

Freedom of Information Policy

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Freedom of Information Policy

The Freedom of Information Act provides a statutory right, with effect from 1 January 2005, for members of the public to have access to information held by public authorities, subject to certain exemptions.

1. Scope and Purpose of this Policy

The aim of this policy is to set standards for processing data and responding to requests for information as required by the Freedom of Information Act and the Environmental Information Regulations.

This policy applies to information about individuals as well as Abingdon and Witney College as an organisation. It governs requests made in any form for access to data recorded in any medium by any persons including Learners, Customers and Employees.

2. Policy Statement

Abingdon and Witney College is committed to being open and honest in the conduct of its operations and to fully comply with the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. Therefore the College will:

- i) be open with the general public and the media and will place in the public domain as much information about its activities as is practicable and, subject to the exemptions permitted under the Act, will make all other information available on request.
- ii) Establish a records management system which meets the requirements of the Lord Chancellor's Code of Practice on the Management of Records
- iii) Deal with all requests for information in accordance with the Lord Chancellor's Code of Practice on the Discharge of Public Authorities Functions.

At times the College may not be able to supply all the information requested. Information will only withheld in accordance with the exemptions laid down in the Act as follows:

- i) Information accessible to the applicant by other means, e.g. via the College Publication Scheme or via the Data Protection Act
- ii) Information intended for future publication
- iii) Investigations and proceedings conducted by the College
- iv) Law enforcement
- v) Health and safety
- vi) Personal information
- vii) Information provided in confidence
- viii) Commercial interest
- ix) Prohibitions on disclosure

Where an exemption applies, the college may decide that either:

- i) The public interest in releasing the information outweighs the public interest in withholding it; or
- ii) The information can be released despite the exemption.

Where an exemption applies, but it is in the public interest to disclose, the College will do so “in a reasonable time”. Where a decision is made not to release information the college will always state the reason why information has been withheld and an explanation of the procedure for complaint will be provided, both to the College and the Information Commissioner.

3. Implementation of the Policy

It is a condition of employment that all employees abide by the rules and policies made by the college, and any unauthorised, inappropriate or reckless use of data or any other failure to follow the college Freedom of Information Policy could result in disciplinary proceedings, which in some cases could lead to dismissal.

The College has a duty to respond to requests under the Freedom of Information Act within 20 working days of their receipt. In some instances fees of the cost of disbursements (e.g. for photocopying) may be chargeable. If this is the case, the College will issue a fees notice to the applicant.

All requests for information from the public under the Freedom of Information Act on College matters should be referred to the Clerk to the Corporation Governors.

4. Sources of Information

The text of the Act can be seen at <http://www.legislation.gov.uk/ukpga/2000/36/contents>

The provision of advice and certain statutory duties in relation to the Act, including enforcement, comes within the remit of the Information Commissioner’s Office, whose website can be seen at: <http://ico.org.uk/>

Within the College, advice on the Act can be obtained from the Clerk to the Corporation Governors.

5. Linked Policies

Abingdon & Witney College Data Protection Act Policy is available on request from the College Data Controller, who is the Head of Management Information Services (MIS).

6. Related Legislation

The Data Protection Act, 1998, <http://www.legislation.gov.uk/ukpga/1998/29/contents> which concerns access to personal information. The Data Protection Act 1998k

which came into force on 1 March, 2000, relates to the holding and processing of personal information. The College Data Protection Officer is the Head of MIS (Management Information Systems).

The Environmental Information Regulations 2004

<http://www.legislation.gov.uk/ukxi/2004/3391/contents/made>, which concerns environmental information. Requests for environmental information will be answered in accordance with the request handling procedures established for Freedom of Information Requests.

7. Equal Opportunities Statement

The College recognises the potential need for assistance to meet individual needs such as translation of information to other languages and the use of alternative formats.

8. Location and Access to the Policy

The Policy will be available on the College website <http://www.abingdon-witney.ac.uk/>

and the College Office365 site <https://awcollege-my.sharepoint.com/default.aspx>.

9. Person responsible for the Policy

Clerk to the Corporation.