



POLICIES & PROCEDURES

ACCESS TO INFORMATION POLICY (FE SECTOR)

(Freedom of Information and Environmental Information Regulations)

Policy Owner:	Data Protection Officer
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1. Introduction

- 1.1 South West College (the College) embraces the requirement to openly provide information it holds in an accessible manner. The College is committed to complying with the [Freedom of Information Act \(2000\)](#) (FOI), the [Environmental Information Regulations 2004](#) (EIR), [UK General Data Protection Regulation \(GDPR\)](#), and the [Data Protection Act 2018 \(DPA\)](#) and aligns itself with the [Open Data Strategy for Northern Ireland 2020 – 2023](#).

2. Policy Purpose

- 2.1 The purpose of this policy is:
- To guide the College in its management of requests for access to information under the Freedom of Information Act (2000) and the Environmental Information Regulations 2004;
 - To outline the roles and responsibilities of managers involved in the management of access to information requests; and
 - To establish the Standard Operating Procedures (SOP) for the management of requests made under FOI and EIR.

3. Legislative Context

3.1 Freedom of Information Act (2000)

- 3.1.1 The Freedom of Information Act (2000) gives the public the right of access to recorded information held by public authorities (subject to certain conditions and exemptions) including Further and Higher Education institutions. Compliance with legislation is demonstrated through implementation of the Code of Practice 2018.
- 3.1.2 The Act makes provision for information to be accessed in two ways:
- (i) It requires the College to make available certain information about its activities through a Publication Scheme which is usually accessed from the College's website; and

- (ii) It entitles members of the public to request information from the College.

3.2 Environmental Information Regulations 2004

- 3.2.1 The Environmental Information Regulations provides a similar right of access to environmental; information held by the College i.e.:
 - (i) The College must make environmental information available proactively; and
 - (ii) Members of the public are entitled to request information from the College.

3.3 Protection of Freedoms Act 2012

- 3.3.1 Section 45 of the Freedom of Information Act was amended by Section 102 of the Protection of Freedoms Act 2012 (amended by regulation 21 of the Re-use of Public Sector Information Regulations 2105) and introduced the requirement for a public authority to, so far as reasonably practicable, provide information to an applicant in an electronic form which is capable of re-use.

3.4 UK GDPR/Data Protection Act 2018

- 3.4.1 The Data Protection Act controls how personal information is used by organisations, businesses, or the government. Individuals (data subjects) have the right to request information about themselves or about another data subject if the data subject has given explicit consent to release their data. The Freedom of information Act does not apply where requests for information relates to personal information. For more information on handling requests under UK GDPR/Data Protection legislation reference should be made to the Data Protection Policy.

4. Policy Scope

- 4.1 This policy applies to all requests for information made under the Freedom of Information Act (2000) and the Environmental Information Regulations 2004. It does not apply to requests for personal data under the Data Protection Act 2018.

5. Publication Scheme

- 5.1 The College will be proactive in making information available through its Freedom

of Information Publication Scheme (the Scheme) which will be available from the College website. The College will publish FOI compliance statistics.

- 5.2 A publication scheme is a list of the information that the College publishes. The College will adopt a publication scheme which is based on the Information Commissioner's definition documents for Colleges of Further Education and Non-Departmental Public Bodies (NDPBs).

6. Requests for information

- 6.1 Requests for information will be dealt with under the appropriate Standard Operating Procedure and will take cognisance of timelines to be observed for responding, the need for clarification of the request, and whether any exemptions need to be applied. The College will consider if exemptions apply to the requirement to release information and provide for an internal review if an applicant is dissatisfied with the outcome of their request.
- 6.2 The College will make available on its website standard request forms to assist anyone making a request for information to submit a valid request. The College will also provide reasonable advice and assistance to applicants requesting information and treat all requesters equally.
- 6.3 All requests for information should be addressed to:
- Data Protection Officer
South West College, Omagh Campus
2 Mountjoy Road, Omagh
Co Tyrone BT79 7AH
Email: foi@swc.ac.uk
Tel No: 028 8225 0109

7. Charges

- 7.1 The College will not, as a matter of course, make a charge for the provision of

information. However, it will consider on an individual basis whether to make a charge for production expenses (e.g. redacting, printing, photocopying), postage, and supplying the information in the format requested. Any charge made will reflect actual cost and will not include any profit to the College. Where a charge is considered to be appropriate, the person making the request will be informed of the charge. Once the fee has been received the College will endeavour to provide the information as quickly as possible and within the timelines outlined in the relevant Standard Operating Procedure.

8. Responsibilities

- 8.1 Under Section 36 of the Freedom of Information Act, the qualified person is the Chief Executive.
- 8.2 The Senior Information Officer (SIRO) is responsible for ensuring compliance with legislation. The SIRO for South West College is the Deputy Chief Executive.
- 8.3 All staff are responsible for forwarding requests for information promptly to the Data Protection Officer who is responsible for all access to information requests. A member of staff who is requested to supply information as a result of a request should do so within the time frames identified by the Data Protection Officer.

9. Training

- 9.1 The College will provide training to staff to recognise requests for access to information and to identify the relevant policy and procedure for dealing with a request or how to report receipt of a request.

10. Review

- 10.1 This policy will be reviewed every 2 years or sooner if changes to legislation require a review. The Publication Scheme will be audited and reviewed annually to

ensure that all appropriate information is included.

Signed Principal and Chief Executive: Celine McCarlan

Date: 18/06/2025

Signed Chair of the Governing Body: Nicholas P. L.

Date: 18/06/2025

Related Documentation

Title	Location	Owner
SWC Publication Scheme	Gateway College website	Data Protection Officer
Management of Freedom of Information Requests Procedure	Gateway	Data Protection Officer
Management of Environmental Information Regulations Requests Procedure	Gateway	Data Protection Officer
Protection Policy (UK GDPR)	Gateway College website	Data Protection Officer

Change Log

Location	Change from deletion/addition	Change to
Throughout	Change of title from Risk & Compliance Officer	Data Protection Officer
	Environmental Regulations 2004	Environmental Information Regulations 2004
	Links to relevant legislation included	
	Reformatting throughout	

Communication

Who needs to know (for action)	All Staff
Who needs to be aware	All Staff, Governing Body, Students, Members of the Public

Communication Plan

Action	By Whom	By When
Upload to Gateway and Website	N Nugent	On approval
Circulation to key staff	N Nugent	On approval

Document Development

Details of staff who were involved in the development of this policy:

Name	Role
Joanne Lucas	Risk & Compliance Officer

Details of staff, external groups or external organisations who were consulted in the development of this policy:

Name	Organisation	Date
FE Sector Data Protection Officers		May 2021

Approval Dates

Approved by	Date
Governing Body	18 June 2025

Document History

Issue no. under review	Date of review:	Persons involved in review	Changes made after review? Yes/No If Yes refer to change log	New Issue No.	If changes made was consultation required?	If changes made was Equality Screening required?
V1.0	May 2023	Joanne Lucas	No	V2.0	No	V1.0
V2.0	April 2025	Nicola Nugent	Yes	V3.0	No	No