

# FE Sector Access to Information Policy

<b>Approved by</b>  <div style="text-align: center; border-top: 1px solid black; width: 80%; margin: 0 auto;"> <b>Principal and Chief Executive</b> </div>	<b>Date</b>  <div style="text-align: center; border-top: 1px solid black; width: 80%; margin: 0 auto;"> </div>
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Lois McKean Data Protection & Information Compliance Officer	3	April 2025	April 2027
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## 1. Introduction

North West Regional College (the College), as a public authority, embraces the requirement to openly provide public access to information it holds in an accessible manner. The College is committed to complying with the Freedom of Information Act 2000 (FOI), the Environmental Regulations 2004 (EIR), and aligns itself with the Open Data Strategy for Northern Ireland 2020 – 2023 which provides a framework for the publication and sharing of government information as open data<sup>1</sup>.

## 2. Policy Purpose

The purpose of this policy is:

1. To guide the College in its management of requests for access to information under the Freedom of Information Act (FOI) 2000 and the Environmental Regulations (EIR) 2004.
2. To outline the roles and responsibilities of managers involved in the management of access to information requests; and
3. To establish the Standard Operating Procedures (SOP) for the management FOI requests and EIR requests.

## 3. Legislative Context

### Freedom of Information Act 2000<sup>2</sup>

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.

The Act makes provision for information to be accessed in two ways:

1. 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
2. It entitles members of the public to request information from the College.

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<sup>1</sup> [Open Data strategy for Northern Ireland - 2020-2023](#)

<sup>2</sup> [Freedom of Information Act 2000](#)

## **Environmental Regulations 2004<sup>3</sup>**

The Environmental Regulations (2004) provides a similar right of access to information about the activities of public authorities that relate to, or affect, the environment held by the College i.e.

1. The College must make environmental information available proactively; and
2. Members of the public are entitled to request environmental information from the College.

## **Protection of Freedoms Act 2012<sup>4</sup>**

Section 45 of the Freedom of Information Act was amended by Section 102 of the Protection of Freedoms Act 2012 and introduced the requirement for a public authority to, so far as reasonably practicable, release information and datasets to an applicant and individual requests in an electronic form which is capable of re-use.

## **UK GDPR<sup>5</sup> / Data Protection Act 2018<sup>6</sup>**

The Data Protection Act controls how personal information is used by organisations, businesses or the government. Individuals (data subjects) have a number of rights including the right to be informed, right of access, right to rectification, right to erasure, right to restrict processing, right to data portability, right to object and rights related to automated decision making and profiling. Individuals can 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 relate to personal data. For more information on handling requests under UK GDPR/Data Protection legislation reference should be made to the Data Protection Policy.

## **4. Policy Scope**

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

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<sup>3</sup> [The Environmental Information Regulations 2004](#)

<sup>4</sup> [Protection of Freedoms Act 2012](#)

<sup>5</sup> [UK GDPR](#)

<sup>6</sup> [Data Protection Act 2018](#)

## **5. Publication Scheme**

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.

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 Office Definition Document for Non-Departmental Public Bodies (NDPBs) and public authorities including Colleges of Further Education.

## **6. Requests for information**

Requests for information will be dealt with under the appropriate Standard Operating Procedure and will take cognisance of legislative timelines to be observed regarding any need for clarification of the request, providing information requested and whether any exemptions need to be applied. The College will consider if exemptions apply to the requirement to release information and make provision for an internal review where an applicant is dissatisfied with the outcome of their request.

The College will make available on its website standard request forms to assist anyone wishing to make a request for information and facilitate submission of a valid request. The College will also provide reasonable advice and assistance to applicants requesting information. All requests will be treated equally.

All requests for information should be addressed to:

Data Protection and Information Compliance Officer  
North West Regional College  
78-80 Strand Road  
Derry~Londonderry  
BT48 7AL  
Email: [dpo@nwrc.ac.uk](mailto:dpo@nwrc.ac.uk)  
Tel No: 02871 276154

## **7. Charges**

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 apply a charge for production expenses (e.g. excessive resources and time spent redacting, printing, photocopying), postage and supplying the information in the format requested. Any charge applied will reflect

actual cost incurred 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**

Under Section 36, the qualified person is the Principal & Chief Executive.

The SIRO is responsible for ensuring compliance with legislation.

All staff are responsible for ensuring requests for information are forwarded promptly to the Data Protection & Information Compliance Officer. When a member of staff who is requested to supply information in response to a request, they are required to do so within the time frames identified by the relevant legislation.

## **9. Training**

The College will train and support staff to recognise requests for access to information and to identify which policy is relevant and the appropriate procedure for dealing with the request and how to forward and record requests upon receipt.

## **10. Review**

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 in order to ensure that all appropriate information is included.

## RECORD OF CHANGES

Modifications made since the last review are as follows:

Record of Changes				
Review Date	Page No.	Change Comment	Date of Change	Initials
11.03.2025	1	Updated Author, Policy Implementation & Review Dates	11.03.2025	LMcK
11.03.2025	All	Minor grammar/typo updates and amendments	11.03.2025	LMcK
11.03.2025	3,4	Referenced online links to named legislation	11.03.2025	LMcK
11.03.2025	5	Update to DPO details	11.03.2025	LMcK