Freedom of Information Policy

Policy Family:	Information Governance
Reference Code:	INF05
Issue Number:	2
Originator:	Data Protection Officer and Head of Compliance & BIS
Responsible Manager:	Data Protection Officer and Head of Compliance & BIS
Committee for Approval:	Finance and Corporate Services
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Review Due:	2027/28

Impact Assessment Status: In preparing the Policy, any potential disproportionate impact it might have upon individuals with protected characteristics, as defined in the Equality Act 2010, have been carefully considered. It is the conclusion of the College Group that the Policy does not adversely impact on individuals with any of the protected characteristics.

Contents

Aim

As a public authority, Chesterfield College Group has a legal obligation under the Freedom of Information Act 2000 to provide information to any party that requests it, subject to certain exemptions.

This policy provides information for anyone wishing to make a request to ensure that they understand how to do so and that requests are handled in accordance with applicable legislation.

Scope

This policy and associated operating procedures apply to Chesterfield College, which includes our subsidiary companies: Training Services 2000 Ltd, Learning Unlimited ATA Ltd, Recruit Unlimited Ltd and Chesterfield College Enterprises Ltd.

The policy applies to the Corporation Board, staff, and any third party employed by or used by Chesterfield College Group.

The policy applies to all information held by the College Group in both electronic and paper format.

Policy Statements

A Freedom of Information request is a request for any recorded information held by a public authority in England, Wales, or Northern Ireland. It can include information in printed documents, computer files, letters, emails, photographs, and sound or video recordings.

The Freedom of Information Act 2000 gives anyone the right to ask any public sector organisation for all the recorded information it holds on any subject. Anyone can make a request for information and there are no restrictions on age or nationality.

The Freedom of Information Act 2000 does not give people the right to access personal data about themselves or others. If an individual wants to see information that an organisation holds about them, they should make a Subject Access Request as detailed in the college's Data Protection Policy (INF03).

For a request to be valid under the Freedom of Information Act 2000 it must be in writing, but the requestor does not have to mention the Act or direct their request to a designated member of staff.

Any Freedom of Information request should be responded to by the college within 20 working days.

The college has two separate duties when responding to a Freedom of Information request:

1. To tell the requestor whether any information held falls within the scope of their request; and
2. To provide that information.

Definitions used in Freedom of Information Legislation

Information

Any recorded information held in files, letters, databases, reports, emails, notebooks, photographs, videos, and sound recordings.

Publication Scheme

Publicly available information routinely published by a public authority, for example:

- Organisational locations and key contacts.
- Governance arrangements.
- Financial information.
- Strategy and performance information.
- Policies and procedures.
- Lists and registers required by law.
- Services offered.

Classes of information that will not be provided

- The disclosure of information which is prevented by law.
- The disclosure of information that is exempt under the Freedom of Information Act 2000.
- The disclosure of information that 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 are difficult to access for similar reasons.

Limited exemptions

The college has a duty to confirm or deny that it holds the information but does not have to disclose the information.

Absolute exemptions

Information that cannot be disclosed.

Qualified exemptions

The college must decide whether it is in the public interest to disclose the information.

Public interest test

A test that will assist the college to decide whether it is in the public interest to disclose the information.

Implementation

Freedom of Information requests are coordinated by the Compliance Management Team. Emailed requests should be sent or forwarded to foirequests@chesterfield.ac.uk. Written requests can also be posted to:

Data Protection Officer
Chesterfield College
Infirmary Road
Chesterfield
S41 7NG

All members of staff have a duty to comply with any Freedom of Information request in the timeframe outlined.

Third parties who hold information on behalf of Chesterfield College Group must be made aware of the college's Freedom of Information Act 2000 obligations and that information held by them may need to be disclosed.

Communication Flow

The policy will be published on the Chesterfield College Group website and staff intranet.

Communication will form part of staff induction training.

Monitoring

The policy will be reviewed every 3 years or in line with legislation changes.

Associated Information and Guidance

- ICO model publication scheme.
- ICO guide to Freedom of Information.
- ICO Freedom of Information Act definition document for colleges of further education.

Related Chesterfield College Group Policies and Documents

- Information Security Policy – INF01
- IT Acceptable Use Policy – INF02
- Data Protection Policy – INF03
- Data Classification, Handling and Disposal Policy – INF09
- Environment Policy – GOV02
- Staff Code of Conduct – PHR19