



Policy/Procedure/Guideline Review

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| Policy/Procedure/ Guideline: | Freedom of Information Policy |
| Senior Manager Responsible: | Data Protection Officer |
| Author: | Admin Services Manager |
| Approved By: | Board of Corporation |
| Date Approved: | 1 October 2018 |
| Next Review Date: | October 2019 |
| Publication: | Nelson and Colne College's Extranet Nelson and Colne College and Lancashire Adult Learning Websites |
| Changes Made: | Update in accordance with GDPR, incorporate LAL and update contact details Dec 18 – Updated to include Accrington and Rossendale College |

Freedom of Information Policy

1. Introduction

- 1.1 The Freedom of Information Act 2000 (FOIA) gives rights of public access to information held by public authorities. Section 19 of the FOIA requires every public body to adopt and maintain a publication scheme which has been approved by the Information Commissioner, and to publish information in accordance with the scheme.

2. Scope

- 2.1 This policy sets out the arrangements that Nelson and Colne College, including Lancashire Adult Learning and Accrington and Rossendale College ('the College') has made to ensure compliance with the Freedom of information Act (2000).
- 2.2 Requests under the Environmental Information Regulations 2004 will be considered in the same way as Freedom of Information (FOI) requests.

3. Definitions

- ICO – Information Commissioners Office
- FOIA – Freedom of Information Act (2000)
- FOI – Freedom of Information

4. What is a publication scheme?

- 4.1 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 routinely available. These descriptions are called 'classes of information'. The scheme is not a list of the actual publications because this will change as new material is published or existing material is revised. It is, however, the College's commitment to make available the information described.
- 4.2 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.
- 4.3 To reduce duplication and bureaucracy and to ensure consistency in the release of information, the Information Commissioner's Office (ICO) has developed a model publication scheme that any public authority can use.

5. Accessing information covered by the publication scheme

- 5.1 Nelson and Colne College including Lancashire Adult Learning and Accrington and Rossendale College has adopted the ICO Model Publication Scheme which has the following categories:

- **Who we are and what we do:** Organisational information, structures, locations, contacts and governance;
- **What we spend and how we spend it:** Published accounts;
- **What our priorities are and how we are doing:** Strategies and plans, performance indicators, inspections and reviews;
- **How we make decisions:** Decision making processes, records of decisions;
- **Our policies and procedures:** Current written protocols, policies and procedures for delivery of College services and responsibilities;
- **Lists and registers:** Information legally required to be held in publicly available registers and logs relating to the functions of the College;
- **The services we offer:** Prospectuses, booklets and leaflets, advice and guidance, newsletters and media releases.

5.2 The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or 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 is difficult to access for similar reasons.

5.3 The information provided by the College under the model publication scheme will be available on the College websites. Where it is impracticable to make information available on the website or when an individual does not wish to access the information by the website, then the College will provide the information by another means (i.e. by post).

5.4 The College Model Publication Scheme is attached to this policy as Appendix A.

5.5 The College's process for dealing with Freedom of Information requests is attached to this policy as Appendix B.

6. Information not covered by the Publication Scheme and Feedback

6.1 Information held by the College that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the Freedom of Information Act.

6.2 In order for a request to be treated as having been made under the Freedom of Information Act, it must be:

- Made in writing
- State the name of the applicant and provide contact details for correspondence
- Describe the information which is requested.

6.3 The College has produced a form to assist with Freedom of Information requests ([Appendix C](#)). It is not a requirement to make a request using this form but the form has been designed to ensure requests are dealt with as promptly as possible.

6.4 Please note that some information may, in some circumstances, be exempt from disclosure.

7. Cost of accessing information covered by the publication scheme

7.1 Much of our information is available free of charge including copies of publications/ information listed in the publication scheme. Printed information on courses and services offered by the College is also available free of charge.

7.2 However, the College retains the right granted under the Freedom of Information Act 2000 to charge fees where necessary and these will be in accordance with the Act and any other relevant legislation (including the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004). The following criteria will be considered when determining costs:

- Identifying whether the college actually holds the information;
- Locating the information or documents containing the information;
- Retrieving such information or a document which may contain the information;
- Extracting the information from the document containing it (including editing or redirecting information).

7.3 The costs attributable to the time that person(s) are expected to spend on these activities on behalf of the College is set at £25 per person per hour.

7.4 If a charge for information is applicable, this will be notified and payment required prior to the information being provided.

8 General Data Protection Regulations (GDPR)

8.1 The GDPR sets out requirements for how organisations will need to handle personal data from 25th May 2018 and regulates the use of information about living individuals and gives certain rights to individuals in respect of personal data held about them by others (data controllers). Individuals have the right to access personal information held about them (subject access requests), subject to exemptions under the GDPR. Further information on subject access requests (SAR's) is available in the College Subject Access Request Procedure.

9 Feedback

9.1 It is important that this publication scheme meets your needs. If you find the scheme difficult to understand or require further information, please let us

know via the contact details provided below. We also welcome suggestions as to how our scheme might be improved.

SLT Support Team
Nelson and Colne College
Scotland Road
Nelson
BB9 7YT

Tel: 01282 440200

Email: FOI@nelson.ac.uk

10 Further information

- 10.1 The College will do everything in its power to meet enquirers' information needs. However, if we are unable to resolve any complaint, you can complain to the Information Commissioner, the independent body who oversees the Freedom of Information Act. More information about the Freedom of Information Act is available on the Information Commissioner's website. Contact details for the ICO are provided below:

Website: <https://ico.org.uk> Phone: 0303 123 1113

11 Dissemination

- 11.1 A copy of this policy can be found on:
- Nelson and Colne College's Extranet
 - Accrington and Rossendale Intranet
 - Nelson and Colne College, Lancashire Adult Learning and Accrington and Rossendale Websites

12 Monitoring and Review

- 12.1 The policy and operation of the process will be monitored and reviewed by College's Data Protection Officer.
- 12.2 The College reserves the right to change this policy at any time.

13 Related Policies and Procedures

- 13.1 Documents related to this policy are:
- Subject Access Request Procedure
 - Data Protection Policy
 - GDPR - Rights of Individuals Policy

14 Management Responsibility

- 14.1 The Data Protection Officer has management responsibility for this policy across Nelson and Colne College.

Appendix A

Model Publication Scheme for Further Education Colleges

| 1. Who we are and what we do | | |
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| Organisational information, structures, locations and contacts | | |
| Class | Description | Manner |
| Legal Framework | <p>The College's legal status stems from the Further and Higher Education Act 1992, as amended by the Learning and Skills Act 2000. The 1992 Act established the College as an independent corporation, with exempt charity status. As a result, legally, the College's Corporation Board is responsible for how the College is run but within the framework of the 1992 Act, as set out in the Instruments and Articles of Government.</p> <p>Supporting Documents:</p> <ul style="list-style-type: none"> • Instruments and Articles of Government • http://www.legislation.gov.uk/ukpga | <p>Website Government website</p> |
| How the institution is organised | <p>Details of Governing Board:</p> <ul style="list-style-type: none"> • Governor Code of Conduct • Standing Orders • Financial Plans • Corporation and Committee Structure • Committees (including membership) • Terms of Reference <p>Details of College's Senior Leadership Team.</p> <ul style="list-style-type: none"> • Senior Leadership Team structure / role profiles <p>College policies and procedures</p> | <p>All available on the College website</p> <p>Available on request</p> <p>Website</p> <p>Website</p> |
| Location and contact details | Details of College address, contact telephone numbers, email addresses, and directions | Website |
| Partnerships | <p>Nelson and Colne College work in partnership with:</p> <ul style="list-style-type: none"> • PET (Pendle Education Trust) • Funding Agencies • Ofsted • Examining Bodies • Employers • Local Authorities • FE Colleges • BFC in the Community <p>The College delivers all of its HE provision through a franchise agreement with the University of Cumbria. This is formalised through an annual development plan and memorandum of agreement.</p> | Available on request |

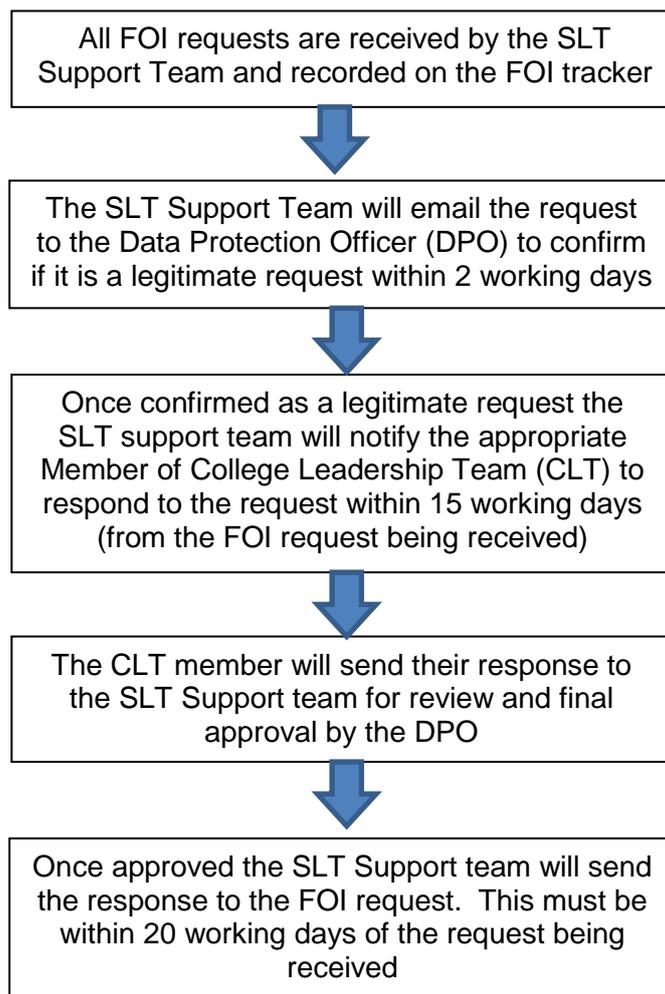
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| Marketing, recruitment and public relations | Publications relating to student recruitment and publicising our facilities and activities: <ul style="list-style-type: none"> • Prospectus (including entry requirements for courses) • Open days • Press releases • Course Brochures • Newsletters • Social Media | Website/Paper Website/ social media Website Website /Paper Website / Paper Website |
| <p>2. What we spend and how we spend it Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.</p> | | |
| Class | Description | Manner |
| Funding/Income | Information on the sources of funding and income, such as funding grants, tuition fees, endowment and investment income: <ul style="list-style-type: none"> • Annual Report / Financial Statement • Fee Policy • Subcontractor fees and charges policy | All available on the website |
| Budgetary and account information | Annual statement of accounts and other information to allow the public to see where money is being spent: <ul style="list-style-type: none"> • Annual Report / Financial Statement | Website |
| Financial audit reports | Audit opinion as contained within the annual report and financial statements: <ul style="list-style-type: none"> • Annual Report / Financial Statement • External Audit Report (part of financial statement) | All available on the website |
| Capital programme | Information of major plans for capital expenditure. Information related to capital expenditure upon completion of the project when accounts have been audited. | Available on request |
| Financial regulations and procedures | Financial regulations and procedures including procurement. <ul style="list-style-type: none"> • Financial Regulations | Available on request |
| Register of Suppliers | <ul style="list-style-type: none"> • A list of suppliers used within College | Available on request |
| Procurement and Tendering | <ul style="list-style-type: none"> • Details of procedures used for the acquisition of goods and services • Supplier terms and conditions of goods and services | Available on request Website |

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| Staff pay and grading structures | <ul style="list-style-type: none"> • Remuneration of senior staff as published in financial statements • Information on the grading structures used within College and the associated salaries • Pension Scheme information as contained in the financial statements | <p>Website</p> <p>Available on request</p> <p>Website</p> |
| <p>3. What our priorities are and how we are doing Strategies and plans, performance indicators, audits, inspections and reviews.</p> | | |
| Class | Description | Manner |
| Corporate and business plans | <ul style="list-style-type: none"> • Strategic plan | Available on request |
| Vision and values | <ul style="list-style-type: none"> • College vision and values | Website |
| Academic quality and standards | <ul style="list-style-type: none"> • Teaching and Learning strategy <p>Information about the College's internal quality audit programme and annual review:</p> <ul style="list-style-type: none"> • Internal verification policy • Internal quality assurance policy for non - accredited provision <p>Information on assessment procedures and outcomes:</p> <ul style="list-style-type: none"> • Assessment policy statement <p>Information relating to the College's performance and its standards. The Self-Assessment Report includes:</p> <ul style="list-style-type: none"> • Achievement results • Retention results • Attendance levels • Average point scores for A levels | <p>Available on request</p> <p>Website</p> <p>Website</p> <p>Website</p> <p>Available on request</p> |
| Government and regulatory reports | <p>Information that the College is legally obliged to make available to its funding and/or monitoring bodies. Such material may provide information as to how well the institution is performing:</p> <ul style="list-style-type: none"> • Ofsted Inspection report <p>Government reports on FE such as:</p> <ul style="list-style-type: none"> • Qualification Success Rates • Young Peoples Funding Agency • Education and Skills Funding Agency • National top ten point score per exam entry | <p>Ofsted website</p> <p>Associated websites</p> |

| 4. How we make decisions | | |
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| Decision making process and records of decisions. | | |
| Class | Description | Manner |
| Minutes from the governing board/committee meetings | Supporting documents include minutes from Governing Board meetings: <ul style="list-style-type: none"> • Full Governing Board • Resources Committee • Audit Committee • Curriculum and Quality Committee • Search Committee | College website Available on request Available on request Available on request |
| Minutes from the Academic Board | Academic Board minutes | Available on request |
| 5. Our policies and procedures | | |
| Written protocols, policies and procedures for delivering our services and responsibilities. | | |
| Class | Description | Manner |
| Policies and procedures relating to academic services | <ul style="list-style-type: none"> • Assessment policy statement • Learner Voice policy/procedure | Website Available on request |
| Policies and procedures relating to student services | <ul style="list-style-type: none"> • Admissions policy • Student disciplinary policy • Student behaviour policy • Child and Vulnerable Adult Protection and Safeguarding policy • Bullying and harassment policy • Personal care policy • Student drug and alcohol policy • Health and wellbeing policy | All available on the website |
| Policies and procedures relating to human resources | <ul style="list-style-type: none"> • Whistle blowing procedure • Working together policy • Recruitment and selection procedure • Family friendly procedures • General leave policy • Grievance policy • Key goals procedure • Managing discipline policy • Managing absence procedure • Managing underperformance procedure • Personal development procedure • Recognition policy • Social media policy • Teaching Staff probationary period policy • Support Staff probationary period policy | Website All others available on request |
| Equality and diversity | <ul style="list-style-type: none"> • Single Equality Scheme • Equality Action Plan • SEN local offer document • Equality Statistics • Gender pay gap report | All available on the website |

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| Health and safety / Estate management | <ul style="list-style-type: none"> • Health and safety policy | Website |
| Complaints policies and procedures | <ul style="list-style-type: none"> • Complaints policy and procedure | Website |
| Records management and personal data policies and procedures | <ul style="list-style-type: none"> • Freedom of information policy • Data protection policy • GDPR - Individual rights policy • Subject Access Rights procedure • Data breach notification policy and procedure • Data retention policy | Website Website Website Website Available on request Available on request |
| 6. List and registers Information contained only in currently maintained lists and registers. | | |
| Class | Description | Manner |
| Information we are legally required to hold in registers | <ul style="list-style-type: none"> • Asset register • Freedom of Information/Data protection requests log • Information asset register (IAR) • Data Breach Register | Available on request Available on request Available on request Available on request |
| 7. The services we offer Information about the services we offer, including leaflets, guidance and newsletters. | | |
| Class | Description | Manner |
| Prospectus and course offer | <ul style="list-style-type: none"> • Prospectus and course offer | Website |
| Student enrolment and admission | Information relating to admission/enrolment of new students, including policies and procedures covering the assessment of external qualifications, the creation of students' records, the co-ordination of student funding arrangements: <ul style="list-style-type: none"> • Fee policy • Assessment policy statement • College bursary funds policy • Admissions policy | All available on the website |
| Welfare and counselling services | Information detailing Additional Learning Support offered: <ul style="list-style-type: none"> • Child and Vulnerable Adult Protection and Safeguarding policy | Website |
| Other student facilities | Student life page of the College website, including: <ul style="list-style-type: none"> • Extra curricular programme • Student social spaces • Refectory and Café | All available on the website |

Appendix B – Freedom of Information (FOI) Request Process



The College Data Protection Officer is Leanne Powell, Admin Services Manager

Appendix C – Freedom of Information Request form



Lancashire
Adult Learning



Freedom of information – request form

This form can be completed electronically and emailed or printed and sent to the address detailed at the bottom of this form. You do not have to use this form to make your request but it will help us deal with your request as promptly as possible if you do. If you prefer, you can make your request in writing e.g. letter, email or other form which we can use for reference.

Applicant name:

Address (including postcode):

Email address:

(at least one contact method must be provided)

Phone number (optional):

Date:

Description of the information you seek (include details that may help us identify and locate the information):

Please indicate your preference for receiving the information by putting an 'X' in the box.
(We will try to meet your preference where we can)

Paper copy

Electronic copy

Summary

Pre-arranged personal inspection

Any special requirements:

Important note: If the information you have asked for requires a fee, we will let you know on receipt of your request. If you choose to accept this fee charge, we will process your request upon receipt of payment.

Send this form by post to:

Address **SLT Support Team**
Nelson & Colne College
Scotland Road
Nelson
Lancashire
BB9 7YT

Or email to:

FOI@nelson.ac.uk

GDPR Notice: The personal data that you have provided on this form will be used to process your request for information. The College will create a log of disclosure requests which will show your name and the information requested. With the exception of your name, no other personal information will be retained on the disclosure log.