Barking & Dagenham College

Freedom of Information Policy

Policy Author:	Chief Governance Officer/Data Protection Officer	Date of Approval:	September 2024
Approved By:	SLT Policy Committee	Reviewed:	Every Two Years

OUR VISION

To be an exceptional college

OUR MISSION

Empowering futures, transforming lives

OUR CULTURE AND VALUES

Barking & Dagenham College is a unique, diverse and inclusive environment in which everyone is supported to grow, develop and really flourish.

We treat each student as an individual because we know that everyone is different. Every individual has their own unique talents, circumstances, challenges and aspirations. Every student brings something special and it is this diversity and richness of ideas that makes College life interesting, fun and vibrant. Our culture is such that all students, staff and visitors should feel welcome, safe and valued. Guided by our principles of honesty, integrity and transparency, we treat each other respectfully and seek to establish trust. By building resilience and confidence, we encourage students and staff to rise above challenges with determination and a positive mindset.

Whilst we are rightly proud of our unique internal culture, Barking & Dagenham College is an outward facing organisation that recognises the critical importance of working through networks and collaboration to lead change and influence local agendas. By partnering with industry-leading employers and embracing innovation, digital technologies and new ways of thinking, we strive to push the boundaries of learning and ensure that our students are ahead of the curve. Our many stakeholder partnerships mean that we have established our place at the heart of our community and as a key partner in the regeneration of the London Borough of Barking and Dagenham.

At Barking & Dagenham College, we are dedicated to inspiring students and staff to embrace challenges and pursue their dreams with confidence. Most of all, we are ambitious and we expect excellence - from ourselves and from our students.

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1 Policy Statement

The Freedom of Information (FOI) Act 2000 gives the public a general right to access recorded information held by public authorities including Further Education Colleges. The Act promotes greater openness and accountability across the public sector, therefore facilitating a better understanding of how public bodies carry out their business, why they make the decisions they do and how they spend public money. All institutions are required to issue a publication scheme. Also, the Environmental Information Regulations 2004 allow wider public access to environmental information held by the College.

The College's basic duties under Freedom of Information are; to confirm or deny whether requested information is held and to provide the requester with that information.

2 Scope

The purpose of the Freedom of Information Policy is to:

- define the duties imposed by the FOIA and how the college intends to discharge those duties; • set out the roles and responsibilities in relation to ensuring compliance with FOIA; and
- deal with complaints and appeals where required.

3 Procedure

The College recognises its corporate responsibility under FOIA to provide a general right of access to information held. The Chief Governance Officer/Data Protection Officer (DPO) is responsible for the processing and monitoring of freedom of information requests, drawing up guidance on freedom of information and promoting compliance with this policy in such a way as to ensure the easy, appropriate and timely retrieval of information.

Some documents are available via the College website. To request any other information available under the publication scheme (Appendix A) please contact:

Data Protection Officer
Barking & Dagenham College
Dagenham Road
Romford
Essex
RM7 0XU

FOI@bdc.ac.uk

A freedom of information request form is included at the back of this policy which may be completed electronically or printed and posted. This form does not have to be used to make a request but it will help the College deal with the request as promptly as possible.
Information held by the College that is not published under this publication scheme can be requested via the Data Protection Officer, when its provision will be considered in accordance with

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

- made in writing;
- state the name of the applicant and give an address for correspondence;
- clearly describe the information which is requested.

Not all information that the College holds is accessible to members of the public, for example data covered under the UK General Data Protection Regulations and Data Protection Act 2018. Personal information is not published, nor is information that is in draft form or that would compromise the planning process if it were to be disclosed. However, the College aims to ensure transparency in its activities and will respond positively to requests as far as possible.
FOIA requests are reported to the Board of Corporation as part of the GDPR Update.

The College is obliged to respond in writing **within 20 working days** to specific requests from any individual. In its response, it will state whether it holds information of the type requested, and, if so, subject to certain exemptions (including issues of Data Protection), communicate it. If the College is unable to answer the request because of uncertainty over what is being requested, the College will contact the requester as soon as possible for clarification. Until this clarification has been received the time limit for response will be paused. The statutory timescales will restart the day after receipt of the required clarification. The Information Commissioner's Office (ICO) is the independent regulatory authority for FOIA and should be contacted (www.ico.org.uk) where requests have not been resolved to the applicant's satisfaction.

4 Charging for information

Much of the information is available free of charge. However, because of the costs involved in locating or copying what requests, 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. Where compilation of data is in the College's view particularly onerous it will be the intention to charge an additional sum of £25 per person hour to cover locating documents, copying and postage (up to a maximum of £450 as defined within the Act).

5 Further information

If you are not satisfied with how a request has been handled or with the reasons given for refusing to provide information, there is the right to appeal. Questions, comments or complaints should be sent to:

Principal & Chief Executive
Barking & Dagenham College
Dagenham Road
Romford
Essex
RM7 0XU

If the College is not able to resolve the complaint to your satisfaction, please contact the Information Commissioner at:

https://ico.org.uk/

Information Commissioner
Wycliffe House
Water Lane WILMSLOW
Cheshire SK9 5AF

6 Appendix A

PUBLICATION SCHEME Introduction

This guide has been produced to meet the requirements of the Information Commissioner's Office (ICO).

The Publication Scheme and definition documents provided by the Information Commissioner's Office (ICO) for Further Education Colleges has been adopted by Barking & Dagenham College with effect from February 2019.

7 Legal requirement

7.1 Adopting a publication scheme is a requirement of the Freedom of Information Act 2000. This Act promotes greater openness and accountability across the public sector by requiring all 'public authorities' to make information available proactively, through a publication scheme.

7.2 Public authorities are defined in the Act and include universities, further education colleges and sixth form colleges.

8 What is a publication scheme?

8.1 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 available, routinely. 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 revised. It is, however, the public authority's commitment to make available the information described.

8.2 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.

8.3 Barking & Dagenham College has adopted the model publication scheme developed for the Further Education sector and is therefore committed to publishing the information it describes. The purpose of the model is to prevent institutions duplicating effort in producing individual schemes and to assist the public in accessing information from across the sector. However, to reflect the diversity in size and function of the institution, a number of optional classes of information are included. As a result, models within the sector will vary slightly. Any optional classes relevant to the College have been included in the scheme.

9 Accessing information covered by the publication scheme

9.1 The information colleges routinely publish falls into the following categories and these have been determined by the ICO:

- What we are and what we do: Organisational information – structures, locations, contacts;
- 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;
- 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;
- The Services we offer: Prospectuses, leaflets, advice and guidance, newsletters.

9.2 Next to each class we have indicated the manner in which the information described will be available. We have also indicated whether charges apply to material in each class.

10 What about information not covered by the publication scheme?

10.1 Under the Freedom of Information Act 2000, the requestee has the right to request any information held by a public authority which it has made available through its publication scheme.

10.2 Requests will have to be made in writing and, the College will have 20 working days to respond. We may charge a fee, which will have to be calculated according to Fees Regulations. You should note we will not be required to release information to which an exemption in the Act legitimately applies (examples are identified below). However, where this is the case, we will explain to you why we are not releasing the information and we accept that we may also have to justify this to the Information Commissioner.

10.3 There are two broad categories of exemptions:

Absolute exemptions. These are cases where the right to know is wholly disapplied. In some cases there is no legal right of access at all, for instance information supplied by or relating to bodies

dealing with security matters or information covered by parliamentary privilege. In other cases, for instance information available to the applicant by other means or personal information relating to the applicant, it may be possible to obtain the information by alternative means although not under FOI.

Qualified exemptions. These are cases where the College, having identified a possible exemption, must consider whether the public interest in maintaining the exemption is greater than that in confirming or denying the existence of the information requested and providing the information to the applicant.

Exemptions include:

- Information already available elsewhere: If this is the case, we will, where we can, direct you to where you will find the information you are looking for;
- Information provided in confidence: You should note that certain information is supplied to use in confidence and the Act obliges us to hold these things confidentially and not to disclose them;
- Personal information: This is covered by the Data Protection Act and is only available to the individual concerned;
- Investigations and proceedings: If an investigation is ongoing it is unlikely that we will be able to let you have information until all proceedings are finalised;
- Information intended for future publications: If we intend to publish the information you want you may have to wait until it is published before you can have access to it.
- Information that the Principal/CEO of the College decides is not in the public interest to disclose.
- Information that would cost too much or take too much staff time to deal with the request;
- Vexatious requests
- Requests for information which repeat a previous request from the same person.

10.3.1 Vexatious and Repeat Requests

A request can be treated as vexatious where it would impose a significant burden on the College in terms of expense or distraction and meets at least one of the following criteria:

- It clearly does not have any serious purpose or value;
- It is designed to cause disruption or annoyance;
- It has the effect of harassing the College;
- It can otherwise fairly be characterised as obsessive or manifestly unreasonable.

Each specific request should be looked at and assessed individually.

10.3.2 Environmental Information Regulations

Environmental Information Regulations includes data on air quality, water, waste management, noise and sustainability. Requests may be verbal and the College has to respond within twenty working days except when a request is complex or voluminous. Reasonable fees can be charged as above except when the information is examined on College premises. Exemptions from disclosure are available only if the public interest in with adding the information outweighs the public interest in disclosure.

Requests under the Environmental Information Regulations will be dealt with as requests under FOIA.

11 Model publication scheme for further education colleges

1. Who we are what we do

Class	Description	Manner
Legal Framework	The Corporate Status of Barking & Dagenham College is conferred by the Further and Higher Education Act 1992. The College is an exempt Charity for the purposes of the Charities Act 2011. The actual legislation is already publicly available, for example, on the HMSO website (www.legislation.hmso.gov.uk/acts.htm) Instrument and Articles of Government	Electronic / Website Government Website
Corporate Structure	Corporate Body Determination of Membership. • Corporation Meetings Schedule • Corporation and Committee Structure • Corporation and Committee Minutes • 'Meet the Governors' • Statement of Governance/Terms of Reference for the Corporation • Search Committee Terms of Reference • The role of a College Governor • The role of a Student Governor	Website
How the institution is organised	Organisational and management structure charts – current information only.	Paper/e-mail
Information on the institutional context	• Strategic Deliverables/Directions	Website Paper/email
Marketing and Recruitment and public relations	• Prospectus (which includes entry requirements for courses)	Website/Paper

	• Newsletters • Information, Advice & Guidance Policy • Open days Social Media	Electronic/Paper Website/
Partnerships	• Supply Chain Fees & Charging Policy • List of Subcontractors/partners	Website Website

2. What we spend and how we spend it

Class	Description	Manner
Funding/income	Information on the sources of funding and income, such as grants, tuition fees, endowment and investment income: • Financial Statements • Supply Chain Fees & Charging Policy	Website
Budgetary and account Information and Financial Audit Reports	• Financial Statements	Website
Capital	Information on 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: • Financial Regulations	Available on request
Register of Suppliers	• A list of suppliers used within College	Available on request
Procurement and Tendering	• Details of procedures used for the acquisition of goods and services • Supplier terms and conditions of goods and services	Available on request
Staff pay and grading structures	• 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 annual accounts	Website Available on request Website

3. What our priorities are and how we are doing

Class	Description	Manner
Corporate and Strategic Plans	• Strategic Directions	Available on request
Mission Statements and related documents	• College Vision, Mission and Values	Website
Teaching, Learning and Assessment (See also information on internal procedures)	• Teaching & Learning Strategy • Self-Assessment Report • Quality Improvement Plan	Available on request
Student Learning Support Services	• Guidance and Support • Supporting Young People in Care and Care Leavers • Student Handbook • Safeguarding & Promoting the Welfare of Children & Adults at Risk	Website Website Paper Website
Government and regulatory documents	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: • Ofsted report • Qualification Success Rates • Education and Skills Funding Agency • Department for Education • Office for Students • Quality Assurance Agency report	Associated websites
Information on internal procedures for assuring academic quality and standards	This class includes information about the College's internal quality audit programme and annual review: Information on assessment procedures • Assessment Policy • Academic Appeals Policy • Internal Verification Policy • Reasonable Adjustment Policy & Special Consideration Policy • Plagiarism Policy Information on student satisfaction with their College experience, covering the views of students: • Learner Voice Policy • Complaints & Compliments Policy Information relating to the College's performance and its standards: • Performance & Standards Committee Minutes	Electronic Website

4. How we make decisions

Class	Description	Manner
Minutes from the Governing Body and Committees	• Corporation Minutes • Performance & Standards Committee Minutes • Policy & Resources Committee Minutes • Audit Committee Minutes	Website

5. Our Policies and Procedures

Class	Description	Manner
Employment and Employee Relations	• Gender Pay Gap Reporting • Careers Link to recruitment and main website • GDPR Policy • Recruitment Events Information and Dates • Whistleblowing Policy	Website
Equal Opportunities/ Equality & Diversity Policy	Equality & Diversity Annual Report Single Equality Scheme	Website
HE Policies	Academic Appeals Policy Compliments, Comment, Concerns & Complaints Policy	Website
Estates/Health and Safety	• Sustainability Policy • Map of main buildings. • CCTV • Health and Safety Policy • Address of main site and any other locations	Available on request Website
Policies with regard to data and information	GDPR Policies	Website

6. Lists and registers

Class	Description	Manner
Information we are legally required to hold in registers.	• Register of Interests • Asset register • Data Breach Register	Available on request

7. Our Policies and Procedures

Class	Description	Manner
Prospectus and Course offer	• Prospectus and course offer	Website
Student enrolment and admission	• Admission & Enrolment Policy • Fee Policy	On request
Welfare and counselling services	Information detailing additional learning support: • Safeguarding Policy	Website
Student Financial Support	• 16-19 Bursary Fund Policy • 19+ Discretionary Fund Policy • Loans Bursary Fund Policy • Admissions & Enrolment Policy • Tuition Fees Policy	Available on request

Freedom of information – request form

Date of Request:
Name of Applicant:
Address (including postcode): **(if information is required by post)**
Email address:
Phone number (optional):

(Please provide at least one contact method)

Description of the information requested (please include any details that may help to identify and locate the information):

Please indicate your preference for receiving the information by putting an 'X' in the relevant box below (we will try to meet your preference wherever possible).

Paper copy		**Electronic copy**		**Pre-arranged personal inspection**	

Please advise of any special requirements:

Please 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.

Please send this form by email to FOI@bdc.ac.uk, or alternatively by post to the address below:

Data Protection Officer
Barking & Dagenham College
Dagenham Road, Romford
Essex, RM7 0XU