

Freedom of Information Policy

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SMT Y/N	Y	SMT Date approved:	23/11/21		
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Area/s of Staff Intranet:	SSP						

FREEDOM OF INFORMATION POLICY

1. Introduction

The Freedom of Information Act 2000 (FOIA) promotes greater openness and accountability across the public sector by giving the public a right of access to all recorded information held by colleges & other public authorities. Craven College is committed to making as much information as possible about College activities generally available to the public either through published documents (including those published on the College website), or on request.

This Freedom of Information Policy sets out the College's arrangements for ensuring it meets legislative responsibilities under (FOIA).

The Model Publication Scheme and definition document provided by the Information Commissioner's Office (ICO) for Colleges of Further Education has been adopted by Craven College.

2. Key Principles

1. Routinely published information held by Craven College is made available to the public either through the publication scheme or by request.
2. Information not held in the publication scheme is available on request and these requests are responded to in a timely manner.
3. Where information may be exempt, or other legislation (such as data protection laws) is triggered, consideration will be given to assess if it is appropriate to release the information.

3. Responsibility

1. The Principal will be the overall owner of the policy, responsible for ensuring it is applied across the College.
2. All managers are responsible for ensuring their teams adhere to the policy when responding to freedom of information requests.
3. All freedom of information requests will be responded to by the Customer Services team (enquires@craven-college.ac.uk) with support from the Data Protection Officer and/or Vice Principal – Finance & Resources.

4. Legislation

The Freedom of Information Act 2000 is closely linked to:

1. The Data Protection Act 2018
 - gives individuals access to personal data held about them.
2. The Environmental Information Regulations 2004
 - gives the public access to information held about anything that might affect the land and environment.
3. Local Government (Access to Information) Act 1985
 - enables the public to access documentation resulting from formal meetings.

FREEDOM OF INFORMATION PROCEDURE

1. Introduction

Craven College is committed to adhering to the requirements of the Freedom of Information Act (2000). The following procedures detail how the objectives of the Freedom of Information Policy will be met and identifies:

1. Key Processes
2. Roles and Responsibilities
3. Objectives
4. Communication
5. Implementation
6. Monitoring
7. Reporting
8. Assessment of Impact
9. Continuous Improvement
10. Associated Documentation
11. Exemptions

2. Key Processes

- i. A valid request must be made in writing to:

Craven College
Aireville Campus
Gargrave Road
Skitpon
BD23 1US

Email to enquires@craven-college.ac.uk or via www.whatdotheyknow.com providing the name of the requestor, a correspondence address and describes the information requested.

- ii. The College will acknowledge receipt within 5 working days and respond within 20 working days to specific requests from any individual.
- iii. The clock stops if further information or clarification is required to meet the request, or if a fee is required. The clock starts ticking on receipt of the necessary information or payment of the fee.
- iv. Freedom of Information Act grants two rights to requestors:
 - to be informed whether the college holds information of the type requested, and
 - if it does, to have that information provided (subject to exemptions).
- v. The college reserves the right to:
 - Refuse to provide the information or charge a fee where the total administrative cost to issue a response is greater than £450.00 in accordance with s.12 of the Act.
 - Refuse vexatious or repetitive requests.
 - Direct the public to published information.
 - Withhold personal information relating to 3rd parties.

- Withhold information if it is exempt (see point 12 below).
- vi. Managers should send responses to the Vice Principal – Finance & Resources for review in the first instance.
- vii. Requestors have the right to request a review of the outcome of their request – this must be made clear in the initial response. They may wish to do so if we have applied an exemption that they do not agree with.
Please ensure all requests for a review are sent to the Data Protection Officer and/or the Vice Principal – Finance & Resources.
- viii. Model Publication Scheme - The Model Publication Scheme and definition document for Further Education Colleges can be downloaded by following the links from <https://ico.org.uk/>

The information colleges routinely publish falls into the following categories – these have been determined by the ICO:

- Who we are and what we do;
- What we spend and how we spend it;
- What our priorities are and how we are doing;
- How we make decisions;
- Our policies and procedures;
- Lists and registers; and
- The services we offer.

The scheme is not a list of actual publications, because these will change as new material is published or existing material revised. It is, however, the College's commitment to make available the information described.

3. Roles and Responsibilities

- The Principal will be the overall owner of the policy responsible for ensuring it is applied across the College.
- All managers are responsible for ensuring their teams adhere to the policy when responding to freedom of information requests.
- All freedom of information requests will be responded to by the Customer Services team (enquiries@craven-college.ac.uk) with support from the Data Protection Officer and/or Vice Principal – Finance & Resources.

4. Objectives

The objective of the policy and procedure is to provide a guideline for freedom of information requests and how these will be handled by the College.

5. Communication

The following principles are fundamental to the communication of the Freedom of Information Policy:

1. Freedom of Information Policy and procedure will be published on a standardised template
2. Freedom of Information Policy and procedure will be reviewed by the Principal, before being escalated to the SMT for approval.

3. This policy will be referred to the Audit Committee for approval.
4. The audience of this policy is any staff member who receives a Freedom of Information request.
5. The Freedom of Information Policy and Procedure will be published on the College website and intranet.

6. Implementation

Requests for information available through our publication scheme, should be email forwarded to enquires@craven-college.ac.uk or

The Principal
Craven College
Aireville Campus
Gargrave Road
Skipton
North Yorkshire
BD23 1US

7. Monitoring

Monitoring of Freedom of Information requests will be carried out by all managers who will pass them to the Customer Services team for response.

8. Reporting

Reporting of Freedom of Information requests will be made to the Audit Committee on an annual basis.

9. Assessment of Impact

This policy is a requirement under the Freedom of Information Act 2000 and as such must be adhered to.

10. Continuous Improvement

It is important that this publication scheme meets an enquirer's needs. If a user finds the scheme difficult to understand, they should contact the College. The College would also welcome suggestions as to how our scheme might be improved. Any questions, comments or complaints about this scheme should be sent to the postal address above, in Section 6.

The College will do everything in its power to meet an enquirer's information needs. However, if the College is unable to resolve a complaint, enquirers have the right to complain to the Information Commissioner, the independent body which oversees the Freedom of Information Act.

Information Commissioner
Wycliffe House Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113
Website: www.ico.org.uk

11. Associated Documentation

This policy is linked to:

- Freedom of Information Act 2000
- Access to Information and Publication Scheme
- Data Protection Policy

12. Exemptions

There are 23 exemptions allowed under Freedom of Information Act (not all are relevant to the college) – some are absolute and some where the public interest test applies. If the public interest test applies, you must consult the Data Protection Officer and/or the Vice Principal – Finance & Resources.

A. Absolute Exemptions

If this applies there is no requirement to consider the public interest test.

- Information which is accessible by other means (e.g. via the publication scheme, or openly available elsewhere).
- Information relevant to dealing with security matters.
- Court records
- Information that falls under Parliamentary privilege
- Information which would prejudice the effective conduct of public affairs (central government only)
- Personal information
- Information provided in confidence, the disclosure of which would be an actionable breach of confidence
- Information which has prohibitions on disclosure (e.g. by enactment, or would be punishable as a contempt of court).

B. Public Interest test

Consider – does the public interest in maintaining the exemption outweigh the public interest in disclosing the information?

- Information intended for future publication
- Information prejudicial to national security
- Information prejudicial to international relations and national interests
- Information prejudicial to the economic interests of the UK or any part of it
- Information prejudicial to legal and criminal proceedings
- Information prejudicial to the prevention & detection of crime
- Information prejudicial to the conduct of public affairs (authorised by the Qualified Person)
- Information prejudicial to internal relations within the UK
- Formulation of Government policy
- Communications within the Royal Family & information relating to Honours
- Legal professional privilege
- Information which may damage the commercial interest of any party including the college