

# Rules and procedure concerning responsibility for official documents and the disclosure process

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<b>Responsible administrative office</b>	Office of the President
<b>Responsible administrator</b>	Ellinor Sigelfeldt

**Description:**

This governing document is intended to establish rules for handling official documents at Stockholm University in line with the requirements of the Freedom of the Press Act and the Public Access to Information and Secrecy Act.

## Background and purpose

The purpose of this document is to describe the key elements of relevant legislation and to clarify the internal responsibility at Stockholm University for the handling of official documents and the responsibility for disclosure of official documents. As a public authority, Stockholm University handles a large number of new documents on a daily basis, which must be kept organised in the registry or in some other way. The University also receives a large number of requests for access to official documents under its care. This governing document clarifies how the University is to apply the legislation in practice.

The Office of the President is responsible for monitoring the governing document and keeping it up to date.

This governing document has close links to other university-wide governing documents that deal with how documents are handled at Stockholm University. These are mainly [Document management plan for Stockholm University](#) (only in Swedish) and [Rules on fees for copies of official documents](#) (only in Swedish). Support and advice can also be found in [Case management handbook](#) (only in Swedish) and on the staff website.

## National rules

The right of individuals to access official documents is part of the principle of public access to information and is regulated in the Freedom of the Press Act (1949:105) (“FPA”) and the Public Access to Information and Secrecy Act (2009:400) (“PAISA”). The principle of public access to information is a fundamental element of the Swedish legal system and safeguards the public's ability to scrutinise and access information about the activities of the state and municipalities. Anyone has the right to access official documents, including foreign persons and companies.

According to Chapter 2, Section 4 of the FPA, a document<sup>1</sup> is official if it is held by a public authority, and if can be deemed to have been received (Section 9, FPA) or drawn up (Section 10, FPA) by such an authority. A document is understood to mean any written or pictorial matter or recording which may be read, listened to, or otherwise comprehended only using technical devices (Chapter 2, Section 3, FPA), i.e. anything that may contain some form of information. A document is deemed to have been received when it has arrived at the authority physically, by email or in some other way. A document is always deemed to have been drawn

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<sup>1</sup> In this context, the term document also refers to a potential document, which is a compilation of data from one or more systems. It must be possible to perform the compilation using routine measures, i.e. using existing system tools.

up if it has been dispatched, i.e. sent to or otherwise made available to someone outside the authority, such as a student or official at another authority.

If a document is part of a case, it is considered to be drawn up when the matter to which it relates has been closed. However, memoranda (notes) are not official documents. The term memorandum refers to an aide-mémoire or other notation that is made during the preparation of a matter. Documents that add factual information to a case, i.e. contain information relevant to the case that is not already presented in other documents, do not constitute memoranda.

If a document has neither been dispatched nor forms part of a case, it is considered to have been drawn up when it has been finalised. This may be the case, for example, when a document is published on an intranet or where it is clear from the wording in an email or in some other way that it is a final version. Another example is that meeting minutes are considered finalised when they have been verified.

According to Chapter 5, Section 1 of the PAISA, official documents shall be registered on a running basis or otherwise kept organised. Documents containing confidential (“secret”) information must always be registered.

According to the FPA, a request for disclosure of an official document shall be handled promptly, normally within one working day and, if it is a more extensive request, within a few working days. The handling includes identifying whether the document can be classified as an official document and, if so, whether information in the document constitutes classified material that is subject to secrecy. It also includes communicating with the requester. Documents that do not constitute classified material shall be disclosed. According to Chapter 6, Section 3 of the PAISA, the basic principle is that the employee who is responsible for the care of a document is also responsible for handling its disclosure. The aim is for the document to be made available as quickly as possible and for the person handling the request to be able to correctly and effectively assess whether secrecy applies based on knowledge of the document's content. Who is deemed responsible for the care of a document may be specified in the rules of procedure, an individual decision or elsewhere. For example, it may be the person who was the administrator when the document was drawn up or who has the document in their email box, unless the document has been handed over to another employee or to a local or central archive in accordance with standard operating procedures.

### **Local rules**

For those of the University's documents that are to be registered, this is done in the centrally provided registry system or a special system for this purpose, e.g. Ladok. The destruction of official documents may only take place in compliance with applicable laws, ordinances and the University's internal regulations. See [Document management plan for Stockholm University](#) (only in Swedish) for more information on retention, archiving and destruction.

Requests for official documents shall be prioritised throughout the organisation in order to meet the requirement of promptness in the Constitution. In order to achieve efficient use of the University's resources, it needs to be clear who in the organisation is responsible for what in the handling process. The process for handling the disclosure of official documents at Stockholm University must therefore be uniform, clear and specify who is responsible within the organisation. As support, the process has been laid out in a process map, Appendix 1.

Guiding information on official documents and secrecy is compiled by the legal function at the Office of the President, and made available on the staff website. The legal function and the central archives and registry function can help answer questions and provide support on official documents, disclosure issues and secrecy. In exceptional cases, the legal function at the Office of the President and the central archives and registry function can provide additional support in relation to disclosure. If necessary, the Press Office of the Communications Office and the security group of the Property Management Office can also provide support and advice.

## **Division of responsibility for the handling of official documents at Stockholm University**

### **Managers' responsibility for the handling of official documents**

The head of department, the director directly subordinate to the dean, and the administrative office manager have overarching responsibility for the handling of official documents at the department, the centre under the relevant faculty and the administrative office, respectively. This responsibility involves ensuring that the handling of official documents is in compliance with applicable laws and regulations, which includes, among other things:

- that employees have sufficient information about the handling of official documents, including that the person responsible for the care of a document is also responsible for the handling of requests for disclosure,
- ensuring that there are locally adapted procedures for registering or keeping official documents in order,
- the organisation has working procedures to handle requests for official documents promptly and in accordance with this procedure and the attached process map.

It is the relevant head of department, director directly subordinate to the dean, or administrative office manager who is responsible for ensuring that the handling of a received request is prioritised based on the promptness requirement set out in the Freedom of the Press Act. This may require reprioritisation of other work tasks.

The head of department, director directly subordinate to the dean, or administrative office manager has overarching responsibility for ensuring that documents stored by individual employees subordinate to them, for example in email boxes, are available and checked for received requests.

### **Employees' responsibility for the handling of official documents**

Employees are responsible for keeping themselves informed of the content of this governing document and for handling documents for which they are responsible in accordance with the applicable regulations.

### **Process for handling disclosure requests**

The approved process for the disclosure of official documents is described below and is also illustrated in the attached process map. For advice and support regarding assessments of whether documents are classified official or contain information subject to secrecy, please contact the legal function at the Office of the President.

#### **Description of the process**

1. A request for an official document is received by a university employee. If the request is unclear, the person requesting the document may be given the opportunity to clarify the request.
  - a. An individual requesting access to an official document has the right to remain anonymous and does not need to state their name or the purpose of the request. The name and purpose may only be requested if this is necessary to determine whether the document is subject to secrecy or not.
2. A request for an official document shall be handled by the person responsible for the care of the document,<sup>2</sup> which means that
  - a. if the person who has received the request is responsible for the care of the documents, they shall handle the request. In the case of a more complex request, the responsible manager must be informed,
  - b. if the person who has received the request is not the one responsible for the care of the documents, the request shall be forwarded to the person

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<sup>2</sup> If the documents requested are sensitive and concern the employee who has the documents in their care, the handling must always be done in consultation with the employee's manager.

responsible. Responsibility for ensuring that the request reaches the right person cannot be placed on the requester. In case of a more complex request or difficulty in identifying the person with the closest access to the documents, the responsible manager shall be informed,

- c. if several employees are responsible for different requested documents, a coordinator shall be appointed to handle the matter,
- d. if the documents are located in several different departments/offices, the department/office expected to have the largest number of documents shall appoint the coordinator and coordinate the disclosure.

3. The person(s) responsible for the care of the documents shall produce the documents.

- a. If the request concerns email logs,<sup>3</sup> IT Services<sup>4</sup> can assist in obtaining them. The request is sent to the Helpdesk via the Service Portal, which makes the log available to the person handling the disclosure. Email logs can be requested by the head of department, the director directly subordinate to the dean, the administrative office manager, employees at the legal function at the Office of the President, and the central archives and registry function.
- b. If what the documents concern is deemed to be of interest to the media, the Press Office of the Communications Office must be informed. The Press Office can provide advice and support in media contacts throughout the process.

4. Assess whether the documents constitute official documents.

- a. For the documents to be classified as official, they must be stored at the University and be drawn up at or received by the University. Examples of official documents include agreements, completed examinations, outgoing and incoming emails and records of decisions. Drafts are normally working material and not classified as drawn up official documents. More information

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<sup>3</sup> An email log is a list of incoming and outgoing emails compiled from an email server. The email log is an official document if the email in question is linked to SU. The email log shows metadata such as date, time and sender/receiver.

<sup>4</sup> For a small number of departments, this is done locally.

on official documents can be found in the University's [Case Management Handbook](#) (only in Swedish).

- b. If the documents are classified as official, an assessment is carried out to determine whether they contain information subject to secrecy.
  - c. If the documents are not classified as official, the requester shall be informed of this and be told that they have the right to receive a written decision with instructions on how to appeal. Always contact the legal function at the Office of the President if a written decision is required. More information can be found in [Case Management Handbook](#) (only in Swedish).
5. Assess whether the documents contain information subject to secrecy.
- a. If a document or information in the document is subject to secrecy, there must be a clear reason for this, as specified in the PAISA. [Case Management Handbook](#) (only in Swedish) describes the most common grounds for secrecy that may be applicable at the University. Contact the legal function at the Office of the President if you need advice and support.
  - b. Another way to handle classified material may be to disclose the documents subject to conditions (“*reservations*”). This means that the person who has requested access to the documents may do so with certain restrictions. For example, it may be that the person may access the documents on the University's premises or only use the material in a specific project. **Always** consult the legal function at the Office of the President as to whether disclosure should be subject to reservations.
  - c. If a document cannot be disclosed in its entirety on grounds of secrecy, the person who has requested the documents shall be informed of the section of PAISA on which the assessment is based and that they are entitled to receive a written decision with instructions on how to appeal. Always contact the legal function at the Office of the President if a written decision is required.
6. Disclose the documents.
- a. The person who has requested the documents may inspect the documents on site (free of charge) or receive a copy. Copies of the documents can be provided in different ways, e.g. by email, on paper or on a USB stick. The University is not obliged to provide electronic copies, but may do so if it is not inappropriate in terms of the documents containing a large amount of personal or sensitive data. [Rules on fees for copies of official documents](#) (only in Swedish) provides more information on how documents can be disclosed.



7. Charge as specified in the Fees Ordinance (1992:191).
  - a. Rules for fees for digital and physical copies are described in the governing document [\*Rules on fees for copies of official documents\*](#) (only in Swedish).



# Appendix 1 – Process map of the official document disclosure process

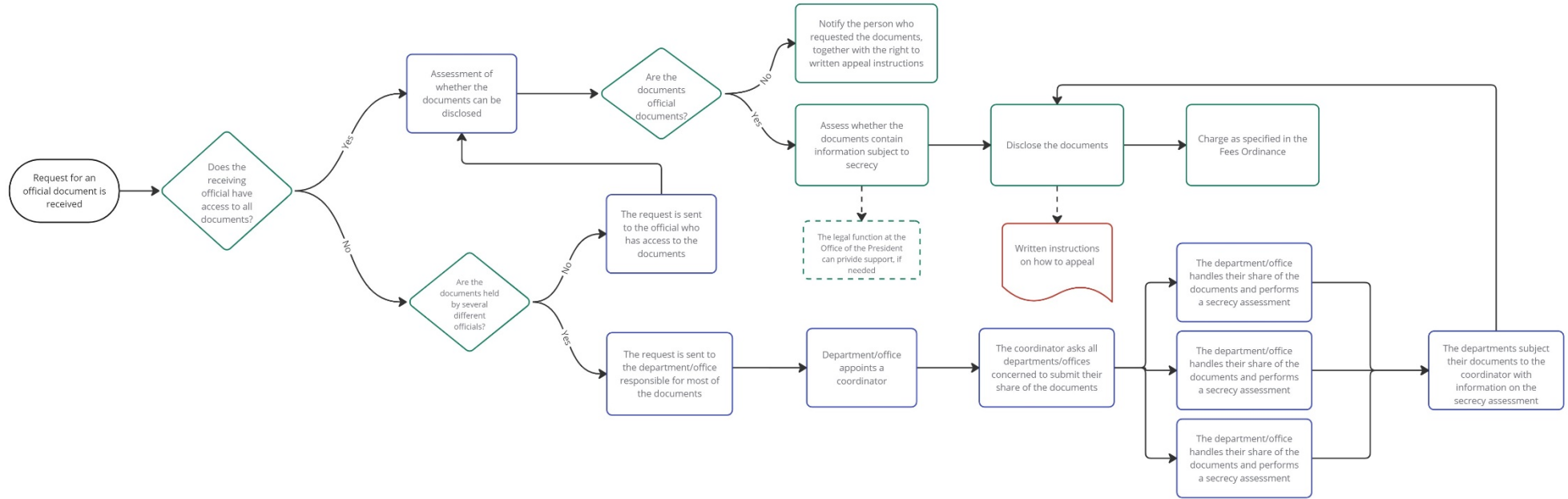


Figure 1 Process map of the official document disclosure process. The process is described in text form in the section entitled “Process for handling disclosure requests”.