

# SRA transparency code

Last updated 11 May 2022

Our transparency code explains how we operate as a transparent and open regulator. We apply the code in a similar way to the Freedom of Information Act 2000 (the Act) [<http://www.legislation.gov.uk/ukpga/2000/36/contents>] . The Solicitors Regulation Authority is not covered by the Freedom of Information Act, however we apply our own code as we believe in being as open as possible about what we do. Our core principle is to make information available unless there is a good reason not to.

Our publication scheme [<https://www.sra.org.uk/sra/how-we-work/privacy-data-information/disclosure-policy/publication/>] sets out what we make available as a matter of course.

This transparency code sets out how we respond to requests from individuals and organisations for information held by us that is not included in our Publication Scheme. The code applies to information held by the SRA, including documents, computer files, letters, emails, photographs, and sound or video recordings. It does not apply to group information we hold jointly with the Law Society or which relates to the Law Society Group, such as financial, facilities and staff information. If you are interested asking for information held by the Law Society, please refer to the Law Society information code of practice [<http://www.lawsociety.org.uk/get-in-touch/freedom-of-information/>] .

The Information Commissioner's Office [<https://ico.org.uk/>] (ICO) is an independent body that enforces the Freedom of Information Act , the Data Protection Act and the Environmental Information Regulations, and you might find the information on their website useful.

## *Requesting information*

You can ask for recorded information we hold by writing to us (by posting, using our downloadable form below or email). If you are unable to make the request in writing our Information Compliance Team [<https://www.sra.org.uk/home/contact-us/>] will help you.

You do not have to give your reason for wanting the information. However, you will need to give us your name, an email or postal address and enough information to help us identify the information you ask for. For more help about making requests you may find the Information Commissioner's website [<http://www.ico.org.uk>] helpful.

If we are able to give you the information we will aim to do so within 20 working days of receiving it unless a limitation applies and we need to

consider if it is in the public interest to disclose the information.

Please send your request using our:

- Request for recorded information form (DOC 2 pages, 546K [<https://www.sra.org.uk/globalassets/documents/sra/foi-form-word.doc?version=4ae54a>] or PDF 2 pages, 72KB) [<https://www.sra.org.uk/globalassets/documents/sra/freedom-of-information-request-form.pdf?version=499cae>]
- writing to us [<https://www.sra.org.uk/home/contact-us/>] .

If you need information we hold about you personally you need to make an application under the data protection legislation. This is covered by our Privacy Notice [<https://www.sra.org.uk/sra/how-we-work/privacy-data-information/privacy-notice/>] which explains how you can make subject access requests.

## *Restrictions and limitations*

We will not send you information already published under our publication scheme or information available in another way.

We will not create information to satisfy your request.

We may not send you some or all of the information you ask for if a limitation applies to your request. We explain limitations below.

We do not respond to vexatious requests or repeated requests we have already replied to.

In line with the Act, we are also likely to refuse a request or series of related requests if we estimate the cost of identifying whether we have the information, locating it, retrieving and extracting it, would be more than £450 or take more than 18 hours of our time. If so, we will help you to make the request smaller and more precisely focused.

## *What we will do*

When dealing with your request we will try to help and advise you.

In most cases we will tell you if we hold the information.

We will tell you of our reasons for withholding information unless to do so would effectively give you the information.

You can request information be supplied in any format (for example paper or electronically). There may be a fee to cover our administrative costs for some formats. If the alternative format is sent to you as a reasonable adjustment because of your disability we will not charge you.

## *Limitations*

We are as transparent as possible and will aim to give you the information you ask for. However, we apply two types of limitation to requests which may not allow you to have the information as follows:

- Where we do not or cannot allow disclosure of the information you request . This might be because disclosure is unlawful. These are absolute limitations [#absolute] .
- Where we need to consider if it is in the public interest to disclose the information. These are qualified limitations [#qualified] . Sometimes this means we need to consider if disclosing the information would, or would be likely to, prejudice our regulatory work.

Where documents contain information where a limitation applies, we will usually disclose the rest of the information unless other limitations apply or unless it would be impracticable to do so.

### *Absolute limitations*

We will not provide you with information if it is:

1. accessible to you in another way even if that involves you making a payment to get it.
2. information sent to us by, or related to, a body dealing with security matters.
3. contained in court, tribunal, State judicial documents and some enquiry and arbitration documents.
4. required for the purpose of avoiding an infringement of the privileges of either House of Parliament.
5. personal data which if disclosed would breach data protection legislation. 1 [#note1]
6. sent to us in confidence.
7. unlawful for us to disclose.

### *Qualified limitations*

We will consider if disclosure is in the wider public interest if the information is:

8. intended for future publication.
9. about ongoing research.
10. required for the purpose of safeguarding national security.



11. or is likely to, prejudice defence or the capability, effectiveness or security of any relevant British forces, defence of the British Islands or any colony.
12. or is likely to, prejudice the interests of the UK abroad.
13. or is likely to, prejudice relations within the UK.
14. or is likely to, prejudice economic or financial interests of the UK.
15. relates to criminal investigations and proceedings.
16. about our confidential sources.
17. or is likely to, prejudice law enforcement or the exercise by us of our statutory and public functions. Prejudice to our functions includes harm to specific investigations or to our ability to regulate and may include having a wider impact such as discouraging people from cooperating with us.
18. about audit functions in relation to public authorities we regulate.
19. or is likely to, prejudice the effective conduct of public affairs or inhibit the free and frank provision of advice or exchange of views.
20. or is likely to, endanger the health or safety of a person.
21. environmental information.
22. protected by legal professional privilege, for example where we have received advice.
23. a trade secret or is or would be likely to prejudice the commercial interests of any person including us.

## *Review Process*

If we decide not to give you the information you ask for we will tell you of the reason, unless by giving you a reason this gives you information where a limitation applies.

If we refuse your request, or if you are unhappy with our decision, you can ask our Information Compliance Manager to review our decision. You should do this within 60 days of our decision and send your request for a review to our Information Compliance Team [<https://www.sra.org.uk/home/contact-us/>]. We will aim to review your request within 20 days.

If you are not happy with the review you can make a complaint to our Complaints Team [<https://www.sra.org.uk/sra/complaints-service/make-a-complaint/>] about the way we have handled your request for information. The

Complaints Team will acknowledge your complaint within five working days of receiving it and may take up to 20 working days to respond in full after that.

If you are unhappy with our response you can ask our Independent Reviewer [<https://www.sra.org.uk/sra/complaints-service/#reviewer>] to review your complaint. The service is independent of us. They will not review our decision but rather the way we have handled your complaint.

If you want to do this you must tell us within 15 days of being sent our Complaints Teams' response. We will then refer your complaint to our Independent Reviewer [<https://www.sra.org.uk/sra/complaints-service/#reviewer>] .

### *Notes*

1. In limited cases the limitation is qualified.

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Please use **[www.sra.org.uk/foi](https://www.sra.org.uk/foi)** to link to this page.