



Freedom of Information Act Policy

Reviewed: January 2017	Next review due: Under review - current to use
Approving Body: SLT	SLT contact: Chief Finance Officer
Policy/Document approved by SLT: January 2017	

CITY COLLEGE PLYMOUTH TOWARDS CONTINUOUS QUALITY IMPROVEMENT

Policy Title: Freedom of Information Act 2000

SCOPE

This policy applies to all members of the College community including students, staff, and governors.

STATEMENT



The College is committed to providing access to its information (whilst preserving confidentiality where disclosure would be against the law or the public interest) in order to demonstrate its integrity and probity in the spending of the public purse and ensure its accountability for its general business and decision making.

POLICY

Information relating to the College's educational and business activities, together with its decision making processes is available via its Publication Scheme. The College has adopted a model publication scheme developed for the Further Education sector by the Information Commissioner's Office, and is therefore committed to publishing the information it describes. The Scheme is supplemented by a Guide to Information. This Guide gives details of:

- information the College will make routinely available;
- how the information can be accessed; and
- whether or not a charge will be made for it.

THE PUBLICATION SCHEME

The Publication Scheme is available upon the College Website www.cityplym.ac.uk

CHARGES

The College will endeavour to place as much information as is possible upon the internet by way of a free download. However the College reserves the right to charge for hard copy documentation.

ALTERNATIVE FORMATS

The College will not make any additional charge for producing information in an alternative format to accommodate those with special requirements (eg. disabilities – language).



KEY POINTS

1. **PUBLICATION**

1.1 **Identification of Staff**

Information regarding the home or family life of an individual, his or her personal finances, or which consists of personal references, will be afforded protection and held to be confidential. By contrast, information which is about the Corporation, Senior Management Team and Senior Post holders acting in an official or work capacity will normally be provided on request unless there is some risk to the individual concerned.

1.2 **Identification of Corporation Members**

The names of the Corporation Members are placed within the public domain via the Register of Interests, Corporation Minutes, College Governance Notice, and via the Publication Scheme.

1.3 **Register of Interests**

The Clerk to the Corporation shall maintain a Register of the Interests of the members of the College Corporation, the Senior Management Team and all College staff with significant financial accountabilities as part of their remit. The Register is updated annually and shall be made available during normal office hours at the College to any person wishing to inspect it.

1.4 **Identification of Students**

Information relating to students shall be afforded protection and held to be confidential in accordance with the *Data Protection Act 1998* or in due course the *General Data Protection Regulations ("GDPR")* which come into force on 25 May 2018, the principles of confidentiality, and subject to the contract between the Student and the College.

1.5 **Identification of Student Union Officers and Executive Body Members**

The names and responsibilities of the Student Union Officers and Executive Members, together with the Minutes and Agendas of the Student Executive are already placed within the public domain as provided for within the Student Union Constitution.

2. **CONFIDENTIALITY & EXEMPTIONS**

The College is committed to observing the principles of confidentiality¹, and honouring its requirements within the *Data Protection Act 1998* and the *GDPR*, concerning personal information. In accordance with such constraints some information may be withheld.

The *Freedom of Information Act* provides a number of exemptions for information to be either withheld or qualified in accordance with public interest. Such categories include:-

- 2.1 personal information relating to an individual
- 2.2 personal information relating to a third party
- 2.3 information provided in confidence by a third party who has not authorised its disclosure
- 2.4 health & safety
- 2.5 legal professional privilege and court records
- 2.6 information prohibited from disclosures by law or other obligations
- 2.7 information considered to be in commercial confidence.

¹ Contractual and common-law



3. CORPORATION CONFIDENTIAL MINUTES

Confidential information contained within Corporation papers and Minutes normally remain confidential for a period of six months after which such information may be released into the public domain. The Corporation may, from time to time, determine in respect of specific issues that the period of confidentiality shall be for a shorter or longer period, or shall be indefinite, depending upon the nature of the information concerned. Such confidential information shall be periodically reviewed.

4. PUBLIC AND MEDIA/PRESS ACCESS TO CORPORATION MEETINGS

In accordance with the College's Instrument & Articles of Governance, the question as to whether any person who is not

- 4.1 a member of the Corporation; or
- 4.2 The Clerk to the Corporation

should be allowed to attend a meeting of the Corporation shall be determined by the Corporation. The Corporation has resolved that its meetings are not normally public meetings, but that it may, in particular cases, determine that meeting(s) shall be open to the public.

Issuing Officer: Legal Officer
Enquiries to: Legal Officer



POLICY GUIDANCE

Policy Title: Freedom of Information Act 2000

CONTEXT

This policy identifies the College's commitment to fulfilling the requirements of the Freedom of Information Act 2000 ("the Act") whilst preserving confidentiality where disclosure of information into the public domain would be against the law or the public interest.

SUPPLEMENTARY DOCUMENTATION

Internal:

- Guidance Note to Staff
- Guidance Note to Departmental Freedom of Information Officers
- Guidance Note to Tenderers and Contractors
- Guidance Note on Confidentiality and Contractual Clauses
- Intranet

External:

- Publication Scheme
- Policy Statement
- Handling Request Procedures
- College Website
- Data Protection Act 1998
- General Data Protection Regulations 2018
- Freedom of Information Act 2000
- Information Commissioner

IMPLEMENTATION

- Training
- Appointment of Departmental FOIA Officers
- Intranet Pages
- Advice & Guidance



POLICY CONTROL

Policy Title: Freedom of Information Act 2000

Issuing Authority: Senior Leadership Team

Issuing Officer: Legal Officer

Monitoring Authority: Senior Leadership Team

Monitoring Officer: Chief Finance Officer

Monitoring, Review and Evaluation:

This policy will be monitored and reviewed through Reports to the Senior Management Team.

Dates of review:

Issue Date	December 2007
First Review	December 2010
Second Review	December 2013
Third Review	December 2016