



Issue Date: December 2023

Review Cycle (Years): Annually

Next Review Date: 5TH December 2024

Person Responsible: Chief Finance & Operating Officer

FREEDOM OF INFORMATION POLICY 2023-2024

APPROVAL/CONSULTATION REQUIREMENTS

WHO BY	REQ?	DATE	WHO BY	REQ?	DATE
SLT	Y <input checked="" type="checkbox"/>	05-12-23	Corporation	Y <input checked="" type="checkbox"/>	13-12-23
Health-Safety Comm.	Y <input type="checkbox"/>		Finance-Resources Comm.	Y <input type="checkbox"/>	
Trades Union	Y <input type="checkbox"/>		Audit Comm.	Y <input type="checkbox"/>	
Education-Standards Comm.	Y <input type="checkbox"/>		Remuneration Comm.	Y <input type="checkbox"/>	
POLICY LOCATION: Internal <input checked="" type="checkbox"/> (Sharepoint) External <input type="checkbox"/> (Website)					
Related Documents: •					

1. INTRODUCTION

- 1.1 The Freedom of Information (FOI) Act 2000 ('the Act') gives the right of access to information held by Coventry College. Any person who makes a request for information is entitled to be informed in writing whether the information is held as stated in the request; and to have information the public authority holds relating to the request communicated to them.
- 1.2 A request to the College for recorded information will be treated as a request under the Act, other than information given out as part of routine business, for example, standard responses to general enquiries; a request for environmental information; or the requester's own personal data.

2. OBJECTIVES

2.1 Valid FOIs must be:

- In writing (via letter, email, web)
- Include the requestor's name. Requests can be made on behalf of an individual organisation.
- Include a return address for correspondence (i.e., postal address, email address)
- Describe the information requested. The requestor does not need to specify the exact document, if they describe the information they are requesting.
- Requests can be electronically sent to FOI@coventrycollege.ac.uk or mailed to the College at the following address:

Coventry College
50 Swanswell Street
Coventry
CV1 5DG

- 2.2 The College acknowledges the obligation to resolve invalid requests. If an invalid request is received the College will contact the requestor with an explanation of information that is missing to process the request.

3. VEXATIOUS OR REPEATED REQUESTS

- 3.1 The College can refuse to comply with a request that is vexatious. To assess whether a request falls within this category, the College will consider the context and history of a request. This can include the identity of the requestor and the previous contact with them; however, it is the request that the College would refuse in these cases, not the requestor. Further requests from the same requestor would be assessed individually. Repeated requests for the same information will not be accepted if they have been previously refused.
- 3.2 The decision to refuse a request on this basis would follow a series of requests and correspondence, signalling a disproportionate level of distress, disruption, or irritation.
- 3.2 If it is necessary to refuse a request the College will issue a refusal notice within 20 working days of initially receiving the request. The notice will contain an explanation of the reasons for refusal and the complaints procedure. The requestor will also be made aware of their right to complain to the ICO and how to do this.

4. RESPONDING TO REQUESTS

- 4.1 Once a request has been received the College will provide the required information with twenty working days (this does not include weekends or bank holidays).
- 4.2 The College will first determine whether the information is held. If the requested information is not held by the College this will be communicated to the requestor within twenty working days. If it is believed that the requested information is held by a different public body the requestor will be made aware of this so they can redirect their request.
- 4.3 In response to valid FOI requests the College will confirm whether the information is held and provide the information requested. However, in some circumstances, the College may not be able to provide the information requested even if it is held due to conflict with other legislation (e.g. GDPR). In circumstances where even confirming whether the information is held would conflict with other legislation, the College will neither confirm nor deny whether it is held in line with Section 21 in Part II of FOIA.
- 4.4 Costs for processing the FOI, will be calculated in line with the FOIA. If a request would exceed the cost limit the College may choose to refuse the request. Under Section 10(2) of the FOIA, the period between issuing a “fees notice” and receiving payment is not included in the 20 working-day period in which the College must respond to the request.

5. PUBLICATION SCHEME

- 5.1 Adopting a publication scheme is a requirement of Section 19 of the Freedom of Information Act 2000. The purpose of the Act is to promote greater openness by public authorities, which include Further Education colleges.
- 5.2 In addition to the model scheme, organisations are obliged to produce a guide to the specific information held under each class of information identified in the scheme.

6. APPEALS

- 6.1 Each requestor retains the right to complain following their request. Appeals may be about the range, amount, and format of information we have sent following a request. A requestor can also appeal about the way a request was managed (e.g. the time it took to respond, or the way letters were worded).

6.2 Appeals should be sent to either FOI@coventrycollege.ac.uk or to:

Coventry College
50 Swanswell Street
Coventry
CV1 5GD

6.3 Appeals should contain the reference number provided by the College in previous Correspondence. The appeals process involves a formal review of the College's response by a senior manager to the original request. The requestor will receive a formal reply the College's decision within twenty working days.

6.4 The outcome of the review will be one of the following:

- To uphold the College's original response, with an explanation as to why the College believes the request was fulfilled
- Where it is evident an appropriate response was not provided in compliance with the Act, or provide a high quality, timely service and make any necessary correction, the College will apologise and where appropriate, provide the requestor with the information requested.

6.5 If the College is unable to resolve appeals these can be sent to the Information Commissioner's Office at the following address:

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

7. IMPLEMENTATION OF THE POLICY

7.1 The College will ensure that the policy is displayed on our website and internal intranet.

8. MONITORING AND EVALUATION OF THE POLICY

8.1 Responsibility for monitoring the disposal policy rests with the CFOO. The policy will be reviewed annually or more often if required.

9. REVIEW OF POLICY

9.1 To review the examination of closed records to determine whether they should be destroyed, retained for a further period or transferred to an archive for permanent preservation.

9.2 The above policy will be reviewed by the relevant parties annually, or as required.

10. ENVIRONMENTAL IMPACT ASSESSMENT

10.1 The College is fully committed to the sustainability agenda.

- 10.2 All policies take into consideration, at the time of writing and approval with the Senior Leadership Team, their impact on the agenda.
- 10.3 Policies may not be approved or be amended if they impact significantly on our commitment to improving our carbon footprint and our corporate social responsibility.

11. GENERAL DATA PROTECTION REGULATION (GDPR)

- 11.1 All policies which are approved by the Senior Leadership Team are in line with our GDPR suite of policies and procedure.