

Policy Title:	Freedom of Information
Policy Description	The objectives of this policy are to ensure the college complies with the Freedom of Information Act 2000.
Policy Number:	POL-040
Approved By:	Senior Leadership Group (SLG)
SLG Responsibility:	Andrew Comyn
Date Issued:	15.04.2019

1. Background & Context

Dudley College is considered a Public Authority and must comply with the Freedom of Information Act 2000 (referred to as FOIA hereafter). FOIA provides a general right of access to all types of recorded information held by public authorities at the time of the request, subject to various exemptions and to a public interest test where the exemptions are qualified. Access to information must be provided in two ways: through proactive publication (Publication Scheme); and through responses to Freedom of Information Requests. This policy also covers the Environmental Information Regulations 2004, which gives the public a right of access to environmental information (EIR). Oversight of the FOIA and EIR rests with the Information Commissioner's Office (ICO).

2. Ownership

The college Senior Leadership Group (SLG) is responsible for approving the Freedom of Information Policy.

The college Data Protection Officer is responsible for advising with respect to overall compliance with the Data Protection and Freedom of Information Acts. In cases where there is a conflict of interest the Data Protection Officer will defer authority to the Chief Officer Finance and Resources.

3. Publication Scheme

The college publishes routine information on its website www.dudleycol.ac.uk

Classes of information include:

- Who we are and what we do
- What we spend and how we spend it
- Our strategic priorities and how we are doing
- How we make decisions
- Our policies and procedures
- Lists and registers
- The services we offer

4. Freedom of Information Requests

Freedom of Information Requests (FOIR) and requests under the EIRs need to be made in writing to the Data Protection Officer:

Email: records@dudleycol.ac.uk

Data Protection Officer
Dudley College of Technology
The Broadway
Dudley
West Midlands
DY1 4AS

Any written request received by the college will be responded to within 20 working days following receipt of the request. Where it is reasonably possible taking into account, for example, cost and complexity, we will provide the information in the manner you request.

Some information may be exempt from disclosure under one of the exemptions outlined in the FOIA. Where this is the case, we will try to explain clearly which exemption we have applied and why, unless this in itself would release the information intended to be protected by the exemption. All requests for information will be carefully considered on their own merits and with close regard to the public interest. Where appropriate, the college may exceed the 20-working-day deadline in order to consider the public interest. The length of the extension will depend on the circumstances, for example taking account of information that is particularly complex or voluminous. The extension will be no longer than 20 working days. The college will write to the requester informing them of the extension, but also identifying the exemptions on which it intends to rely and why.

You should provide your real name with your request. We encourage you to be as specific as possible when describing the information you are requesting, to help us in our search. This will also speed up our response, and ensure we provide you with all the relevant information you request.

The college is not obliged to comply with FOIRs that are vexatious or repeated (i.e. where the college has already complied with an identical or substantially similar FOIR and a reasonable interval has not elapsed).

Requests for a person's own personal data are dealt with separately under the General Data Protection Regulation and the Data Protection Act 2018 and should be sent to the Data Protection Officer, whose contact details are above.

5. Fees and costs

The college will generally not charge a fee for an FOIR. Where the estimated cost of compliance is greater than £450 (approximately 2.5 staff days at a cost of £25 per hour) we will endeavour to provide advice and assistance to help you to refine the FOIR such that it falls under £450. The college is not obliged to comply with FOIRs

that are estimated to cost more than £450 in accordance with Section 12 ('excessive costs') of the FOIA.

5.1 Complaints and appeals

The college takes its obligations under the Freedom of Information Act (2000) and the Environmental Information Regulations 2004 very seriously. If you are not satisfied with the College's response, you may request an internal review by the Clerk to the Corporation. The Clerk to the Corporation will act independently of the college on behalf of the Corporation and review the complaint. Write to:

Clerk of the Corporation
Dudley College of Technology
The Broadway
Dudley
West Midlands
DY1 4AS

Reviews will usually be conducted within 20 working days of receipt of the request. If you remain dissatisfied thereafter, you may apply to the Information Commissioner for a decision whether your request has been dealt with in accordance with the FOIA. Please see <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/complaints/>. Complaints can be sent to <https://ico.org.uk/global/contact-us>. Alternatively write to:

Information Commissioner's Office, Wycliffe House, Water Lane,
Wilmslow, Cheshire, SK9 5AF

Policy Review

This policy will be reviewed every two years or earlier should it become necessary by the Chief Officer Finance and Resources.