

Freedom of Information Act Policy

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Approving Body: Corporation	ELT contact: Chief Financial Operations Officer
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* This procedure may need to be reviewed before the review date stated, to reflect changes in government and other agencies' advice, guidance and legislation

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1. Introduction

City College Plymouth (the 'College') is a leading provider of vocational, professional and technical training in the South West, that strives to provide a learning environment and organisational culture that impacts positively on the health, wellbeing and sustainability of our community, to enable all our students and staff to achieve their full potential.

The term 'College Community' includes all staff, governors, students, parents/carers, volunteers and visitors.

Our vision:

- The learning destination of choice

Our core values:

- Respect
- Ownership
- Integrity

2. Policy statement

The Freedom of Information Act (FOIA) gives the public a right of access to information we hold, unless exemptions apply. Anyone may request any information, old and new, in any form. It does this in two ways:

- Public authorities are obliged to publish certain information about their activities.
- Members of the public are entitled to request information from public authorities.

The Act covers any recorded information that is held by a public authority in England, Wales, Northern Ireland and by UK wide public authorities based in Scotland.

Compliance with the Act is a legal duty overseen by the Information Commissioner's Office (ICO). This policy and procedure sets out the principles which will guide the College's response to requests under the FOIA and the approach to be taken to ensure requests are handled appropriately.

The College is committed to openness and transparency in its dealings with the public and 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.

3. Purpose and Scope of the Policy

The purpose of this policy and procedure is to ensure the Corporation complies fully with its legal duties and adheres to its stated commitment to being an open and transparent organisation.

The procedure aims to ensure that requests for information are well coordinated and minimise the risk of people being provided with conflicting or inaccurate information from different sources.

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

This policy applies to all recorded information held by the College, regardless of format (e.g. paper, electronic, audio). It does not cover personal data, which is governed by the Data Protection Act 2018 and the UK General Data Protection Regulations (UK GDPR).

4. Publication Scheme and Guide to Information

Information relating to the College's educational and business activities, together with decision making processes is available via its Guide to Information. The College has adopted the model

publication scheme developed for the Further Education sector by the Information Commissioner's Office and is 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 Guide to Information is available on the College website.

5. Publication

Identification of Staff

Information regarding the home or family life of an individual, their 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, Executive Leadership 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.

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.

Register of Interests

A Register of the Interests of the members of the College Corporation, the Executive Leadership Team and all College staff with significant financial accountabilities as part of their remit shall be maintained by the Director of Governance. The Register will be updated as required and shall be made available during normal office hours at the College to any person wishing to inspect it.

Identification of Students

Information relating to students shall be afforded protection and held to be confidential in accordance with UK Data Protection Law, the principles of confidentiality, and subject to the contract between the Student and the College.

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.

6. Confidentiality and Exemptions

The College is committed to observing the principles of confidentiality, and honouring its requirements under UK Data Protection Law, 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:-

- personal information relating to an individual
- personal information relating to a third party
- information provided in confidence by a third party who has not authorised its disclosure
- health and safety
- legal professional privilege and court records
- information prohibited from disclosures by law or other obligations

- information considered to be in commercial confidence

7. Corporation Confidential Minutes

Confidential information contained within Corporation papers and minutes normally remain confidential for a period of twelve 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.

8. Public, Media and Press Access to Corporation Meetings

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

- a member of the Corporation; or
- the Director of Governance

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.

9. Context

This policy identifies the College's commitment to fulfilling the requirements of the FOIA whilst preserving confidentiality where disclosure of information into the public domain would be against the law or the public interest.

10. 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 the costs associated the provision of hard copy documentation.

11. Alternative Formats

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

12. Supplementary Documentation

Internal:

- Guidance Note to Staff
- Guidance Note to Staff responding to Freedom of Information requests
- Guidance Note to Tenderers and Contractors
- Guidance Note on Confidentiality and Contractual Clauses

External:

- Guide to Information
- Policy Statement
- Handling Request Procedures
- College Website
- UK Data Protection Act and General Data Protection Regulations 2018
- Freedom of Information Act 2000
- Information Commissioner

Implementation:

- Training
- Appointment of Departmental FOIA Officers
- Staff Central
- Advice and guidance