

FREEDOM OF INFORMATION POLICY (THE PUBLICATION SCHEME)

1. PURPOSE

- 1.1 This policy sets out the College's position in response to its responsibilities as a public authority under the Freedom of Information Act 2000 (the Act). The Act promotes greater openness and accountability across the public sector.

All 'public authorities' including Colleges, are obliged to publish certain information about their activity, plus members of the public are entitled to request information (subject to certain restrictions).

- 1.2 The Act covers any recorded information, including printed documents, computer files, letters, emails, photographs and sound or video recordings that is held by College.

2. SCOPE

- 2.1 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 available, routinely. The published information is categorised by classes or types of information which fall within the scope of this policy. The scheme is not a list of the actual publications, because this would change as new material is published or existing material revised. It is, however, the public authority's commitment to make available the information described.

- 2.2 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.

3. OBJECTIVES

Information available under the Publication Scheme

- 3.1 Blackburn College has adopted the model publication scheme developed for the Further Education sector and is therefore committed to publishing the information it describes.
- 3.2 This model is designed for Further Education colleges across England, Wales and Northern Ireland. The purpose of the model is to save institutions duplicating effort in producing individual schemes and to assist the public in accessing information from across the sector.

3.3 The objective of the Publication Scheme is to make information routinely available publically under the following headings (or classes/types), as follows:

- a. who we are and what we do;
- b. what we spend and how we spend it;
- c. our priorities and how we are doing;
- d. how we make decisions;
- e. our policies and procedures;
- f. the services we offer.

The College meets these objectives through the proactive publication, on its website, of documents under these classes of information.

Accessing information covered by the publication scheme

3.4 To request information available through the publication scheme, please contact:

Vice Principal – Finance and Corporate Services
Blackburn College
Feilden Street
Blackburn BB2 1LH

3.5 Please note that a publication scheme relates to ‘published’ information, i.e. material that has already been prepared in a format ready for distribution.

Information not covered by the publication scheme

3.6 Individuals have the right, under the Freedom of Information Act 2000, to request any information held by a public authority which it has not already made available through its publication scheme.

3.7 Requests have to be made in writing and, in general, the College has 20 working days to respond. The College may charge a fee, which has to be calculated according to Fees Regulations. The College is not required to release information to which an exemption in the Act legitimately applies. However, where this is the case, the College will explain why it is not releasing information and it may also have to justify this to the Information Commissioner. Exemptions include:

- information already available elsewhere. If this is the case the College will, where it can, direct the person requesting the information to where the information can be found;
- information provided in confidence. Certain information is supplied to the College in confidence and the Act obliges the College to hold things confidentially and not to disclose it;
- personal information. This is covered by the Data Protection Act and is only available to the individual concerned;
- investigations and proceedings. If an investigation is ongoing it is unlikely that the College will be able to release the information until all proceedings are finalised;
- information intended for future publications. If the College intend to publish the information it may be that the person requesting the information has to wait until it is published before it is released ;
- information that the Principal/Chief Executive of the College decides is not in

the public interest to disclose;

- where the time taken to locate and search for the information would be unreasonable, in accordance with the criteria set out by the Information Commissioners Office.

Vexatious or repeated requests, where the nature of the request is designed to cause disruption or annoyance, or having the effect of harassing the College will be refused.

3.8 Policy on Charging for Information

Much of our information is available free of charge. However, because of the costs involved in locating or copying what you need, Blackburn College retains the right granted under the Freedom of Information Act 2000 to charge fees where necessary and these will be in accordance with that Act and any other relevant legislation. Where compilation of data is in our view particularly onerous it will be our intention to charge an additional sum of £25 per person hour to cover locating documents, copying and postage (up to a maximum of £450 as defined within the Act). As soon as it is established that a charge will be sought, this will be advised to the requester for approval before any further work is undertaken. For the purposes of clause 3.7, the time between this correspondence and acceptance of potential charges will freeze the counting of working days.

4 STAKEHOLDER CONSULTATION

- 4.1 This policy has not been subject to stakeholder consultation as it a matter of fulfilling the College's legal responsibilities under the Act.

5 MONITORING AND REVIEWING

- 5.1 The policy will be monitored by the Vice Principal – Finance and Corporate Services, who is also the Publication Scheme Coordinator.
- 5.2 Any questions, comments or complaints about this scheme should be sent in writing to the Publication Scheme Coordinator below.

Vice Principal – Finance and Corporate Services
Blackburn College
Feilden Street
Blackburn BB2 1LH

- 5.3 If the College is unable to resolve any complaint, complaints can be made to the Information Commissioner, the independent body who oversees the Freedom of Information Act:

Information Commissioner's Office
Casework and Advice Division
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

- 5.4 More information about the Freedom of Information Act is available on the Information Commissioner's website at:

www.ico.org.uk

6 **RELATED POLICIES/ PROCEDURES**

- Data Protection/General Data Protection Regulations Policy

7 **MANAGEMENT RESPONSIBILITY**

Management responsibility rests with the Vice Principal – Finance and Corporate Services, who is also the Publication Scheme Coordinator and Data Protection Officer.

8 **EQUALITY IMPACT ASSESSMENT**

Blackburn College is committed to the promotion of equality, diversity and providing a supportive environment for all members of our community. Our commitment means that this policy has been reviewed to ensure that it does not discriminate (either intentionally or unintentionally) any of the protected characteristics of age, disability, gender (including gender identity), race, religion or sexual orientation and meets our obligations under the Equality Act 2010. Therefore, this policy has no adverse impact on any of the above protected groups.

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