Access to Information (FOI and EIR) SOP

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Summary of Contents
This SOP provides context and guidance to management and staff to support the College meeting its legal obligations when responding to the public's Right of Access to College business information.

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1.0 Change History

Changes to this SOP are documented in Appendix 1 of this document. When reading electronic copies of this document, you can click here to view the change history.

2.0 Foreword

The public has a Right of Access to College information. This SOP incorporates guidance for the following legislation.

- **Section A**
  - Freedom of Information Act (2000)
- **Section B**
  - Environmental Information Regulations (2004)

Staff should refer to whichever section is appropriate to the scope of a received request.

3.0 Section A: Freedom of Information Act (2000)

3.1 Background

The Freedom of Information Act (2000) (FOIA) extends the public's rights of access to information held by public authorities, including Further and Higher Education institutions, and imposes a number of obligations on them. Members of the public have a statutory right (with minor limitations) to:

a) Obtain (either from the Colleges website or in some other form) all the information covered by the Colleges Publication Scheme.
b) Request (with minor limitations) any information held by the College, regardless of when it was created, by whom, or in the form in which it is now recorded.

The FOIA covers all recorded information, including drafts, recordings of telephone conversations, notes. It also includes datasets which are calculated and factual displays of information.

It also covers information which may be held by a third-party organisation on behalf of the College e.g., off site storage, third party contractors.

This Standard Operating Procedure complies with the College's Access to Information Policy and outlines the process the College will follow when dealing with requests for information under the FOIA.

This process will assist all staff in ensuring that all requests for information are processed in line with the legislation and established best practice.

For clarity, further information is available in the Section 45 Code of Practice which has been published to assist Public authorities to meet their obligations.

3.2 Scope

The FOIA gives individuals and organisations the right to request information pertaining to the functions and responsibilities of the College. These requests will be granted where possible unless an exemption applies. If an exemption applies the individual will be notified as to the reasons why their request cannot be met.

1. In respect of an initial enquiry or receipt of an Information Request this procedure applies to all SERC employees.
2. Requests for information under the Freedom of Information Act should be forwarded to the Records Manager.
3. Once the information request has been transferred to the SERC Records Manager, the procedures scope is limited to the Records Manager or delegates.
4. The Freedom of Information Act contains exemptions to the right of access in order to protect legitimate interests and sensitivities. Some exemptions are absolute while others are subject to a public interest test and are known as 'qualified' exemptions.

3.3 How to Make a FOI Request

Any individual/organisation can submit a request for information relating to College business activities. Section 8 of FOIA states the criteria for a valid request to be:

1. In writing
2. states the name of the individual and an address for correspondence, and
3. describes the information requested.

Requests can be sent to the Records Manager at:

Records Manager
SERC, Bangor Campus
Castle Park Road
Bangor
BT20 4TD
informationrights@serc.ac.uk

3.4 Recognising FOI Requests

A request may form either the main content of a communication or be 'peppered' throughout a less obvious piece of correspondence. They may also be transmitted by email. Both will be valid FOI requests.

For the purpose of responding to a request, it will be deemed as made in writing if the following apply:

1. is transmitted by electronic means
2. is received in legible form, and
3. is capable of being used for subsequent reference.

All requests must be processed on equal merit i.e., applicant and purpose blind. The College must not allow any opinion or prior history of a person to cloud the fact a request has been submitted. There are criteria if it is suspected that a request is vexatious (See Section 7).

3.5 Description of the information and clarification

As noted above, a valid request must describe the information being sought.

The College accepts that individuals may not know exact names of documents or how information is collated however, if they have provided a description which enables identification of the information, the request will be valid.

If the scope of the request is unclear, the College can ask for clarification to enable a better understanding of what is being asked for and a more focused search. Clarity from the individual will be sought where a reasonable judgement requires more detail. Until such detail is received, the College is not obliged to comply. (FOIA, Section 1(3))

Section 16 of FOIA places obligation on the College to provide advice and assistance where clarity is required to respond. The College may provide help as to how the request can be reformulated to enable a more focussed interrogation of the information in question.

The time allowed for clarification to be sought shall not be included as part of the 20 working days response timeframe. The clock is paused until clarification is received.

3.6 Charges

Section 12 of FOIA allows the College to refuse a request if the cost of compliance would exceed the appropriate limit of £450. Compliance factors can include:

- Complying in entirety, or
- Confirm/deny if information is held

The estimate must be reasonable at all times.

The limit of £450 is calculated at £25 per hour, regardless of the grade of staff member(s) who would be involved in the response. If the cost to determine the following 4 points exceeds £450, the Section 12 exemption is engaged.

- determining whether the information is held
- locating the information, or a document containing it
- retrieving the information, or a document containing it
- extracting the information from a document containing it.

Where the cost exemption has been exceeded, the College may exercise its duty to 'advise and assist' to help the individual reformulate their request so that the maximum limit is not reached.

3.7 Vexatious and Repeated Requests

Section 14 of FOIA places no obligation on the College to respond to a request which is vexatious.

A request which is clearly vexatious may be where there is abusive, offensive language against staff. The College will be justified to refuse to respond to the request in these circumstances.

Some requests may have an undertone which is less obvious however the College can consider the criteria for vexatiousness if it is likely to cause a disproportionate or unjustified level of disruption, irritation or distress. Factors to assist with this assessment are:

- Burden placed on the College/staff
- Likely motives
- Value or purpose of the request
- Harassment/distress to staff

Where the College has previously complied with a request to an individual, it can refuse to further respond (unless an appropriate timeframe has elapsed and there may now be new information available).

A request can be considered repeated if it is 'identical or substantially similar'.

A Refusal Notice should be provided to notify of Section 14 being engaged. If a Refusal Notice has already been issued for reasons of vexatiousness, it will not be considered reasonable to re-issue this. (See Section 13)

3.8 Calculate Time

The time allowed for complying with a request starts when your organisation receives it, not when it reaches the Records Manager or other relevant member of staff. It is critical that all requests are forwarded to the Records Manager as soon as they are received.

The FOIA states that all requests must be responded to promptly and no later than the 20th working day from receipt.

A working day is any day other than a Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom. A 'working day' is considered to end at 23:59.

List of Bank Holidays

The College may extend the time to comply with the request by up to 20 working days but only where a Public Interest Test may require it. The information, exemptions and engagement should all be collated before the initial 20 day limit.

3.9 Record FOI Request

The date the request is received must be recorded to evidence the timescale for response. The clock begins from the date of receipt by the College, not the Records Manager therefore it is imperative that confirmed or suspected FOI requests are forwarded to the Records Manager as soon as possible.

1. Input the request details on to the designated recording system.
2. Note the deadline for reply against the record.
3. Acknowledge receipt of request (The acknowledgement letter should be completed no later than 5 working days from receipt of the request).
4. All elements of each request must be recorded on the GDPR/FOI Request app to support actions taken, decisions, communications and guidance referred to.

3.10 Locating the Information/ Identifying the Responsible Owner

FOIA only applies to information which already exists. Public authorities are not obliged to create information in response to a request. They may be required to manipulate databases to extract information, but not to manipulate data to create new information.

If the information requested is available via the Colleges Publication Scheme, the Records Manager will make this available as a matter of routine business. The 20 days' timescale for response will still apply.

The Records Manager will identify where requested information may be held and refer to the appropriate Responsible Owner to collate. Please note, requests may have more than one Responsible Owner.

The Responsible Owner may wish to convene a meeting with the Records Manager to discuss the request and any concerns around the information being sought. This allows the Records Manager opportunity to assess any exemptions which may apply.

To allow a proper assessment of the information, the Responsible Owner must conduct a thorough search of records within their remit to determine if the information is held.

It is the Responsible Owners responsibility to ensure that prior to submitting the information to the Records Manager, it must not be the original source data/spreadsheet. Information must not contain personal either within the documents or in hidden datasets e.g pivot tables,

hidden worksheets or hidden columns in excel. It would be prudent to have a second check of the information conducted by the business team who are the information experts.

ICO guidance on how to conduct cursory checks can be found here

If the information is not held by the College but by another 'Public Authority', the Records Manager should do one of the following options:

1. Notify the individual and explain that some/all of the information is held by another Authority
2. Suggest the applicant re-applies to that Authority and provide contact details for such. Advise the individual of another authority where the information may be held.

Where the information is held by a third-party contractor 'on behalf' of the College, the Records Manager/information owner will engage at the earliest opportunity to retrieve all relevant information.

3.11 Responding to a Request

Once information has been collated and it has been agreed that which can be released, the College should consider if it can be published as a dataset. If this is practicable, the College must undertake to re-publish this data periodically.

Section 1(1)(a) of FOIA requires a public authority to inform an individual whether it holds the information specified in the request, also known as the duty to 'confirm or deny'.

There may be occasions when complying with the duty to confirm or deny would in itself disclose sensitive or potentially damaging information that falls under an exemption. In these circumstances, the Act allows a public authority to respond by refusing to confirm or deny whether it holds the requested information.

An individual may indicate their preference for obtaining the information, namely:

1. Permanent form (e.g., copies)
2. Inspection
3. Summary form
4. Electronic and re-usable format

The College should comply where it is 'practically reasonable' to do so.

Encryption of the information is not necessary as disclosure under FOI is to the public arena.

3.12 Exemptions

While the public has a Right to submit FOI requests and the presumption will always be to disclose, there may be occasions where the College is permitted to withhold information.

Where there are concerns about the disclosure of information to the public, the College can only withhold where the Public Interest in maintaining the exemption outweighs the Public Interest in disclosure. To be clear, 'Public Interest' does not relate to information which 'interests' the public, but what is 'in their interest'.

The FOIA has a list of exemptions which exist and allow the College to withhold information.

Exemptions will fall into one of 2 categories.

1. **Absolute:** If the exemption is engaged, no further assessment is necessary. Does not Require Public Interest Test (PIT).
2. **Qualified:** If the exemption is engaged, the College must conduct a PIT to balance the factors between the public interest in maintaining the exemption and the public interest in disclosure.

(Please refer to Appendix 1, page 7 for a full list of exemptions and their categories)

Where Section 36 is engaged, the application of this exemption is only valid with the opinion of the 'Qualified Person'. To confirm, the authorised 'Qualified Person' for the College is the Principal and Chief Executive or nominee.

The PIT may consider the following when considering a Qualified exemption.

1. **PIT (Disclose)**
    - Accountability and transparency of decision making/expenditure
    - Understanding of decisions which affect lives of the public and allow challenge
    - Inform public of danger to health and safety
    - Allow participation in debate of significance
2. **PIT (Withhold)**
    - Exemption
    - Prejudice or detrimental impact of disclosure
    - Human rights e.g. Right to privacy
    - Effect of disclosure on wider population e.g., personal data.

As mentioned above, the College may extend the timeframe for response to conduct the PIT.

3.13 Refusing a Request

The College does have the right to refuse a request for information, but the reasons for withholding the information must be explained to the individual.

The College does have the right to refuse a request for information if:

1. The requests are vexatious or repeated ('identical or substantially similar' to a request from the same person that you have previously complied with, unless a reasonable amount of time has passed)
2. The cost of locating and retrieving the information exceeds the appropriate limit
3. The information is exempt from the duty to confirm or deny
4. The information is exempt from disclosure
5. It would not be in the public interest to confirm or deny that you hold the information
6. It would not be in the public interest to disclose the information

If the College does not hold the information requested and the individual is made aware of this, this is not refusing a request but giving a negative response. However, if the individual argues that the information is held, it could lead to a complaint to the Information Commissioner's Office.

When drafting a Refusal Notice, the following must be included:

1. The fact the information is exempt
2. Specifies which exemption is engaged
3. Why the exemption is engaged
4. Public Interest Test considerations
5. Details of how to request an internal review

6. Details of the ICO to appeal

3.14 Appeal Process

If an individual is not happy with how the College has handled their request or exemptions applied to the response, they have a right to ask for an internal review.

Appeals should be submitted within 40 working days of receipt of this response detailing reasons for dissatisfaction and should be addressed to:

Records Manager
SERC, Bangor Campus
Castle Park Road
Bangor
Co Down
BT20 4TD

The Records Manager will convene a panel of independent personnel, previously unconnected with the request or associated information, who will then examine the initial request/response, the request for appeal and review if there are areas for improvement and whether or not the College can reconsider releasing information originally believed to be exempt.

The College will issue a response to all appeals within 20 workings days from date of receipt.

If the individual is not happy with the Appeal Panel decision, they may contact the Information Commissioners Office at:

ICO
Wycliffe House
Water Lane
Wilmslow, Cheshire
SK9 5AF

3.15 Communication

This SOP will be available on the Learning Engine, alongside an e-training module to further support staff/College obligations.

3.16 Review

This SOP will be reviewed yearly or sooner if there are significant legislative changes.

4.0 Section B: Environmental Information Regulations (2004)

4.1 Background

The Environmental Information Regulations (EIR) (2004) provides public access to environmental information held by public authorities, including Further and Higher Education institutions and impose several obligations on them. Therefore, similar to that of the Freedom of Information Act (FOIA) (2000) as both are intended to promote openness and accountability amongst public authorities.

The Regulations for EIR were originally derived from European law. The principle behind the law is that giving public access to environmental information will encourage greater awareness of issues that affects the environment. Greater understanding helps increase public participation in decision making. Hence, makes public bodies more accountable and transparent and it builds public confidence and trust.

The table below illustrates examples of what EIR (2004) request could consist of:

Type	Description	Examples
Elements	Air, water, soil, and landscapes	Condition of football pitches
Factors that effect on the environment	Energy, noise, waster, and emissions	Energy used at local theatre
Measures designed to affect the environment	Policies, legislation, and plans	Health and safety plan
Reports on legislation		
Analyses	Cost/benefit analyses related to measures	Health and safety reports
State of human health & safety	Sanitation, food, hygiene, and state of buildings	Pool water testing information, hygiene reports for café.

Members of the public have a statutory right (with minor limitations) to:

a) Obtain (either from the Colleges website or in some other form) all the information covered by the Colleges Publication Scheme.

b) Request (minor limitations may apply) any information held by the College, or in the form which is currently recorded.

When complying with EIR requests, the College will observe ICO guidance documents and the EIR Code of Practice.

This Standard Operating Procedure complies with the College's Freedom of Information Policy and outlines the process the College will follow when dealing with requests for information under Environmental Information Regulation (2004).

The process will assist all staff in ensuring that all requests for information relating to the environment are processed in line with the legislation and establish best practice.

4.2 Scope

EIR provides individuals and organisations the right to request information on the environmental functions and responsibilities of the College. These requests will be granted where possible unless an exception applies. If an exception applies, the individual will be notified as to the reasons why their request cannot be met.

1. In respect of an initial enquiry of receipt for an EIR Request this procedure applies to all College employees.
2. Requests for information under the EIR should be forwarded to the Records Manager.
3. Once the request has been transferred to the Records Manager, the procedures scope is limited to the Records Manager or delegates.
4. The Environmental Information Regulations contains exceptions to the right of access in order to protect legitimate interest and sensitivities. Unlike, FOIA there are no absolute exceptions (with some exceptions); all are subject to the Public Interest Test.

4.3 How to make an Environmental Information Request

Requests can be sent to the Records Manager at:

Records Manager
SERC, Bangor Campus
Castle Park Road
Bangor
BT20 4TD
informationrights@serc.ac.uk

EIR requests made verbally are also valid.

Information covered by the EIR can include:

- anything written down
- illustrations
- sound recordings
- any type of computer file; and
- any other material form − that is, any other form where information is held on record.

All individuals must provide a name and contact details for correspondence. In contrast to the Freedom of Information Act, a request is still valid if the individual does not use their real name.

4.4 Recognising EIR Requests

When you receive a request for information, you should consider whether the requested information falls within the scope of EIR and should be dealt with under the Regulations. However, it is important to recognise things which could be dealt with as routine business and do not warrant EIR. Where there is uncertainty, staff should seek advice from the Records Manager.

4.5 Clarification on the Request

Requests are often ambiguous, with many potential interpretations or no clear meaning at all.

The College has a duty under Regulation 9 of EIR to provide advice and assistance where clarity is required to respond. The Regulations states the obligation to:

1. Ask the individual as soon as possible to provide further information to clarify the request. This must be done no later than 20 working days from the date of the request being received.
2. Assist the individual in providing this information.

Under Regulations 12(4)(c), where the College has made all reasonable attempts to assist with request. The request can be refused if;

1. The College has gone back to the individual and asked for extra information, offering them advice and assistance to help explain, but get no response from the individual.
2. The College can refuse a request for information where an exception applies. However, the reason for withholding the information must be explained to the individual.

The time allowed for clarification to be sought shall not be included as part of the 20 working days response timeframe. The clock is paused until clarification is received.

4.6 Charges

Regulation 8 allows the College can charge a discretionary amount to make environmental information available. The charge must be reasonable and not exceed the cost of providing that information.

Where a charge is made, the College must provide a schedule of charges and provide the individual with details on how to make the payment in advance of the information being released.

A public authority shall not make any charge for allowing an applicant:

1. to access any public registers or lists of environmental information held by the public authority; or
2. to examine the information requested at the place which the public authority makes available for that examination.

The College must allow 60 working days for receipt of payment. While this process is underway, the time for response is paused until such payment is made.

4.7 Calculate Time

The time allowed for complying with a request starts when your organisation receives it, not when it reaches the Records Manager or other relevant member of staff. It is critical that all requests are forwarded to the Records Manager as soon as they are received.

To make information available as soon as possible, and no longer than 20 working days. You should count the first working day after you receive the request as your first day.

A working day is any day other than a Saturday, Sunday, Christmas Day, Good Friday, or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom. A ‘working day’ is considered to end at 23:59.

List of Bank Holidays

Where an individual asks for complex information, which is difficult to assess for disclosure, the ICO will permit an extension of time. In these exceptional circumstances, the Regulations permit an extension of the 20-working day limit to 40 working days.

The College must notify the individual of the extension as soon as possible, and no later than 20 working days from the date the request was received.

4.8 Record of EIR Request

a) The date the request is received must be recorded to evidence the timescale for response. The clock begins from the date of receipt by the College, not the Records Manager therefore it is imperative that confirmed or suspected EIR requests are forwarded to the Records Manager as soon as possible.

b) Input the request details on to the designated recording system.

c) Note the deadline for reply against the record.

d) Acknowledge receipt of request (The acknowledgement letter should be completed no later than 5 working days from receipt of the request).

e) All elements of each request must be recorded on the GDPR/FOI Request app to support actions taken, decisions, communications and guidance referred to.

4.9 Locating the Information/ Identifying the Responsible Owner

EIR only applies to information which already exists. Public authorities are not obliged to create information in response to a request. They may be required to manipulate databases to extract information, but not to manipulate data to create new information.

If the information requested is available via the Colleges Publication Scheme, the Records Manager will make this available as a matter of routine business. The 20 days' timescale for response will still apply.

The Records Manager will identify where requested information may be held and refer to the appropriate Responsible Owner to collate. Please note, requests may have more than one Responsible Owner.

It may be appropriate to convene a meeting with the Responsible Owner to discuss the request and any concerns around the information being sought after. This allows the Records Manager opportunity to exceptions to withhold the information.

To allow a proper assessment of the information, the Responsible Owner must conduct a thorough search of records within their remit to determine if the information is held.

If the information is not held by the College but by another 'Public Authority', the Records Manager should do one of the following options:

1. Notify the individual and explain that some/all of the information is held by another Authority
2. Suggest the applicant re-applies to that Authority and provide contact details for such.
3. Advise the individual of another authority where the information may be held.

Where the information is held by a third-party contractor 'on behalf' of the College, the Records Manager/information owner will engage at the earliest opportunity to retrieve all relevant information.

4.10 Responding to a Request

Once information has been collated and it has been agreed that which can be released, the College should consider if it can be published as a dataset. If this is practicable, the College must undertake to re-publish this data periodically.

The Regulations state that all requests are responded to in writing.

The Regulations say that when you receive a request, you should:

- always respond in writing, regardless of whether the request was made verbally

- tell the individual whether you hold any information; and
- make that information available within 20 working days, unless an exception applies
- If an exception is engaged, the College will explain the rationale for this.

Statistical information and information which is not inferred, but factual may be released as a dataset.

All responses must include the opportunity to request an internal review (See Section 12) and their Right to approach the ICO if they are dissatisfied with the College process.

4.11 Exceptions

While the public has a Right to submit EIR requests and the presumption will always be to disclose, there may be occasions where the College is permitted to withhold information.

Exceptions listed in Regulations 12(4), 12(5) and 13 of EIR allow the College to withhold information.

Most exceptions are subject to the Public Interest Test (PIT).

Where there are concerns about the disclosure of information to the public, the College can only withhold where the Public Interest in maintaining the exemption outweighs the Public Interest in disclosure. The be clear, 'Public Interest' does not relate to information which 'interests' the public, but what is 'in their interest'.

The PIT may consider the following when considering an exception.

1. **PIT (Disclose)**
    - Accountability and transparency of decision making/expenditure
    - Understanding of decisions which affect lives of the public and allow challenge
    - Inform public of danger to health and safety
    - Allow participation in debate of significance

2. **PIT (Withhold)**
    - Exemption
    - Prejudice or detrimental impact of disclosure
    - Human rights e.g. Right to privacy
    - Effect of disclosure on wider population e.g., personal data.

4.12 Refusing a Request

Where the College has decided to refuse a request under regulation 12(1) or 13(1), it must issue its written refusal notice no later than 20 working days after the date of receipt of the request.

The refusal notice must include the following as per Regulation 14.

1. The information which is exempt
2. any exception relied on under regulations 12(4), 12(5) or 13
3. Why the exception is engaged
4. Names of other appropriate Authorities involved
5. the matters the College considered in reaching its decision with respect to the Public Interest under regulation 12(1)(b) or, where these apply, regulations 13(2) or 13(3)
6. Details of how to request an internal review

7. Contact detail of the ICO

4.13 Appeal Process

If an individual is not happy with how the College has handled their request or exceptions applied to the response, they have the right to request an internal review. This must be done within 40 working days of receipt of the refusal notice. Detailing reason for dissatisfaction should be addressed to:

Records Manager
SERC
Bangor Campus
Castle Park Road
Bangor
Co Down
BT20 4TD

The EIR Code of Practice states that internal reviews should be carried out by someone senior to the person who dealt with the original request. If this is not possible it should be undertaken by someone trained in, and who understands, the Environmental Information Regulations.

The Records Manager will convene a panel of independent personnel who will then examine the initial request/response, for appeal and review if there are areas for improvement and whether or not the College can reconsider releasing information originally withheld.

The College must notify the individual of the outcome of the internal review as soon as possible and no later than 40 working days after receiving the complaint.

If the individual is not happy with the Appeal Panel decision, they may contact the Information Commissioners Office at:

ICO
Wycliffe House
Water Lane
Wilmslow, Cheshire
SK9 5AF

4.14 Communication

This SOP will be available on the Learning Engine, alongside an e-training module to further support staff/College obligations.

4.15 Review

This SOP will be reviewed yearly or sooner if there are significant legislative changes.

Appendix 1: Document Change History

Version	Date	Change Detail
1.0	January 2024	**Section 10**. Update reflects the responsibility of information owner to ensure all information is cleansed and checked prior to disclosure. **Section 14**. Update to reflect Appeal panel to have no previous connection with the request.
1.1	June 2024	Moved across to Accessibility Template
1.2	April 2025	No Changes Required

Appendix 2: Full list of exemptions and their categories

Section	Description	Absolute or Qualified	Public Interest Test	Class or Prejudice
21	Information already accessible (through another act or included in Publication Scheme)	Absolute		Class
22	Information intended for future publication (whether the date is determined or not)	Qualified	✓	Class
22a	Research Data	Qualified		Prejudice
23	Information supplied by, or relating to, bodies dealing with security matters (named)	Absolute		Class
24	National Security	Qualified	✓	Prejudice
25	Certificates under S23 and 24	Qualified	✓	Prejudice
26	Defence	Qualified	✓	Prejudice
27	International Relations	Qualified	✓	Prejudice
28	Relations within the UK (between the UK government, the Scottish Administration, the National Assembly for Wales and the Executive Committee of the Northern Ireland Assembly)	Qualified	✓	Prejudice
29	The Economy	Qualified	✓	Prejudice
30	Investigations and Proceedings	Qualified	✓	Class
31	Law Enforcement	Qualified	✓	Prejudice
32	Court Records etc.	Absolute		Class
33	Audit Functions	Qualified	✓	Prejudice
34	Parliamentary Privilege	Absolute		Prejudice
35	Formulation of Government Policy	Qualified	✓	Class
36	Effective Conduct of Public Affairs	Qualified	✓	Prejudice
37	Royal Household Communications and Honours	Qualified	✓	Class
38	Health and Safety	Qualified	✓	Prejudice
39	Environmental Information	Qualified	✓	Class
40(1)	Personal Information (of applicant)	Absolute		Class
40(2)	Personal Information (third party)	Absolute		Prejudice
41	Provided in Confidence	Absolute		Prejudice
42	Legal Professional Privilege	Qualified	✓	Class
43	Commercial Interests	Qualified	✓	Prejudice
44	Prohibition on Disclosure	Absolute		Class