

## Freedom of Information Policy

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Person Responsible	HR Manager (Freedom of Information Officer)
Approval/ review bodies	SLT/JNC / Corporate Board
Frequency of Review*	36 months

*\*Policies will be reviewed more frequently if legal changes or good practice require*

Review History:		
Date of review	Reviewed by	Reason for review
May 2010	Vice Principal	Update person responsible/job titles
December 2013	HR Manager	Update person responsible/job titles
October 2014	HR Manager	Review and re-write
January 2019	HR Manager	Review and re-write following GDPR changes

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## **1. The Freedom of Information Act**

The Freedom of Information Act 2000 (“the Act”) gives the public a right to request “recorded” information from organisations that receive public funds from 1 January 2005, unless the information or subject is excluded by a legal exemption as defined by the Act.

The Act is intended to give the public greater access to information relating to how public bodies and public authorities carry out their duties, therefore increasing transparency and accountability.

The Act places a duty on public authorities, defined in the Act to include universities, further education colleges and sixth form colleges, to adopt and maintain a Publication Scheme.

## **2. The College Publication Scheme**

The College has adopted the “Model” publication scheme, designed by the Information Commissioner’s Office (“ICO”), alongside sector specific best practice and guidance, which has been developed to assist FE Colleges to set out the kinds of information the ICO would expect an FE College to provide, in order to meet their commitments under the Act.

The College Publication Scheme sets out information the College publishes or intends to publish, routinely. It is not a list of actual publications, as this is likely to change as new material is published or existing material is revised. Information about the classes, or categories of information, the College publishes are included in the publication scheme and include:

- 2.1 Who the College is and what it does;
- 2.2 What the College has spent and how it was spent;
- 2.3 What the College’s priorities are and how it is doing;
- 2.4 How the College makes decisions;
- 2.5 Policies and Procedures;
- 2.6 Lists and Registers; and
- 2.7 The services offered by the College.

The publication scheme also provides information about the way the information can be accessed and details of any charges that may apply for a member of the public to gain access to the information.

The Publication Scheme is published alongside this policy on the College website.

### **3. Requesting information not covered by the Publication Scheme**

With the exception of personal and sensitive data or information covered by the Data Protection Act 2018 and information that is subject to an exemption under the Freedom of Information Act (2000), a member of the public can request any information held by the College that is not included in the College's Publication Scheme.

Requests for information must:

- 3.1. be made in writing (including by email);
- 3.2. confirm your name and address for correspondence and/or email address;
- 3.3. state clearly what information is required and how you would prefer to receive this information, e.g. a summary of the information, a copy of the documents that the information comes from, by email, on paper or a visit to inspect records in person; and
- 3.4. be addressed to the Freedom of Information Officer:

By email: [HR@northkent.ac.uk](mailto:HR@northkent.ac.uk)

By post: Freedom of Information Officer  
HR Department  
North Kent College  
Oakfield Lane  
Dartford  
Kent DA1 2JT

You do not have to mention the Freedom of Information Act or why you want the information but it would help us to help you if you do.

Once you have made your request the College will respond as soon as possible; completing your request no later than 20 working days after it has received it.

If your request, however, is unclear, the College will contact you to clarify exactly what information you are looking for. The 20 working days begins from the date you confirm the details of your request.

#### **4. Fees**

In some instances, the College may apply a charge for supplying the information you request. In this event, the College will advise you on receipt of your request and provide details of the associated costs. Payment of any charges will be required prior to the provision of the information you have requested.

The majority of the information detailed in the Publication Scheme is available free of charge but, if it is not, confirmation that a cost is associated is stated within the scheme.

Where the cost of complying with your request involves excessive time to research and collate the information, the College will apply a direct labour charge of £25 per hour plus VAT.

The College prefers to provide information electronically in line with its sustainability objectives. The information provided on the College's website is free of charge to download at your own cost. However, if paper copies are required, there will be a copy charge of 15p per sheet and an additional charge for postage and packaging if applicable.

#### **5. Circumstances in which the College can refuse to supply the information requested**

The College can refuse to supply the information requested if:

- 5.1 It does not hold the information;
- 5.2 The disclosure is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure;
- 5.3 Information is in draft form;
- 5.4 Information is no longer readily available, as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons; and/or
- 5.5 The cost of complying with the request exceeds the designated appropriate limit of £450.

In the event that the College refuses to deal with your request, the College will confirm this in writing.

There is no limit to how many requests that you can make, providing each request is different. However, if you make a repeat request for the same information, or are obviously trying to disrupt business operations, the College reserves the right to refuse requests.

## **6. What happens if I'm not satisfied with the service I receive?**

The policy of North Kent College is to be as open as possible and to supply the information you have requested but it has to withhold certain information. The Freedom of Information Act sets out a series of exemptions to protect confidential or other information where disclosure may prejudice the interests of the College or of third parties. Decisions about refusal of access to information, the way in which access is given or the level of fees or charges, are also subject to review. The two review processes are set out below:

### **6.1. Internal Review**

If you are dissatisfied with the response from North Kent College you may seek an internal review of that decision. The review will be undertaken by a senior member of staff at the College who has not previously been involved with your request. Requests for an internal review should be submitted within 20 working days of the College's final response to you and be submitted in writing to FOI Review Officer:

By email: [HR@northkent.ac.uk](mailto:HR@northkent.ac.uk)

By post: Freedom of Information Officer  
HR Department  
North Kent College  
Oakfield Lane  
Dartford  
Kent DA1 2JT

### **6.2. Review by the Information Commissioner**

If you are dissatisfied with the outcome, or the handling of the internal review, you may seek an independent review from the Information Commissioner. Further details and the current procedures for making a complaint to the ICO can be found on the ICO website at [www.ico.org.uk](http://www.ico.org.uk).