



REGULATION OF INVESTIGATORY POWERS ACT/FREEDOM OF INFORMATION STATEMENT AND PROCEDURES

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Introduction and Scope

This document is an additional set of guidelines to compliment the full *Freedom of Information (FOI)* and *Regulation of Investigatory Powers Act (RIPA)* advice provided by [RHUL FOI Website](#). IT staff may receive work related to FOI and RIPA and this document forms part of the RHUL security policy and gives procedural advice on best practise.

Definitions:

RIPA

The Regulation of Investigatory Powers Act 2000 (RIP or RIPA) is an Act of the Parliament of the United Kingdom, regulating the powers of public bodies to carry out surveillance and investigation, and covering the interception of communications. It was introduced to take account of technological change such as the growth of the Internet and strong encryption.

RIPA can be invoked by government officials specified in the Act on the grounds of national security, and for the purposes of detecting crime, preventing disorder, public safety, protecting public health, or in the interests of the economic well-being of the United Kingdom.

The Regulation of Investigatory Powers (RIP) Bill was introduced in the House of Commons on 9 February 2000 and completed its Parliamentary passage on 26 July.

Although RIPA originally listed public authorities such as local councils for some kinds of covert surveillance, in September 2003 Home Secretary David Blunkett announced additions to the list of those entitled to access certain types of communications data collected under RIPA in what civil rights and privacy campaigners dubbed a "snoopers' charter". Following a public consultation and Parliamentary debate, however, Parliament approved the new additions in December 2003, April 2005, July 2006 and February 2010.

Although RHUL is not empowered to invoke surveillance under this act we may be required to on behalf of official bodies, such as UK Defence Intelligence, GCHQ, HM Revenue and Customs and Secret Intelligence Service.

FOI

The Freedom of Information Act 2000 is an Act of Parliament of the Parliament of the United Kingdom that creates a public "right of access" to information held by public authorities. It is

the implementation of freedom of information legislation in the United Kingdom on a national level. The full provisions of the act came into force on 1 January 2005.

The Act is the responsibility of the Lord Chancellor's Department (now renamed the Ministry of Justice). The Act led to the renaming of the Data Protection Commissioner (set up to administer the Data Protection Act), who is now known as the Information Commissioner. The Office of the Information Commissioner oversees the operation of the Act.

Full information pertaining FOI and RHUL can be found at:

www.royalholloway.ac.uk/aboutus/governancematters/accesstoinformation/home.aspx

Procedure

RIPA

To date RHUL has not been required to participate in responding to a RIPA legal request. At the time of writing this document the advice from the RHUL College's secretary's office is to refer any request based on this Act directly to their office. Do not act upon any request other than to communicate with their office and await further instruction.

FOI

A member of staff may receive an FOI request directly, via their line manager or via the Freedom of Information Officer. The latter is less likely as the request which may pertain to IT should come down through the line management of the IT department.

If you receive a FOI request directly, please forward it to the FOI@rhul.ac.uk. Also ensure that your line manager is aware of the request, they should be able to advise on the next course of action.

Some general pertinent college advice:

“Requests for information, once opened and interpreted, must be dealt with PROMPTLY. This means providing an answer within 20 working days for an FOI request and 40 calendar days for a Data Protection Request. Note down the date that the request was received and the date it should be completed by for every request that comes in. If you cannot answer the request yourself, find out who can and forward it to them. Make sure you tell them what day it arrived with you so that they know how much time they have to answer it. DO NOT sit on it! For every day that you don't pass it on to the right person, that person has one less day to get the answer for the requestor. Please be aware - if a request is not fulfilled within the allotted time the requestor is within their rights to make a complaint to the College Secretary and also to the Information Commissioner.”

Within the IT department – your line manager will determine how best to handle the request. If it does not relate wholly to IT – it will be passed to the College Secretary’s office for further action. If however the request has an element of IT, the department may be required to respond.

Factors that are considered before responding include what data is being requested, should RHUL provide this data, and how long will it take to obtain the data?

This policy is a sub-document of the RHUL IT Security Policy and will be reviewed on an annual basis. The IT security policy and its consistent sections are owned and approved by ITUAG.