

Academic Year: 2018/19 onwards**Target Audience:**Governing Body
Staff and Students**Summary of Contents:**

As a public authority SERC is obliged to make available documentation relating to its function, decision making and actions within the Freedom of Information Act (2000). This document outlines SERC's commitment to respond to all FOI requests and provide a College Publication Scheme.

Enquiries: Any enquiries about the contents of this document should be addressed to:-

Title: Information Officer**Address:** Bangor Campus
Castle Park Road
Bangor
BT20 4TD**Tele:** 028 4461 5815**Fax:** 028 4461 7068**E-mail:** sharvey@serc.ac.uk**Approval by:**

CMT – 1 October 2014

Governing Body – June 2019

Policy Number: 016-2014**First Created:** February 2013
Reviewed: November 2013
November 2014
May 2016
May 2017
October 2018
May 2019
Review due: May 2020**Related Documents:**SERC Publication Scheme
SERC Retention Schedule
Data Protection Policy
Freedom of Information – Request for Information SOP SO96: 11/12
Freedom of Information Act 2000
Data Protection Act 2018
General Data Protection Regulations (GDPR)**Superseded Documents (if applicable):***FOI Policy 41-2008***Equality of Opportunity and Good Relations Screening Information (Section 75):**

Date Policy Screened - July 2016

1.0 BACKGROUND

- 1.1 The Freedom of Information Act (2000) (the Act) extends the public's rights of access to information held by public authorities, including further and higher education institutions, and imposes a number of obligations on them. Members of the public have a statutory right (with some minor limitations) to:
- a. Obtain (either from the College's website or in some other form) all the information covered by the College's Publication Scheme
 - b. Request (with some minor limitations) any information held by the College, regardless of when it was created, by whom, or the form in which it is now recorded

The information will be in documented form at the time of receipt of the request and will not be created as a result of such.

2.0 SERC PUBLICATION SCHEME

- 2.1 The South Eastern Regional College (the College) has a 'Publication Scheme' which is a list of the classes of information the College has committed itself to publishing as a matter of routine. Its purpose is to ensure that the College, as a public authority, is proactive in making as much information as possible publicly available. The Publication Scheme can be accessed via the College website or by contacting the Information Officer.
- 2.2 The public, including other corporate bodies, have the right to make a request for any other information not already published under the Publication Scheme.

3.0 SERC COMMITMENT

- 3.1 The College is committed to complying with the Freedom of Information Act (2000) by making available as much information surrounding College functions and activities as possible unless there are exemptions permitted by the Act. Such disclosures will be through our Publications Scheme or in response to individual Information Requests.
- 3.2 All requests will be received and considered on an individual basis, except under some circumstances relating to vexatious requests and personal data.

4.0 MAKING A REQUEST

- 4.1 The Act stipulates that all requests must be made in permanent format e.g. in writing/email.
- 4.2 If the College considers a request to be ambiguous, it will contact the individual for clarification.
- 4.3 All Information Requests must be forwarded to the following:

Information Officer
SERC, Bangor Campus
Castle Park Road
Bangor
Co Down
BT20 4TD

4.4 The College will acknowledge receipt of all Information Requests, collate the information which has been requested and respond officially within 20 working days.

4.5 Working days are those days on which the College is open. Weekends, statutory days, Bank Holidays and other College closures are classes as 'non-working' days.

5.0 EXEMPTIONS TO THE ACT

5.1 There will be occasions when the College will not be able to supply all the information requested. Information will only be withheld in accordance with the exemptions laid down in legislation, and in particular those concerning:

- The College's duties under Data Protection legislation to keep confidential sensitive information about individual members of staff and students; if the request involves the release of personal data, SERC will invoke the Data Protection Policy, the Data Protection Act (2018) and GDPR
- Other legal and contractual obligations
- Material detrimental to the safe and efficient conduct of the College's operations or which is commercially sensitive
- The cost of collating and producing the information will exceed the limit (Section 12, of the Act).

5.2 If the Information Officer finds exemptions apply to an information request, the individual making the request will be notified as to the reasons why the information has been withheld

5.3 There may be instances where Freedom of Information legislation requires the reasonable opinion of a 'qualified person' to justify the application of certain exemptions. To confirm, the authorised 'Qualified Person' for SERC is the Chief Executive or an individual appointed by him.

6.0 COMMUNICATION PLAN

This Policy will be communicated via staff development training and the intranet and will be made available, on request, in alternative formats including large print, braille, audio, and in minority languages to meet the requirements of those who are not fluent in English.

7.0 REVIEW

This Policy will be reviewed (and if required, amended) annually or sooner to reflect changes in legislation or circumstance.