



Castle Donington College

Freedom of Information Policy

(Based on model policy from Data Protection Officer)

Date approved by The Governing Board

5th March 2021

Date for review

March 2024

The College follows Guidance and Advice given by the Government and Local Authority when writing policies; in light of this, changes may need to be made after the adoption of this policy and prior to the review date.

Castle Donington College is subject to the Freedom of Information Act 2000 (FOI) as a public authority, and as such, must comply with any requests for information in accordance with the principles laid out in the Act.

This means that the College must hold and publish a FOI Publication Scheme, to communicate what information it holds is readily available to the public, and where it can be found.

All public authorities must also have processes in place to manage and FOI requests that are made.

Freedom of Information Publication Scheme

The College's Publication Scheme has been developed from the Information Commissioner's Office template documents. It is the College's aim to ensure that the publication of information is accessible for individuals. Much of the information listed is routinely published on the College website.

The Publication Scheme and the material it covers will be readily available in hard copy from the College, depending on the source of the information.

Schedule of charges under Freedom of Information Publication Scheme

Type of Charge	Description	Basis of charge
Disbursement cost	Photocopying/Printing @ 10p per sheet	Actual cost 10p
	Photocopying/Printing @ 50p per sheet	Actual cost 50p
	Postage	Actual cost of Royal Mail standard 2 nd class

Where the cost of postage, printing or photocopying is below £10.00, the College will not make a charge.

Where it is over £10.00, the first £10.00 will be free of charge, after that the College will charge the full estimated cost of postage and copying.

Before the College produce the information, you will be informed of the total cost. You may wish to refine the request in order to reduce the cost and the College would be happy to discuss this with you.

Freedom of Information (FOI) requests

Any request for any information from the College will be considered to see if it meets the criteria of FOI. This is irrespective of whether or not the individual making the request mentions the FOI.

All requests for information should be referred, in the first instance, to postroom@cdcollege.uk from where it will be forwarded to the relevant member of staff.

A copy of the request and response should then be sent to postroom@cdcollege.uk marked FOI Request.

All requests under FOI are treated as if made by any member of the general public. Any information released will be within the public domain and may not be marked restricted or confidential.

Time limits for FOI requests

The College will respond as soon as possible, and in any event, within 20 working days of the date of receipt of the request. When calculating the 20 working day deadline, a “working day” is a school day (one in which pupils are in attendance), subject to an absolute maximum of 60 normal working days (not school days) to respond.

Procedure for dealing with a request

All FOI requests should be forwarded on receipt to the Business Manager. Initially it will be necessary to determine whether or not the College holds the information requested. This might be in hard copy or digital media.

There may be occasions where information is held, but the process of extracting the relevant information would take considerable time. In those instances the requester may be given the opportunity to refine the request based on the information given.

Part 1 – Identifying the types of information

As an organisation the College hold different types of information.

- Organisational information, prospectus, locations and contacts, constitutional and legal governance, schemes of delegation, trust and individual College arrangements.
- Financial information about income and expenditure, financial audit, funding agreements, procurement, tendering and contracts.
- Plans, strategies, aims and objectives, performance indicators, audits, inspections and reviews.
- Decision making processes and records of decisions, internal criteria and procedures
- Policies and procedures –protocols, policies and procedures for delivering services and compliance with our statutory and regulatory obligations.
- Lists and registers required by law and other key information.
- Details of our curriculum and wider educational offering

Part 2 - Considering the nature of the request

FOI requests will be fully complied with unless an exemption applies.

Common exemptions in the Freedom of Information Act 2000 include:

- Section 40 (1) – the request is for the applicant’s personal data. This must be dealt with under the subject access regime in the UKGDPR, see the Data Protection Policy and Privacy Notices;
- Section 40 (2) – compliance with the request would involve releasing third party personal data, and this would be in breach of the UKGDPR principles as set out in Data Protection Policy
- Section 41 – information that has been sent to the College (but not the College’s own information) which is confidential;
- Section 21 – information that is already publicly available, even if payment of a fee is required to access that information;
- Section 22 – information that the College intends to publish at a future date;
- Section 43 – information that would prejudice the commercial interests of the College and / or a third party;
- Section 38 – information that could prejudice the physical health, mental health or safety of an individual (this may apply particularly to safeguarding information);
- Section 31 – information which may prejudice the effective detection and prevention of crime – such as the location of CCTV cameras;
- Section 36 – information which, in the opinion of the Chair of Governing Board of the College, would prejudice the effective conduct of the College. There is a special form for this on the ICO’s website to assist with the obtaining of the Chair’s opinion.

Information within these exemptions must be considered and weighed up about the general principal that information should be disclosed wherever applicable.

Part 3 - Responding to a request

When responding to a request where it is necessary to withhold some or all of the information, the College will explain why the information has been withheld, quoting the appropriate section number and explaining how the information requested fits within that exemption. If the public interest test has been applied, this will be set out.

In these circumstances the requester can seek a review form with the College, and correspondence should be addressed in the first instance to the Business Manager.

If anyone has any concerns, questions or complaints in relation to this policy or the publication scheme contained within it they should contact the Business Manager.

If you require a paper version of any information set out under the FOI Publication Scheme, or want to ask whether information is available, contact the College using the details set out below.

Contact

As outlined above, please contact postroom@cdcollege.uk for any FOI requests.

You can also visit our website www.cdcollege.uk To help us process requests quickly, any correspondence should be clearly marked 'FOI Request'.

If you are not satisfied with the assistance that you get or if the College has not been able to resolve your complaint and you feel that a formal complaint needs to be made then this should be addressed to: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5A, telephone: 0303 123 1113, website: www.ico.org.uk