

Freedom of Information Policy

1. Background

The Freedom of Information Act establishes the right for the general public to access official information being held by public bodies. The College is required to provide any and all information it holds in the public's interest if requested to do so by any person, subject to certain restrictions allowed under the act. The Act allows the public to access information about how public services are developed and delivered. There is a deadline of 20 working days of receipt of any request for information.

[Model Publication Scheme](#)

The South & City College Birmingham Scheme has been published on the internet and is the model scheme recommended for FE Colleges (see **Model Publication Scheme**). A more detailed "Guide to information" documents provided under the publication scheme can be accessed through the link below, this shows examples of the type of information the public can access. (see **Guide to Information Provided Under the Model Publication Scheme**).

The College intends to publish a majority of documents covered by the scheme in electronic format on the College website [http:// www.southandcity.com](http://www.southandcity.com). However, at present, some information is available in paper copy only.

2. Contact Details

The Freedom of Information Officer (FOI) for South & City College Birmingham is:

Parveen Ghulam
Legal Services
South & City College Birmingham
High Street Deritend
Digbeth
Birmingham
B5 5SU

Tel. 0121 694 5100
Email: parveen.ghulam@sccb.ac.uk

The FOI Officer is responsible for dealing with all FOI requests. The College will do its best to meet information needs. If you believe that the College has not dealt with your request in accordance with the FOIA, you have a right to appeal via the College's internal

complaints department. Please send a letter detailing your concerns addressed to Customer Relations and SMT Support Division, South & City College Birmingham, High Street Deritend, Birmingham B5 5SU. However, if the College is unable to resolve any complaint and this procedure has been exhausted then a complaint can be made to the Information Commissioner, the independent body which oversees the implementation of the Freedom of Information Act.

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<http://www.ico.gov.uk>

Complaints can be made on the following grounds:

- Failure to provide the information you requested
- Failure to respond to your request within 20 working days (or failure to explain why longer than 20 working days is needed)
- Failure to give you proper advice and assistance
- Failure to give information in the form in which you requested it
- Failure to properly explain any reasons for refusing the request
- Failure to correctly apply an exemption under the Act

To ensure that the College meets its legal obligations:

1. All staff **must** date stamp and forward any requests under the Freedom of Information Act to Legal Services immediately
2. If staff are unsure about a request they must seek clarification from Legal Services.
3. Failure to forward requests to Legal Services immediately will result in a delay in responding and the person requesting the information can complain to the Information Commissioner.

3. Guide for Submitting FOI Requests

Before submitting FOI requests, individuals should ensure that the information is not already in the public domain. To ensure a swift response the person requesting the information should:

- Identify the records requested (be as specific as possible, i.e., describe the subject matter of the records, and, if known, indicate the dates of the records, the places where they originated, and the names of the originating persons or offices);

Please try to specify as clearly as possible all the information you require. We will make all reasonable efforts to locate this information, though we may need to ask you to provide more detail if your original application does not allow us to identify exactly what you want. If you require advice on how to specify your needs, please contact the Freedom of Information Officer.

State that the records are requested under the Freedom of Information Act;

Include daytime telephone numbers in case additional information is needed before answering requests; and

Forward all requests to the appropriate FOI Officer.

4. Exemptions to the Act

Whilst there is a general right to access to information held by the College there are a number of exemptions:

1. Information which is otherwise reasonably accessible to the applicant (S.21 Freedom of Information Act 2000)
2. Disclosure of the information would be prejudicial to the commercial interests of any person (including the public authority holding it)
3. Information is personal data (staff addresses, ages or salaries, students' fee remission status, etc. S.40 Freedom of Information Act 2000).
4. Information which will be published at a future date (even if undetermined) and it is reasonable to be withheld
5. Information which has already been published
6. Information which is likely to prejudice prevention of crime, administration of justice, operation of immigration controls
7. Information which would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs
8. Information that would endanger the physical or mental health of an individual or the safety of an individual
9. Disclosure of information would breach the Data Protection Act
10. Disclosure of information obtained from third parties would cause a breach of confidence (S.42 Freedom of Information Act 2000 – Legal Professional Privilege).
11. The information is owned by a third party and they object to its disclosure
12. The information is not non-official i.e. it is not related to the official duties of any of the employees, for example, personal e-mails or related to unofficial or private correspondence with trade unions

5. Fees

Fees for information are set out in the South & City College Birmingham's FOI Charging Policy (see **Charging Policy**).

In brief most public information is free of charge. Where a charge is made this is shown in the Scheme.

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The College may waive a charge at the Colleges discretion.