



POLICY 25
FREEDOM OF INFORMATION



1.0 Policy Aim

- 1.1 Stoke on Trent College is committed to ensuring that it complies with the requirements of the Freedom of Information Act 2000.
- 1.2 The Freedom of Information Act 2000 (FOIA), which came into force in full on 1 January 2005, gives any person, including foreign nationals and companies, access to any information held by public authorities. It enables the public to participate in the discussion of policy issues, and so improve the quality of government decision making, and hold government and other bodies to account
- 1.3 The FOIA gives individuals and companies the right to ask public authorities whether they hold certain information and, if they do, the right to be given that information. FOIA does not deal with the collection and use of personal data, which is governed by the General Data Protection Regime ((EU) 2016/679) and the Data Protection Act 2018 (DPA 2018)

2.0 Policy Statements

- 2.1 The College has adopted and will maintain a 'Publication Scheme' approved by the Information Commissioner.
- 2.2 The College will publish information in accordance with its model scheme.
- 2.3 The College will deal with all individual requests for information in accordance with the Act.
- 2.4 Training opportunities will be made available to ensure that staff are aware of the principles of Freedom of Information Act as affecting their working practices.
- 2.5 All Corporation Board members, employees and students have a role to play in the effective implementation of this policy.

3.0 What information is accessible under FOIA?

- 3.1 A member of the public may ask to see any information held by public authorities and it must be disclosed under FOIA unless an exemption applies. Therefore, a wide variety of information is potentially accessible under FOIA, including contracts for the supply or purchase of goods or services, responses to regular practice. As FOIA is retrospective, an applicant can ask to see any information that is held by the public authority at the time of the request, even if it was obtained before FOIA came into force.

Issued	Rev 1	Rev 2	Rev 3	Rev 4	Rev 5	Rev 6	Rev 7	Rev 8
22.10.10	17.12.10	06.1.12	15.3.13	11.7.14	17.7.15	15.7.16	15.6.17	11.7.19



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4.0 How can I obtain information?

4.1 The Act provides this right of access in two ways. Firstly, each public authority such as Stoke on Trent College is required to maintain a publication scheme, which lists all the classes of information an authority voluntarily makes public, describes how this information is made available and gives details of any charges made. The College maintains a publication scheme, details of which are available on the College website www.stokecoll.ac.uk. Consulting the College publication scheme should be your first step if you want to obtain information.

If the information you want is not available via the publication scheme, you can use the second provision of the Act, the right of individual access. You must make a request in writing (email is acceptable) and give your name and address. You do not have to say why you want the information. It will speed up the process if you are as clear and specific as possible about the information you want.

4.2 The College is required to respond to requests within 20 working days. The response should confirm or deny whether the information you requested is held, and either provide the information or explain why it has not been provided, quoting one or more of the exemptions in the Act (eg that disclosure would damage commercial interests, or prejudice health and safety). If you are not satisfied with the response, you can use the authority's internal complaints procedure, and if you are still not satisfied after the authority's internal procedures are exhausted, you may apply to the Information Commissioner for a review.

5.0 What will it cost?

5.1 The College will not normally make any charges for providing information to you; however, in accordance with the Act, the College shall not be obliged to provide information where the cost of compliance would exceed the cost limit set by the Act.

6.0 The duty to advise and assist

6.1 Under the Act, the College have a duty to advise and assist those requesting information. This duty might include, for example, helping individuals to focus their request more clearly so that they obtain the information they want for the least possible cost, or directing requesters to other information sources if needed.

7.0 Withholding Information

7.1 The FOIA contains 23 exemptions whereby information can be withheld. There are two categories: absolute and non-absolute. The College will only withhold information if it falls within the scope of one or more of these exemptions. Complete files or documents will not be withheld just because part of the information is covered by an exemption.

7.2 An exemption will only be applied where we have reason to believe that prejudice might occur to the interest protected by the exemption. In addition, wherever a

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“public interest” exemption is being considered, we will only withhold that information which it can demonstrate that the public interest will be best served by withholding. When considering withholding information under a non-absolute exemption we will take into account whether the release of the information would:

- promote further understanding of current issues of public debate;
- promote the accountability of decisions taken by us and the spending and allocation of public money;
- bring to light matters of public safety;
- allows the public to understand and challenge decisions made by us;
- be otherwise in the public interest.

7.3 Where information is withheld under an exemption in most cases the reason behind the decision will be made clear to the applicant, citing the exemption under which the information is being withheld.

8.0 Responsibility for the Freedom of Information Act policy

8.1 The CFO is responsible for the development and implementation of this policy and can be emailed at Antoinette.lythgoe@stokecoll.ac.uk.

9.0 Monitoring and review

9.1 The Deputy Principal will monitor all sections of this policy. Regular reports and recommendations on all aspects of the policy will be provided to the Senior Management Team and Corporation Board as appropriate. This policy will be reviewed on an annual basis.

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10.0 Approval

Approved by the College Executive Team

Signed: 
(Principal & Chief Executive)

Endorsed by the College Corporation

Signed: 
(Chair)

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