

## Freedom of Information Policy

### 1. Introduction

1.1 The Freedom of Information Act 2000 (FOIA) gives the public a right of access to information held by public authorities.

1.2 Waltham Forest College, as a public authority as defined by the Act, recognises its responsibility and is committed to promoting a culture of openness and transparency with all the information it holds to meet the requirements of the FOIA.

1.3 Not all information held by the College can be released. The College may decide not to release information for a number of reasons, such as data protection, confidentiality, health and safety or to protect its commercial interests.

### 2. Purpose and Scope

2.1 The College's Freedom of Information Policy has been produced to ensure compliance with the provisions of the FOIA. The policy incorporates guidance from the Information Commissioner's Office (ICO).

2.2 The policy provides a framework for compliance and is supported by appropriate procedures and guidance documents to provide advice and maintain good practice.

2.3 This policy applies to all members of staff including temporary or casual or agency staff, and contractors and suppliers working for, or on behalf of, the College.

### 3. The Model Publication Scheme

3.1 Section 19 of the FOIA places a duty on every public authority to:

- a) adopt and maintain a scheme which relates to the publication of information by the authority and is approved by the ICO;
- b) publish information in accordance with its publication scheme;
- c) review its publication scheme from time to time.

3.2 The College has adopted the model publication scheme approved by the ICO. The College's Publication Scheme is available publicly through its website or can be provided in hard copy format by request from [foi@waltham.ac.uk](mailto:foi@waltham.ac.uk). The Publication Scheme is reviewed on an annual basis and feedback is encouraged to assist with the review process.

3.3 The Scheme sets out the types of information the College publishes in accordance with the guidelines set out by the ICO, and these are:

- a) who we are and what we do;
- b) what we spend and how we spend it;

- c) what are our priorities and how we are doing;
- d) how we make decisions;
- e) our policies and procedures;
- f) lists and registers;
- g) the services we offer.

#### **4. Making a request for information**

4.1 Requests for information not included in the Publication Scheme can be accessed on receipt of a specific written request. For a request to be considered valid under the FOIA, it must:

- a) be in writing;
- b) include a name and address for correspondence (email address is sufficient);
- c) detail the information requested.

4.2 Requests should be addressed via email to [foi@waltham.ac.uk](mailto:foi@waltham.ac.uk) or by post to:

Freedom of Information  
Waltham Forest College  
Room 214  
Forest Road  
Walthamstow  
E17 4JB

#### **5. Responding to a request**

5.1 The College will respond to a request promptly, and by the twentieth working day following receipt of the request. If we are unable to respond to the request within the 20 working days we will contact the requestor with an explanation and request an extension of time.

5.2 The response will confirm whether or not the College holds the information; if it does hold the information, the College will release it. However, some information may be exempt from disclosure under one of the exemptions in the Act.

5.3 The College has the right to charge applicants for supplying the requested information but is under no obligation to provide information if the cost of doing so would be in excess of an 'appropriate limit'. Any fee for handling a request will be calculated in accordance with the provisions of the Fees Regulations.

#### **6. Responsibilities**

6.1 The College has a responsibility to ensure the implementation of the provisions of the Act and has designated the College Executive Co-ordinator and Assistant to the CEO/Principal as the officer with overall responsibility for this policy.

6.2 College Executive Co-ordinator and Assistant to the CEO/Principal will process and respond to all non-routine requests for information received and provide members of the College with guidance and advice on Freedom of Information and Environmental Information Regulation issues.

6.3 All staff are responsible for ensuring the records they manage are accurate and complete, and that all requests are handled efficiently and promptly in accordance with the Freedom of Information and Environmental Information Regulation guidelines.

6.4 Every member of staff must recognise that all recorded information may be provided to the public and that in every case, the law requires there to be full and unconditional disclosure unless one of the statutory exemptions / exceptions applies.

6.5 All College staff should be aware that any breach of the FOIA may result in the College's disciplinary procedures being instigated.

## **7. Environmental Information Regulation**

7.1 Any requests for environmental information held by public authorities must be responded to in accordance with the Environmental Information Regulations 2004 (EIR), rather than the FOIA.

7.2 EIR requests do not need to be made in writing; however, a written record will be made of any verbal requests that are received.

7.3 The College will respond to a request within 20 working days and will treat these requests in line with the guidance provided by the ICO.

## **8. Exemptions**

8.1 There are a number of exemptions under the FOIA where the College is not required to provide the information requested. The Act also limits the circumstances in which information can be withheld.

8.2 In cases where the College considers a request is subject to an exemption, consideration will be given as to whether or not the information can be disclosed. This would take into account the public interest, the rights of data subjects, legal and contractual obligations and issues of information access and security.

8.3 Information will only be withheld in accordance with the exemptions specified by legislation, and the reasons for applying the exemption will be provided to the requester.

8.4 A full list of the exemptions can be found on the ICO's website.

## **9. Review Procedure**

9.1 If the requestor is unhappy with the way in which their request has been handled, they can request a review by contacting the College by email at [foi@waltham.ac.uk](mailto:foi@waltham.ac.uk) or by post to:

Waltham Forest College  
Room 214  
Forest Road  
Walthamstow  
E17 4JB

9.2 A request for an internal review should be submitted within 40 days of receipt of the response by the request. The requestor should specify why they do not agree with the initial response and what factors they would like to be taken into account as part of the review. This should include any public interest arguments for disclosure.

9.3 The request for review will be dealt with within 20 working days of receipt. If the review will take longer to conduct, the requestor will be informed why and when to expect a response.

If the requestor remains dissatisfied with the handling of their request or complaint, they have a right to appeal to the ICO at:

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

Telephone: 0303 123 1113

Website: [www.ico.gov.uk](http://www.ico.gov.uk)

## **10. Records Management**

10.1 The College will manage its records effectively and systematically to ensure information retrieval is simple, timely and meets legislative, regulatory, funding and ethical requirements.

10.2 Section 46 of the FOIA requires the College to follow guidelines set down in the Lord Chancellor's Code of Practice on the management of records.

## **11. Policy Review**

11.1 This policy will be updated as necessary to reflect best practice and to ensure compliance with any changes or amendments to Data Protection legislation.

11.2 This policy was last reviewed in January 2020. The policy was considered and approved at the Corporation meeting on 4 February 2020.