



Freedom of Information Policy, Procedure, Guidelines

Designated Owning Department: Curriculum, Corporate and Student Services Owning Strategy: Corporate Strategy	Linked Strategies: Marketing and Communications Strategy, Business Intelligence Strategy
Relevant to: All staff	

Office Use only:

Policy/Procedure No. COR004	Approval Board/Committee/Group: Executive Board/Corporation Executive Owner: Heather Simcox, Deputy CEO	Approval/Re-approval Date: 21/05/18	Implementation Date: May 2018	Next Review Date: 21/05/19
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New Policy or Substantive Policy Review

Version	Date	Policy Development Agreed by (Executive Owner)	Policy Development Author	Draft Policy Verified by	Policy Approval	Impact Assessment (if applicable)
V1	25/04/18	Heather Simcox, Deputy CEO	Rose Matthews	GDPR Steering Group	Corporation	

Rationale for new or substantive policy review	To raise awareness of the Freedom of Information Act and ensure all College staff adhere to the correct procedure when Freedom of Information Requests are made.
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Please make explicit if change/review relates to procedures, guidelines and associated documents only

1. POLICY STATEMENT

As a public authority, Derby College Group has a legal obligation under the *Freedom of Information Act 2000* (Act) to provide information they hold to anyone who requests it, subject to certain exemptions.

This document provides the policy framework to ensure anyone wishing to make a request understands how to do so and that any requests are handled in accordance with applicable data protection laws.

2. DEFINITIONS

A Freedom of Information Request is a request for any recorded information held by a public authority in England, Wales or Northern Ireland. It includes printed documents, computer files, letters, e-mails photographs and sound or video recordings.

The Freedom of Information Act 2000 (Act) gives anyone the right to ask any public sector organisation for all the recorded information they have on any subject.

Anyone can make a request for information – there are no restrictions on age, nationality or where someone lives.

Any request should be responded to, by Derby College Group, within 20 working days.

3. PRINCIPLES

This policy will be published on the Derby College Group website and all employees will have a duty to comply with any Freedom of Information requests and the deadlines outlined by the Freedom of Information Officer.

Third parties who hold information on behalf of the College must be made aware of the College's Freedom of Information Act obligations and that information may be need to be disclosed.

4. SCOPE AND LIMITATIONS

Some sensitive information might not be available to members of the public, for example where an absolute exemption or other qualified exemption applies, together with a public interest reason for not releasing the data. The Freedom of Information Officer will advise on this.

It does not relate to Environmental Information, which is covered by the Environmental Information Regulations 2004. These are dealt with by the Freedom of Information Officer.

It does not cover personal data requests, which are covered by the Data Protection Act 2018 and outlined in the Data Protection Policy.

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5. RESPONSIBILITIES

The Executive Owner of this Policy is the Deputy Chief Executive.

The Freedom of Information Officer is responsible for providing guidance relating to Freedom of Information and promoting compliance with this Policy to ensure the easy, appropriate and timely response to all Freedom of Information requests, indicating whether the College holds the information of the description specified in the request.

Everyone has a responsibility for what information they record and how they record it.

6. IMPLEMENTATION ARRANGEMENTS

The Policy has been impact assessed. Notification of the policy and procedure will be available on the Derby College Group intranet and on the College website for the wider audience.

7. MONITORING AND REVIEW

The Freedom of Information Policy will be reviewed regularly in line with legislative guidance.

This policy should not be read in isolation and should be cross referenced with the Data Protection Policy.

8. SUPPORTING/RELATED DOCUMENTS

Freedom of Information Privacy Notice

Data Protection Policy, Procedure and Guidelines

Records Management and Archiving Policy, Procedure and Guidelines

IT Security Policy

<https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/>

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>

Derby College Group Publication Scheme

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PROCEDURE

How to make a Freedom of Information (FOI) request

FOI requests can be made by letter or online, by completing the form at the end of this policy.

When making the request, it must include:

- requestors name
- an address where the requestor can be contacted
- a detailed description of the recorded information the requestor wants

Derby College Group intend to provide the information requested within 20 working days. If more time is needed, they will contact the requestor and tell them when they can expect the information.

How to receive the information

The information can be asked for in a number of different formats:

- paper or electronic copies of any original documents
- audio format
- large print

Depending on the nature of the request, all the information can be asked for, or just a summary.

If the request is turned down

Some sensitive information might not be available to members of the public, for example where an absolute exemption or other qualified exemption applies, together with a public interest reason for not releasing the data. If this is the case, the Freedom of Information Officer will tell you why they have withheld some or all of the information requested within the 20 working days' time period set out above.

The Act provides details of costs that may be reasonably incurred when dealing with a FOI request. If Derby College Group believe that dealing with your request will cost them more than the amount set out in the Act, they can turn down your request.

They may have to turn down the request or ask for it to be more specific so they can provide the information the requestor looking for.

Subject to the above, if Derby College Group do not provide the information requested, the requestor should contact the Group and ask them to review the decision. If the requestor is not satisfied with the outcome of the response, they can complain to the Information Commissioner's Office (**ICO**).

Publication Scheme

A publication scheme is a document which describes the information a public authority publishes, or intends to publish.

In this context, 'publish' means to make information available, routinely. These descriptions are called 'classes of information'. The scheme is not a list of the actual publication, because

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this will change as new material is published or existing material revised. It is, however, the Group's commitment to make available the information described.

A publication scheme must set out the classes, or categories, of information published. It must also make clear how the information described can be accessed and whether or not charges will be made.

Derby College Group is adopting the model publication scheme developed for the further education sector and is therefore committed to publishing the information it describes.

The model is designed for further education colleges and sixth form colleges across England, Wales and Northern Ireland.

The purpose of the model is to save institutions duplicating effort in producing individual schemes and to assist the public in accessing information from across the sector. However, to reflect the diversity in size and function of an institution, a number of optional classes of information are included.

As a result, models within the sector will vary slightly. Any option classes relevant to us have been included in our scheme. These classes are set out below:

1. Who we are and what we do
2. What we spend and how we spend it
3. What our priorities are and how we are doing
4. How we make decisions
5. Our policies and procedures
6. Lists and registers
7. The services we offer

You can access the guide on the above classes by clicking this link <https://www.derby-college.ac.uk/foi-request>.

Charges

Derby College Group will not charge for most searches. Where the quantity of work required to complete the searches would be greater than 18 hours, they will either refuse to provide for the information or charge for the same. The hourly rate charged by them in this circumstance would be £25 per hour (or, if this is amended by the ICO, the amended amount).

If there are any questions regarding the policy please contact the Freedom of Information Officer on the details provided below.

To make a request for information under the Act or if you have a complaint regarding a request for information or any published information please contact:

Cheryl Tacchi
The Data Protection and Risk Assurance Co-ordinator (Freedom of Information Officer)
Derby College
The Roundhouse
Pride Park
Derby
DE24 8JE

Or online: <https://www.derby-college.ac.uk/foi-request>

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APPENDIX A – FREEDOM OF INFORMATION REQUEST FORM

Section 1 – Applicant Details

Title (please tick one):	Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Title (please state):
Forename(s):					
Family Name:					
Previous Family Name:					
Other name(s) known by:					
Date of Birth (dd/mm/yyyy):/...../.....			Male <input type="checkbox"/>	or Female <input type="checkbox"/>
Nationality:					
Place of Birth:					

Section 2 – Applicant Details

Current Address:	
Postcode	
Daytime Telephone No:	
Email Address:	
Previous Address:	
Postcode:	

Section 3 – Details of Information Required

Please use this space to give us any details about the information you are requesting, for example by stating specific documents you require (use extra sheets if necessary):

Section 4 – Derby College Group’s Response to Request (use extra sheets if necessary, but ensure attached to this request form)

Internal use only

Section 5 – Declaration

Response to Freedom of Information Request approved by:

Name of Derby College Group representative :	Date:
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Executive or Director authorisation (if required):

Name:	Date:
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