days of receiving it. If you have any queries, consult your local freedom of information practitioner or the Records Management Section as soon as possible.

To help ensure the University of Edinburgh stays inside the law, be sure to:

- answer any request for information within 20 working days
- avoid complications by following procedures and providing any easily released information that relates to your area of work. The procedures are at [www.recordsmanagement.ed.ac.uk/InfoStaff/FOIstaff/FOIguidance.htm#RequestHandling](http://www.recordsmanagement.ed.ac.uk/InfoStaff/FOIstaff/FOIguidance.htm#RequestHandling).
- contact your local freedom of information practitioner if you are unsure about any aspect of the request, if it does not relate to your area of work, or if you believe there are grounds to refuse the request
- always take a clear and professional approach when creating documents. Remember, all work documents, including emails, can be released under an information request

- make your information accessible to other staff in your team so they can answer any requests for information in your absence.

## Data protection

The *Data Protection Act* applies to personal data, that is, information about an identifiable, living person, including expressions of opinion in emails. The Act allows individuals access to any information about themselves held by the University of Edinburgh, and regulates the University's collection and use of information about living individuals.

Eight data protection principles must be fulfilled whenever you use personal data. These cover areas such as security, accuracy and fairness in processing information. The principles are described in detail at [www.recordsmanagement.ed.ac.uk/InfoStaff/DPstaff/DPPprinciples.htm](http://www.recordsmanagement.ed.ac.uk/InfoStaff/DPstaff/DPPprinciples.htm).

Sensitive personal data, for example an individual's ethnic origin, health or religious beliefs, are subject to further regulations and can only be used under certain circumstances.

When handling information about living, identifiable individuals, remember:

- individuals have the right to ask to see any information the University of Edinburgh holds about them. The University has 40 calendar days to respond. If someone asks to see information that you hold about them, contact your local freedom of information practitioner as soon as possible
- you must tell individuals what you do with information regarding them, including to whom you disclose it
- you must keep personal data securely, for example if you use large amounts of personal data or sensitive

personal data, store them on University networks or use encryption

- you must not transfer personal information outside the European Economic Area without safeguards. This includes publishing personal information on the internet
- you must not keep personal data for longer than is necessary.

## Records management

Records management is concerned with how we deal with information resources. It underpins freedom of information and data protection compliance by guaranteeing the safety and reliability of data and enabling you to respond quickly and efficiently to information requests.

Good records management:

- helps you do your job better. It supports ease and efficiency of working because you can find the information you need, when you need it
- protects you and the University of Edinburgh by providing evidence of people's rights and entitlements, and shows what the University did and why it did it
- saves you time by ensuring you can find the information you need easily
- reduces costs, particularly those related to space, by ensuring you don't keep any more records than you have to, and that you know when you can delete or destroy them
- provides records on which you can rely, both by helping you find the appropriate version and by giving records a high value as evidence if they are needed in a court of law.