



## FREEDOM OF INFORMATION POLICY

<b>Process Area</b>	<b>Business Systems</b>
<b>Reference Number</b>	<b>BUS/002</b>
<b>Directorate:</b>	<b>Finance and Planning</b>

<b>Issue No</b>	<b>Date</b>	<b>Details</b>	<b>Author</b>	<b>Approved</b>
001	Dec 2008	First Issue	RS	BD
002	June 2013	Second issue following review at Finance and General Purposes Committee of Governing Body in June 2013 – changes relate to corrections in job titles, policy titles and general use of language	RS	BD
003	May 2016	Third issue – Policy reviewed removing guidance notes from policy	RS	Governing Body
004	May 2019	Fourth issue – Policy reviewed to update reference to revised Data Protection legislation and change of roles within SRC.	ST, TMG	Governing Body
005	October 2021	Fifth issue – Policy reviewed with updates to policy statement and scope	RS	Governing Body

**If requested, the College will make the policy available in alternative formats to accommodate visual impairments. The policy can also be downloaded from the College website and made available in alternative languages upon request.**

## 1. POLICY STATEMENT

Southern Regional College (SRC) recognises its statutory obligations under the Freedom of Information Act 2000 (FOIA). The Freedom of Information Act gives people the right to request, in writing, information from public bodies. It is intended to promote a culture of openness and accountability amongst public bodies and facilitate better public understanding of how public bodies carry out their duties, why they make the decisions they do, and how they spend public money.

This policy should be read in conjunction with the FOIA Procedural Note for handling FOIA requests.

In addition to the Act the following legislation concerning access to information may also require consideration when dealing with matters concerning access to information:

- i. The United Kingdom General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018) – enables data subjects to access information about themselves via the Subject Access Request (SAR) mechanism.
- ii. Environmental Information Regulations 2004 (EIRs) – enables people to access to environmental information.

In order to comply with the legislation the College aims to ensure that all information held by the College is used, stored and disposed of in a manner consistent with Freedom of Information legislation.

The College also aligns itself with the Open Data Strategy for Northern Ireland 2020-2023.

The College will be proactive in making information available on the College website through its Freedom of Information Publication Scheme.

## 2. SCOPE

This policy is applicable to the Board of Governors, staff and any third parties employed or used by SRC, all of whom will be required to read and comply with the policy.

This policy is applicable to all information held by the College in electronic or paper format.

This policy applies to all requests for information made under the Freedom of Information Act (2000) and the Environmental Regulations 2004. It does not apply to requests for personal data under the UK GDPR or DPA 2018, which are managed under the FE Sector Data Subject Rights Procedure.

### 3. DEFINITIONS

<b>Information</b>	Files, letters, databases, loose reports, e-mails, notebooks, videos, photographs, wall charts, maps etc.
<b>Publication Scheme</b>	<p>A Publication Scheme is a list of the information that the College publishes. The College's Publication Scheme is based on the Information Commissioner's Definition Documents for Colleges of Further Education and Non-Departmental Public Bodies (NDPBs).</p> <p>The main types of information routinely published by the College include:</p> <ol style="list-style-type: none"> <li>1. Governance</li> <li>2. Financial Resources</li> <li>3. Human Resources</li> <li>4. Physical Resources</li> <li>5. Student Administration and Support</li> <li>6. Information Services</li> <li>7. Teaching and Learning</li> <li>8. Research and Development</li> <li>9. External Relations</li> </ol>
<b>Limited Exemptions</b>	The College has a duty to confirm or deny that they have the information, but not disclose the information.
<b>Absolute Exemptions</b>	Information that cannot be disclosed by the College.
<b>Qualified Exemptions</b>	The College must decide whether it is in the public interest to disclose the information.
<b>Qualified Person</b>	The College's Qualified Person will make a determination on the balance between the public interest in maintaining an exemption and the public interest in disclosure.
<b>Public Interest Test</b>	A test that will assist the College when deciding whether it is in the public interest to disclose information.

## **4. RESPONSIBILITIES**

### **4.1 Chief Executive**

The Chief Executive shall:

- Ensure that there is clear direction and visible management support for all Freedom of Information issues.
- In conjunction with the SMT and relevant personnel, promote compliance with the Freedom of Information Act 2000, through appropriate commitment and adequate resourcing.
- Act as the authorised “Qualified Person” for the College, or nominate to a delegated authority.

### **4.2 Director of Finance and Planning**

The Director of Finance and Planning shall:

- Oversee a process of risk assessment to identify the probability and impact of any Freedom of Information failure.
- Ensure that all staff have awareness of the Freedom of Information Policy and related guidance notes.
- Provide guidance for the establishment of standards, procedures and facilities to ensure that the Freedom of Information Policy is adhered to.
- Ensure that the Freedom of Information Policy is reviewed in accordance with College review schedules.

### **4.3 Corporate Compliance Manager and Data Protection Officer**

The Corporate Compliance Manager and Data Protection Officer shall:

- Act as the College Data Protection Officer.
- Ensure that all staff are aware of their accountability under this policy.
- Report as required to the Chief Executive detailing Freedom of Information requests received by the College.
- Ensure that staff receive adequate training in Freedom of Information.

### **4.4 Line Managers**

All managers shall:

- Be responsible for ensuring that the Freedom of Information Policy and guidance notes are correctly implemented within their business area, and for ensuring that staff comply with the policy.
- Ensure all Freedom of Information requests, when completed are scanned and forwarded to the Data Protection Officer for central collation.

#### **4.5 All Staff**

SRC will expect all employees to comply with the Freedom of Information Policy and follow the guidance notes that are associated with this policy.

### **5. DISTRIBUTION**

- SRC SharePoint Policy Centre
- College Website

### **6. RELATED DOCUMENTS**

The latest versions of related documents can be found in the Employee Handbook and on the SRC SharePoint Policy Centre. The following list is not exhaustive;

- BUS 002 – PN 001 - Freedom of Information Procedural Note
- BUS 011 - Information Handling Policy
- BUS 001 - Data Protection Policy
- HRS 017 – Management and Employee Standards – All Staff Policy
- BUS 006 - Data Retention and Records Management Policy
- FE Sector Retention and Disposal Schedule

### **7. FLOWCHART**

None.