

### **Policy/Procedure/Guideline Review**

<b>Policy/Procedure/Guideline:</b>	Freedom of Information Policy
<b>Senior Leader Responsible:</b>	Vice Principal, Chief Information Officer
<b>Author:</b>	Data Protection Officer
<b>Approved By:</b>	Senior Leadership Team
<b>Date Approved:</b>	5 <sup>th</sup> October 2021
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<b>Publication:</b>	CollegeStaff Hub College Websites
<b>Changes Made:</b>	2021 – annual update Organisational update

# **Freedom of Information Policy**

## **1. Introduction**

- 1.1 The Freedom of Information Act 2000 (FOIA) gives rights of public access to information held by public authorities. Section 19 of the FOIA requires every public body to adopt and maintain a publication scheme which has been approved by the Information Commissioner, and to publish information in accordance with the scheme.

## **2. Purpose**

- 2.1 This policy sets out the arrangements that Nelson and Colne College Group including Nelson and Colne College, Lancashire Adult Learning and Accrington and Rossendale College ('the College') has made to ensure compliance with the Freedom of Information Act (2000).

## **3. Legislative/Quality Framework**

- 3.1 Freedom of Information Act (2000)
- 3.2 Environmental Information Regulations (2004)

## **4. Scope**

- 4.1 This policy applies to any individual wishing to submit a Freedom of Information request to the College.
- 4.1 Requests under the Environmental Information Regulations 2004 will be considered in the same way as Freedom of Information (FOI) requests.

## **5. Definitions**

- ICO – Information Commissioners Office
- FOIA – Freedom of Information Act (2000)
- FOI – Freedom of Information

## **6. Publication Scheme**

- 6.1 A publication scheme is a document which describes the information a public authority publishes, or intends to publish. In this context, 'publish' means to make information routinely available. These descriptions are called 'classes of information'. The scheme is not a list of the actual publications because this will change as new material is published or existing material is revised. It is, however, the College's commitment to make available the information described.
- 6.2 A publication scheme must set out the classes, or categories, of information published. It must also make clear how the information described can be accessed and whether or not charges will be made.

6.3 To reduce duplication and bureaucracy and to ensure consistency in the release of information, the Information Commissioner's Office (ICO) has developed a model publication scheme that any public authority can use.

## 7. Accessing information covered by the publication scheme

7.1 Nelson and Colne College Group has adopted the ICO Model Publication Scheme which has the following categories:

- **Who we are and what we do:** Organisational information, locations and contacts, constitutional and legal;
- **What we spend and how we spend it:** Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts;
- **What our priorities are and how we are doing:** Strategy and performance information, plans, assessments, inspections and reviews;
- **How we make decisions:** Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations;
- **Our policies and procedures:** Current written protocols for delivering our functions and responsibilities;
- **Lists and registers:** Information held in registers by law and other lists and registers relating to the functions of the College;
- **The services we offer:** Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

7.2 The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure;
- Information in draft form;
- Information that 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.

7.3 The information provided by the College under the model publication scheme will be available on the College websites. Where it is impracticable to make information available on the website or when an individual does not wish to access the information by the website, then the College will provide the information by another means (i.e. by post or email).

7.4 The College Model Publication Scheme is attached to this policy as Appendix A.

7.5 The College's process for dealing with Freedom of Information requests is attached to this policy as Appendix B.

## 8. Information not covered by the Publication Scheme and Feedback

8.1 Information held by the College that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the Freedom of Information Act.

- 8.2 In order for a request to be treated as having been made under the Freedom of Information Act, it must be:
- Made in writing
  - State the name of the applicant and provide contact details for correspondence
  - Describe the information which is requested.
- 8.3 The College has produced a form to assist with Freedom of Information requests (*Appendix C*). It is not a requirement to make a request using this form but the form has been designed to ensure requests are dealt with as promptly as possible.
- 8.4 Please note that some information may, in some circumstances, be exempt from disclosure.

## **9. Cost of accessing information covered by the publication scheme**

- 9.1 Much of our information is available free of charge including copies of publications/information listed in the publication scheme. Printed information on courses and services offered by the College is also available free of charge.
- 9.2 However, the College retains the right granted under the Freedom of Information Act 2000 to charge fees where necessary and these will be in accordance with the Act and any other relevant legislation. The following criteria will be considered when determining costs:
- Identifying whether the college actually holds the information;
  - Locating the information or documents containing the information;
  - Retrieving such information or a document which may contain the information;
  - Extracting the information from the document containing it (including editing or redirecting information).
- 9.3 The costs attributable to the time that person(s) are expected to spend on these activities on behalf of the College is set at £25 per person per hour.
- 9.4 If a charge for information is applicable, this will be notified and payment required prior to the information being provided.

## **10 General Data Protection Regulations (GDPR)**

- 10.1 The GDPR sets out requirements for how organisations will need to handle personal data from 25th May 2018 and regulates the use of information about living individuals and gives certain rights to individuals in respect of personal data held about them by others (data controllers). Individuals have the right to access personal information held about them (subject access requests), subject to exemptions under the GDPR. Further information on subject access requests (SAR's) is available in the College Subject Access Request Procedure.

## **11 Feedback**

- 11.1 It is important that this publication scheme meets your needs. If you find the scheme difficult to understand or require further information, please let us know via the contact details provided below. We also welcome suggestions as to how our scheme might be improved.

SLT Support Team  
Nelson and Colne College  
Scotland Road  
Nelson  
BB9 7YT

Tel: 01282 440200

Email: [DPO@nelsongroup.ac.uk](mailto:DPO@nelsongroup.ac.uk)

## **12 Further information**

- 12.1 The College will do everything in its power to meet enquirers' information needs. However, if we are unable to resolve any complaint, you can complain to the Information Commissioner, the independent body who oversees the Freedom of Information Act. More information about the Freedom of Information Act is available on the Information Commissioner's website. Contact details for the ICO are provided below:

Website: <https://ico.org.uk>

Phone: 0303 123 1113

## **13 Dissemination**

- 13.1 A copy of this policy can be found on:

- Nelson and Colne College website
- Accrington and Rossendale College website
- Lancashire Adult Learning website
- Staff Hub

## **14 Monitoring and Review**

- 14.1 The policy will be reviewed annually by Nelson and Colne College's Assistant Principal – Performance and Planning.

## **15 Related Policies/Procedures**

- 15.1 Documents related to the policy are:

- Subject Access Request Procedure
- Data Protection Policy
- GDPR - Rights of Individuals Policy

## **16 Management Responsibility**

16.1 The Data Protection Officer has management responsibility for this policy across the Nelson and Colne College Group.

### **Appendix A**

#### **Model Publication Scheme for Further Education Colleges**

<b>1. Who we are and what we do</b> Organisational information, structures, locations and contacts		
<b>Class</b>	<b>Description</b>	<b>Manner</b>
Legal Framework	<p>The College's legal status stems from the Further and Higher Education Act 1992, as amended by the Learning and Skills Act 2000. The 1992 Act established the College as an independent corporation, with exempt charity status. As a result, legally, the College's Corporation Board is responsible for how the College is run but within the framework of the 1992 Act, as set out in the Instruments and Articles of Government.</p> <p>Supporting Documents:</p> <ul style="list-style-type: none"><li>• Instruments and Articles of Government</li><li>• <a href="http://www.legislation.gov.uk/ukpga">http://www.legislation.gov.uk/ukpga</a></li></ul>	Website Government website

How the institution is organised	<p>Details of Governing Board:</p> <ul style="list-style-type: none"> <li>• Governor Code of Conduct</li> <li>• Standing Orders</li> <li>• Financial Plans</li> <li>• Corporation and Committee Structure</li> <li>• Committees (including membership)</li> <li>• Terms of Reference</li> </ul> <p>Details of College's Senior Leadership Team.</p> <ul style="list-style-type: none"> <li>• Senior Leadership Team structure / role profiles</li> </ul> <p>College policies and procedures</p>	All available on the College website  Available on request  Website / on request
Location and contact details	Details of College address, contact telephone numbers, email addresses, and directions	Website

Partnerships	Nelson and Colne College work in partnership with: <ul style="list-style-type: none"> <li>• PET (Pendle Education Trust)</li> <li>• Funding Agencies</li> <li>• Ofsted</li> <li>• Awarding Bodies</li> <li>• Employers</li> <li>• Local Authorities</li> <li>• FE Colleges</li> <li>• BFC in the Community</li> <li>• University of Bolton</li> <li>• University of Cumbria</li> <li>• University of Huddersfield</li> <li>• Bucks New University</li> <li>• Liverpool John Moore's University</li> </ul>	All available on request
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Marketing, recruitment and public relations	<p>Publications relating to student recruitment and publicising our facilities and activities:</p> <ul style="list-style-type: none"> <li>• Prospectus (including entry requirements for courses)</li> <li>• Open days</li> <li>• Press releases</li> <li>• Course Brochures</li> <li>• Newsletters</li> <li>• Social Media</li> </ul>	Website/Paper Website/Social Media Website Website /Paper Website / Paper Social Media
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## **2. What we spend and how we spend it**

Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.

Class	Description	Manner
Funding/Income	<p>Information on the sources of funding and income, such as funding grants, tuition fees, endowment and investment income:</p> <ul style="list-style-type: none"> <li>• Annual Report / Financial Statement</li> <li>• Fee Policy</li> <li>• Subcontractor fees and charges policy</li> </ul>	All available on the website
Budgetary and account information	<p>Annual statement of accounts and other information to allow the public to see where money is being spent:</p> <ul style="list-style-type: none"> <li>• Annual Report / Financial Statement</li> </ul>	Website

Financial audit reports	<p>Audit opinion as contained within the annual report and financial statements:</p> <ul style="list-style-type: none"> <li>• Annual Report / Financial Statement</li> <li>• External Audit Report (part of financial statement)</li> </ul>	All available on the website
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Capital programme	<p>Information of major plans for capital expenditure.</p> <p>Information related to capital expenditure upon completion of the project when accounts have been audited.</p>	Available on request
Financial regulations and procedures	<p>Financial regulations and procedures including procurement.</p> <ul style="list-style-type: none"> <li>• Financial Regulations</li> </ul>	Available on request
Register of Suppliers	<ul style="list-style-type: none"> <li>• A list of suppliers used within College</li> </ul>	Available on request
Procurement and Tendering	<ul style="list-style-type: none"> <li>• Details of procedures used for the acquisition of goods and services</li> <li>• Supplier terms and conditions of goods and services</li> </ul>	Available on request Website
Staff pay and grading structures	<ul style="list-style-type: none"> <li>• Remuneration of senior staff as published in financial statements</li> <li>• Information on the grading structures used within College and the associated salaries</li> <li>• Pension Scheme information as contained in the financial statements</li> </ul>	Website Available on request Website

### **3. What our priorities are and how we are doing**

Strategies and plans, performance indicators, audits, inspections and reviews.

Class	Description	Manner
Corporate and business plans	<ul style="list-style-type: none"> <li>• Strategic plan</li> </ul>	Available on request
Vision and values	<ul style="list-style-type: none"> <li>• College vision and values</li> </ul>	Website
Academic quality and standards	<p>Information about the College's internal quality audit programme and annual review:</p> <ul style="list-style-type: none"> <li>• Internal verification policy</li> </ul>	Website

	<ul style="list-style-type: none"> <li>Internal quality assurance policy for non - accredited provision</li> </ul> <p>Information on assessment procedures and outcomes:</p> <ul style="list-style-type: none"> <li>Non – Examination Assessment policy</li> </ul> <p>Information relating to the College's performance and its standards. The Self-Assessment Report includes:</p> <ul style="list-style-type: none"> <li>Achievement results</li> <li>Retention results</li> <li>Attendance levels</li> <li>Average point scores for A levels</li> </ul>	Website Available on request Available on request
Government and regulatory reports	<p>Information that the College is legally obliged to make available to its funding and/or monitoring bodies. Such material may provide information as to how well the institution is performing:</p> <ul style="list-style-type: none"> <li>Ofsted Inspection report</li> </ul> <p>Government reports on FE such as:</p> <ul style="list-style-type: none"> <li>Qualification Success Rates</li> <li>Young Peoples Funding Agency</li> <li>Education and Skills Funding Agency</li> <li>National top ten point score per exam entry</li> </ul>	Ofsted website Associated websites

#### 4. How we make decisions

Decision making process and records of decisions.

Class	Description	Manner

Minutes from the governing board/committee meetings	<p>Supporting documents include minutes from Governing Board meetings:</p> <ul style="list-style-type: none"> <li>• Full Governing Board</li> <li>• Resources Committee</li> <li>• Audit Committee</li> <li>• Curriculum and Quality Committee</li> </ul>	<p>College website Available on request Available on request Available on request</p>
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	• Search Committee	Available on request
Minutes from the Academic Board	Academic Board minutes	Available on request

## 5. Our policies and procedures

Written protocols, policies and procedures for delivering our services and responsibilities.

Class	Description	Manner
Policies and procedures relating to academic services	<ul style="list-style-type: none"> <li>• Acceptable Use of IT policy</li> <li>• Non – Examination Assessment policy</li> <li>• Learner Voice policy</li> <li>• Student Progress Monitoring policy and procedure</li> <li>• Work Experience policy</li> <li>• Student Assessment Malpractice policy</li> <li>• Controlled Assessment policy</li> <li>• Freedom of Speech policy</li> <li>• Observation of Teaching, Learning and Assessment policy</li> <li>• Internal Appeals policy</li> </ul>	<p>Website All available on request</p>

Policies and procedures relating to Learner services	<ul style="list-style-type: none"> <li>• Admissions policy for Entry onto Full -Time Programmes</li> <li>• Refund Policy</li> <li>• HE Refund and Compensation policy</li> <li>• Student and Potential Student Criminal Conviction policy and procedure</li> <li>• Student Criminal Conviction policy</li> <li>• External Speaker/Guest policy</li> <li>• Student disciplinary policy</li> <li>• Student behaviour policy</li> <li>• Child and Vulnerable Adult Protection and Safeguarding policy</li> <li>• Bullying and harassment policy</li> <li>• Personal care policy</li> <li>• Student drug and alcohol policy</li> <li>• Student Health and wellbeing policy</li> <li>• Personal Emergency Evacuation Plan policy</li> <li>• Student Code of Conduct</li> <li>• Student Medication policy</li> <li>• Student Trips and Visits policy</li> <li>• Stop and Search policy</li> </ul>	Website Website All others available on the request
	<ul style="list-style-type: none"> <li>• Death of a Student policy and procedure</li> <li>• Exams and Assessment Access Arrangements policy</li> </ul>	

Policies and procedures relating to human resources	<ul style="list-style-type: none"> <li>• • Whistle blowing policy</li> <li>• Working together policy</li> <li>Recruitment and selection</li> <li>• • procedure</li> <li>• • Family friendly procedures</li> <li>• • General leave policy</li> <li>• Grievance policy</li> <li>Key goals procedure</li> <li>• • Managing discipline policy</li> <li>• • Managing absence procedure</li> <li>Managing underperformance</li> <li>• procedure</li> <li>Personal development procedure</li> <li>• • Recognition procedure</li> <li>Social media policy</li> <li>• • Teaching Staff probationary period policy</li> <li>• Support Staff probationary period policy</li> <li>• • Acceptable Use of IT policy</li> <li>Acceptable Use of Mobile Phones policy</li> <li>• Retirement policy</li> <li>• Travel and Expenses policy and procedure</li> <li>Staff Assessment Malpractice policy</li> <li>• Staff Code of Conduct</li> <li>Staff Using Vehicles on College Business Policy</li> <li>Excess Travel policy and procedure</li> <li>Avoiding Redundancy procedure</li> <li>DBS and Rehabilitation of Offenders policy</li> <li>Overtime procedure</li> <li>Discretionary Rules under the LG Pension Scheme Regulations policy</li> <li>Conflict of Interest policy</li> </ul>	All available on request
Equality and diversity	<ul style="list-style-type: none"> <li>• • Single Equality Scheme</li> <li>• Equality Action Plan</li> <li>• SEN local offer document</li> <li>Equality Statistics</li> </ul>	All available on the website
	<ul style="list-style-type: none"> <li>• Gender pay gap report</li> </ul>	

Health and safety / Estate management	<ul style="list-style-type: none"> <li>• • Health and safety policy</li> <li>• • CCTV policy</li> <li>• • Visitor policy</li> <li>Lone Working procedure</li> <li>• First Aid policy</li> <li>Emergency Closing Down</li> <li>• procedure</li> <li>• Control of Substances Hazardous to Health procedure</li> <li>Bomb Threat procedure</li> <li>Environmental and Sustainability policy</li> </ul>	Website All others available on request
Finance and Risk Management	<ul style="list-style-type: none"> <li>• • Risk Management policy</li> <li>Ownership and Use of Intellectual</li> <li>• Property policy</li> <li>Venue Audit and Room Hire policy</li> <li>• and procedure</li> <li>Value for Money policy</li> </ul>	All available on request
Complaints policies and procedures	<ul style="list-style-type: none"> <li>• Complaints policy and procedure</li> <li>• Procedure for Complaints against Corporation</li> </ul>	Website Website
Records management and personal data policies and procedures	<ul style="list-style-type: none"> <li>• • Freedom of information policy</li> <li>• • Data protection policy</li> <li>• GDPR - Individual rights policy</li> <li>Subject Access Rights procedure</li> <li>• • Data breach notification policy and procedure</li> <li>Data retention policy</li> <li>• Information Security policy</li> <li>• Information Security for Mobile Devices policy</li> <li>IT Server Room Access policy</li> </ul>	Website Website Website Website All others available on request

## 6. List and registers

Information contained only in currently maintained lists and registers.

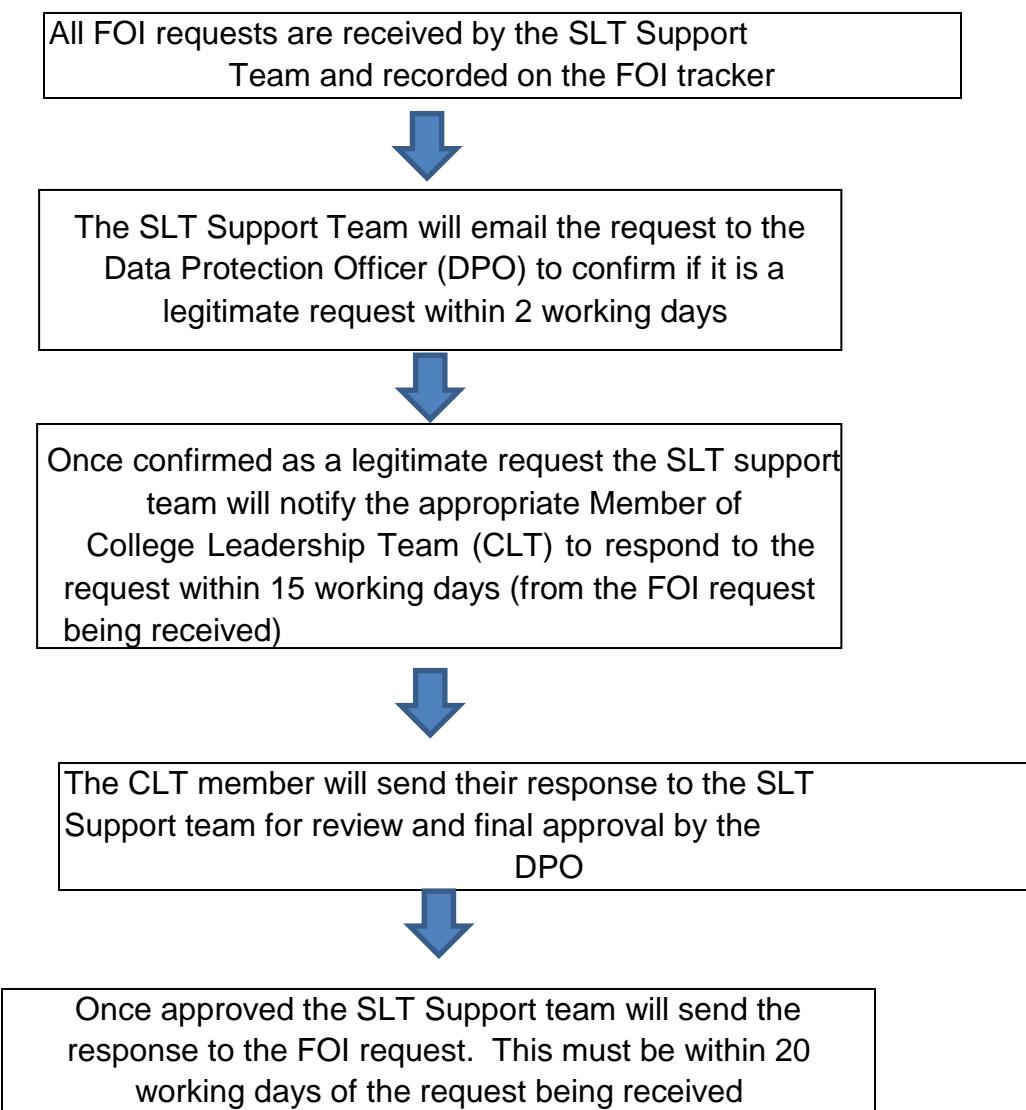
Class	Description	Manner
Information we are legally required to hold in registers	<ul style="list-style-type: none"> <li>• Asset register</li> <li>• Freedom of Information requests log</li> <li>• Information asset register (IAR)</li> <li>• Data Breach Register</li> </ul>	All available on request

## **7. The services we offer**

Information about the services we offer, including leaflets, guidance and newsletters.

<b>Class</b>	<b>Description</b>	<b>Manner</b>
Prospectus and course offer	<ul style="list-style-type: none"> <li>• Prospectus and course offer</li> </ul>	Website
Student enrolment and admission	<p>Information relating to admission/enrolment of new students, including policies and procedures covering the assessment of external qualifications, the creation of students' records, the coordination of student funding arrangements:</p> <ul style="list-style-type: none"> <li>• Non – Examination Assessment policy</li> <li>• Fee policy</li> <li>• College bursary funds policy</li> <li>• Admissions policy for Entry onto Full-Time Programmes</li> </ul>	Available on request All others available on the website
Welfare and counselling services	<p>Information detailing Additional Learning Support offered:</p> <ul style="list-style-type: none"> <li>• Child and Vulnerable Adult Protection and Safeguarding policy</li> </ul>	Website
Other student facilities	<p>Student life page of the College websites, including:</p> <ul style="list-style-type: none"> <li>• Extra - curricular programme</li> <li>• Student social spaces</li> <li>• College catering outlets</li> </ul>	All available on the website

## Appendix B – Freedom of Information (FOI) Request Process



The College Data Protection Officer is Andrew Dewhurst, Vice Principal, Chief Information Officer

## Appendix C – Freedom of Information Request form



### Freedom of information – request form

This form can be completed electronically and emailed or printed and sent to the address detailed at the bottom of this form. You do not have to use this form to make your request but it will help us deal with your request as promptly as possible if you do. If you prefer, you can make your request in writing e.g. letter, email or other form which we can use for reference.

Applicant name:

Address (including postcode):

Email address:

*(at least one contact method must be provided)*

Phone number (optional):

Date:

Description of the information you seek (include details that may help us identify and locate the information):

Please indicate your preference for receiving the information by putting an 'X' in the box.

*(We will try to meet your preference where we can)*

Paper copy  Electronic copy

Summary Pre- arranged personal inspection

**Any special requirements:**

**Important note:** If the information you have asked for requires a fee, we will let you know on receipt of your request. If you choose to accept this fee charge, we will process your request upon receipt of payment.

Send this form by post to:

**Address**      **SLT Support Team**  
Nelson & Colne College  
Scotland Road  
Nelson  
Lancashire  
BB9 7YT

Or email to:

[DPO@nelsongroup.ac.uk](mailto:DPO@nelsongroup.ac.uk)

**GDPR Notice:** The personal data that you have provided on this form will be used to process your request for information. The College will create a log of disclosure requests which will show your name and the information requested. With the exception of your name, no other personal information will be retained on the disclosure log.