

 Farnborough College of Technology	<b>Freedom of Information Policy</b>
<b>Owner</b>	Academic Registrar
<b>Approval by Corporation</b>	Not applicable
Date reviewed:	November 2018
Date for next review:	November 2020

## Introduction

The College, as a public authority, has a legal obligation to comply with the Freedom of Information Act, 2000. The Act has the aim of promoting greater openness about the way public authorities operate.

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

Farnborough College of Technology has two obligations under the Act:

1. To adopt and maintain a Publication Scheme;
2. To deal with requests for information from individual members of the public.

## Policy Statement

The College is committed to being open and honest in the conduct of its operations and to comply fully with the Freedom of Information Act, subject to any exemptions, which may apply. 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; and
- 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 be withheld in accordance with the exemptions laid down in the Act, as follows:

- i. Information accessible to applicant by other means e.g. via college publication scheme.
- 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 reasons why information has been withheld and an explanation of the procedure for complaint, both to the College and the Information Commissioner will be provided.

### **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 or 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 about how the College operates should be referred to the Academic Registrar. It should be noted that the public is not required to specify that the request falls under the Freedom of Information Act for the Act to apply.

## **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://www.ico.gov.uk/>

Within the College, advice on the Act can be obtained from the Academic Registrar.

## **Related Legislation**

Related legislation includes the General Data Protection Regulations, and the Environmental Information Regulations 2004