Policy: Freedom of Information Policy

(including Publication Scheme)

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FRANKLIN COLLEGE TRUST

1. Introduction
Franklin College Trust is committed to transparency, accountability, and openness in its operations. This Freedom of Information (FOI) Policy sets out how we will comply with the provisions of the Freedom of Information Act 2000 (FOIA) and how staff, students, and third parties can request information from the Trust. This policy also outlines the procedures for responding to requests and the principles by which information will be disclosed.

2. Purpose of the Policy
The purpose of this policy is to:

- Ensure that the Trust complies with the requirements of the Freedom of Information Act 2000.
- Provide staff, students, and third parties with clear guidance on how to request information.
- Promote a culture of openness and transparency within the Trust.
- Clarify the responsibilities of staff in handling FOI requests.
- Establish procedures for responding to requests for information.

3. Legal Context
This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Freedom of Information Act 2000
- Data Protection Act 2018
- UK General Data Protection Regulation (UK GDPR)
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (as amended by the Data Protection Act 2018)
- Environmental Information Regulations 2004
- The Freedom of Information (Release of Datasets for Re-use) (Fees) Regulations 2013
- Data Use and Access Act 2025

4. Scope of the Policy
This policy applies to:
Staff: All employees, contractors, and volunteers working for the Trust.
Students: Individuals enrolled at the Trust, including those on full-time and part-time programmes.
Third Parties: External individuals or organisations making information requests from the Trust.

This policy covers all information held by the Trust, including documents, emails, records, and other forms of data.

5. Information Covered by the Freedom of Information Act (FOIA) and Environmental Information Regulations (EIR)
5.1 The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 give individuals the right to access recorded information held by the Trust, in any format and, where reasonably practicable, in an accessible form. These regimes place a number of obligations on the Trust, including the requirement to maintain a Publication Scheme.

Requests may, however, be subject to exemptions. These include, but are not limited to, information that:

- Is protected by legal professional privilege.
- Could prejudice national security, law enforcement, or the Trust's commercial interests.

- Is personal data under the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

5.2 The FOIA, which is enforced by the Information Commissioner, gives applicants rights:
- to be told whether information is held by the Trust.
- to receive the information, where possible in the manner requested, for example as a copy or summary, or in paper or electronic format
- to be told whether or not the information is available free of charge.

5.3 Section 39 of the Freedom of Information Act 2000 exempts environmental information from disclosure under that Act. Requests for such information must instead be handled under the Environmental Information Regulations 2004, as amended by the Data Protection Act 2018.
Requests under the Environmental Information Regulations may also be made to certain non-public bodies that carry out public functions.

5.4 The Trust is committed to transparency and openness regarding the information it holds. It will meet its obligations in both letter and spirit, while maintaining an appropriate balance between resource considerations, confidentiality, individuals' privacy rights, and the purpose for which the information is held.

5.5 The Trust will assess each request on a case-by-case basis to determine whether the information requested is disclosable, exempt or vexatious.

6. Publication Scheme

6.1 A Publication Scheme describes the information the Trust publishes or intends to publish. In this context, 'publish' means to make information available. **(See Appendix 1 for the Trust's Publication Scheme).** There is no obligation to publish drafts, notes, older versions of documents that have been superseded, emails or other correspondence. Actions and decisions in relation to specific individuals are also unlikely to be covered.

6.2 The Trust has adopted the model Publication Scheme from the UK Independent Authority, the Information Commissioner's Office (ICO), and has included descriptions using guidelines and best practice from within the Education sector.

6.3 These descriptions are called 'classes of information'. The Publication Scheme is a list of types of information which may change as new material is published or existing material revised. It is also the public organisation's commitment to make available the information described.

6.4 The Publication Scheme also makes clear how the information described can be accessed and whether or not charges will be made. This Publication Scheme is not an exhaustive list of information held and is a 'live' document and so may be subject to change. The FOIA only covers information held, it does not require us to create new information or to record information we do not need for our own business purposes.

7. Information Not Covered by the Publication Scheme

7.1 From 1 January 2005 members of the public have the right, under the Freedom of Information Act, to request any information held by a public organisation which it has not already made available through its Publication Scheme.

7.2 Responses will include confirmation that the Trust holds the data requested, unless there is an exemption (known as 'Neither Confirm nor Deny' exemption).

7.3 Requests will have to be made in writing and, in general, the Trust will have 20 working days to respond. A fee may be charged (see section 11), and if we are unable to supply the information you have requested due to a valid exemption then the reason will be explained to you.

8. Publication Scheme: charging for re-use of datasets

8.1 Under section 19(2A) of the FOIA, the Trust's publication scheme must require the publication of any dataset that has been requested, along with any updated versions it holds, unless the Trust determines that publication is not appropriate. Where reasonably practicable, the dataset must be published in a reusable format.

8.2 Where a dataset contains relevant copyright material owned solely by the Trust, it must be made available for re-use under the terms of a specified licence.

The Trust may charge a fee for re-use. Where another enactment provides the power to charge, the Trust may rely on that power. Otherwise, the Freedom of Information (Release of Datasets for Re-use) (Fees) Regulations 2013 apply. These Regulations provide that the total fee must not exceed the sum of:
(a) the costs of collection, production, reproduction, and dissemination of the relevant copyright work; and
(b) a reasonable return on investment.

Applicants will be informed of the expected fee at the time of application. On request, the Trust will set out in writing the factors taken into account in calculating the fee.

The fee for allowing the re-use of a dataset is in addition to any charges for making the information available.

9. Accessing Information Under the Freedom of Information Act and Environmental Information Regulations

9.1 Select information from the Publication Scheme will be published on our website Welcome to Franklin | North East Lincolnshire's Top Performing College or through other public domains, and this will be freely available.

9.2 How to Make a Freedom of Information Request

Requests for information should be made in writing (by email or letter) to the Trust. Requests should be as specific as possible, including the following details:

- A clear description of the information being requested.
- The preferred format for receiving the information (e.g., paper, email, or online).

Requests can be submitted via the following contact details:

- Email: Information.Governance@franklin.ac.uk
- Postal Address: [Data Protection Officer, Franklin College Trust, Chelmsford Avenue, Grimsby, DN34 5BY]

9.3 Requests under the Environmental Information Regulations 2004 will be considered in the same way as requests made for information under this Publication Scheme see Appendix 1 and section 11 for further guidance and fees.

10. Timescales for Response
The Trust is required to respond to FOI requests within 20 working days from the date the request is received, whereby the Trust's internal FOIA procedure will be followed. If additional time is required to process the request, we will inform the applicant of the delay and provide a revised response date.

11. Fees and Charges
11.1 The Freedom of Information Act 2000 (FOIA) provides the public with a right of access to information held by public authorities. Under Section 9 of FOIA, a public authority may charge a fee for complying with a request. Any such fee must be calculated in accordance with the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, as amended by the Data Protection Act 2018.

11.2 Appropriate Limit
Section 11 of the FOIA permits public authorities to refuse a request where the cost of compliance would exceed the 'appropriate limit' set out in the Fees Regulations. For the Trust, this limit is £450.
In determining whether the cost would exceed the appropriate limit, section 4(3) of the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 provides that the Trust may only take into account the costs it reasonably expects to incur in:

- determining whether it holds the information;
- locating the information, or a document containing it;
- retrieving the information, or a document containing it; and
- extracting the information from a document containing it.

The Trust may include the costs of staff time or external contractor time reasonably expected to be spent undertaking the above activities. For consistency, all public authorities apply a standard hourly rate when estimating staff time, irrespective of actual salary costs.

Under section 4(4) of the Fees Regulations, this rate is set at £25 per person per hour. Accordingly, the appropriate limit is exceeded where these activities are estimated to require more than 18 hours.

11.3 What happens if the "appropriate limit" is exceeded?
The Trust is not obliged to comply with a request where it estimates that the appropriate limit would be exceeded. However, where a request is refused on this basis, the Trust will provide advice and assistance to help the applicant refine or narrow the request so that it falls within the cost limit.

11.4 What happens if the "appropriate limit" is not exceeded?
Where the cost of compliance does not exceed the appropriate limit, the Trust must comply with the request and disclose the information, unless an exemption under the FOIA applies.
Regulation 6 of the Freedom of Information and Data Protection (Appropriate Limit and Fees)

Regulations 2004 specifies the activities for which a charge may be made when complying with a request. These differ from the activities considered when estimating whether the appropriate limit has been exceeded (see 11.2 above).

Under Regulation 6 of the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, the costs the Trust may charge when complying with a request are known as 'communication costs' and are limited to expenses actually incurred. Accordingly, the Trust may recover reasonable costs incurred in:

- contacting the applicant to inform them the information is held; and
- communicating the information to the applicant e.g.
- reproducing any document containing the information;
- postage and other forms of transmitting the information; and
- complying, where this is reasonably practicable, where the applicant has expressed a preference for a particular means of communication.

The Trust may not charge for staff time spent undertaking these activities.

11.5 Aggregation of costs

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 provide that the Trust may aggregate two or more requests for the purpose of calculating costs where the requests are:

- by one person, or by different persons who appear to the Trust to be acting in concert or in pursuance of a campaign;
- for the same or similar information; and
- the subsequent request is received by the Trust within 60 working days of the previous request.

This provision is intended to prevent individuals or organisations from circumventing the appropriate limit by dividing a request into smaller parts.

12. Exemptions and Refusals

The Trust may refuse to disclose certain information if it falls under any of the statutory exemptions outlined in the Freedom of Information Act. Common exemptions include, but are not limited to:

- Information that would compromise the Trust's commercial interests.
- Information that would endanger public safety or security.
- Personal data protected under the Data Protection Act 2018 and General Data Protection Regulation UK (GDPR).
- Information that required is vexatious and repeat requests to the Trust.

If a request is refused, the Trust will provide a clear explanation for the refusal, including the relevant exemption under the FOIA.

13. Public Interest Test

13.1 The underlying principle of the Freedom of Information Act is that information should be disclosed unless there is a valid reason to withhold it. Information may only be withheld where the public interest in maintaining the exemption outweighs the public interest in disclosure. This balancing exercise is known as the 'Public Interest Test'.

13.2 A public interest test will be applied to any relevant exemptions before the requested information is disclosed.

14. Review and Appeals

If a requester is dissatisfied with the Trust's decision to withhold or refuse information, they have the right to appeal the decision. The appeal should be submitted in writing to the Principal, who will review the request and make a final determination.

If the requester is still dissatisfied after the internal appeal process, they can appeal to the Information Commissioner's Office (ICO) for further investigation.

15. Responsibilities of Staff, Students, and Third Parties

Staff: All staff members are responsible for ensuring that any information they hold that may be requested under the FOIA is made accessible in accordance with this policy. Staff should familiarise themselves with the FOI procedures and report any requests for information to the Data Protection Officer (DPO) via Information.Governance@franklin.ac.uk.

Students: Students should be aware of their rights under the FOIA to request information. They should submit any requests in writing.

Third Parties: External parties seeking information from the Trust must adhere to the procedures for submitting a formal request and must respect any decisions regarding fees, exemptions, or refusals.

16. Training and Awareness

To ensure compliance with the Freedom of Information Act, the Trust will provide training to staff on their responsibilities under this policy and the requirements of the FOIA.

17. Policy Review

This policy will be reviewed by the College Leadership Team to ensure it remains up to date and effective. Any necessary amendments will be made in consultation with relevant parties.

18. Contact Information

For further information or assistance regarding Freedom of Information requests, please contact the Data Protection Officer:

Email: [Information.Governance@franklin.ac.uk]

Postal Address: [Data Protection Officer, Franklin College Trust, Chelmsford Avenue, Grimsby, DN34 5BY]

19. Further Information

More information about the Freedom of Information Act is available on the Information Commissioner's website at: www.ico.org.uk

Appendix 1

Franklin College Trust
Freedom of Information (FoI) Act
Publication Scheme

Adopting the Model Publication Scheme is a requirement of the Freedom of Information Act 2000 (FOIA), the purpose of which is to promote greater openness and accountability. The Publication Scheme describes the information that a public body publishes or intends to publish. It is not a list of the actual publications as this will change as new material is published or existing material revised. Rather it is the public authority's commitment to make available the information described.

1. Publication Scheme
This Publication Scheme commits Franklin College Trust to make information available to the public as part of its normal business activities.
The information covered is included in the following classes of information:

1. Who we are and what we do;
2. What we spend and how we spend it;
3. What our priorities are and how we are doing;
4. How we make decisions;
5. Our policies and procedures;
6. Lists and registers; and
7. The services we offer.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure;
- Information in draft form;
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

2. Method by which information published under this scheme will be made available
Information will be provided in English. Where Franklin College Trust is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

3. Charges which may be made for information published under this scheme
The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by Franklin College Trust for routinely published material will be justified, transparent and kept to a minimum.

Charges will be made for actual disbursements incurred such as:

- Photocopying – 5p per sheet
- Postage and packaging – as per post office set fees

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to

information held by the Trust, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

Charges may also be made for information subject to any charging regime specified by parliament. If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment will be requested prior to provision of the information.

4. Written Requests
Information held by the Trust that is not published on our website under this scheme can be requested in writing, where its provision will be considered in accordance with the provisions of the Freedom of Information Act. This also applies to Environmental Information Regulations requests too.

5. Appeals
If a requester is dissatisfied with the Trust's decision, they have the right to appeal the decision. The appeal should be submitted in writing to the Principal and CEO, who will review the request and make a final determination.
If the requester is still dissatisfied after the internal appeal process, they can appeal to the Information Commissioner's Office (ICO) for further investigation.

6. Publication Scheme
Many documents can be found electronically on the Trust website. This is not an exhaustive list but indicative of the types of documents held. Some information may, in some circumstances, be exempt from disclosure.

Class	Information Available	Manner i.e. Paper, Electronic, Website
1. Who we are and what we do		
Legal Framework	Information relation to how the institution was established and standing from the point of view of the law. Ultimately the corporate status of the Trust is conferred by the relevant statutes, in particular the Education Reform Act 1988 and the Further and Higher Education Act 1992 the relevant statutes, in particular the Education Reform Act 1988 • Memorandums and Articles of Association of the Trust • Charitable status – The Trust is an exempt charity under the powers conferred by the Further and Higher Education Act 1992 • Provider Access Legislation	The actual legislation is already publicly available via the web links. Website
How the institution is organised.	Organisational information, structures, locations and contacts. • Organisational Chart • Trust Chart • Calendar and term dates • Members, Board of Directors, Community Governors and Local Advisory Boards	Website, Paper, Electronic

	• Governance Plan (including Trust Standing Orders) • Financial Plans • Terms of References • The composition, roles and responsibilities of the Members, Board of Directors, Community Governors and Local Advisory Boards, including the names of members • Staff Code of conduct • Minutes and papers of Members, Board of Directors, Local Governing Body and Local Advisory Boards • College Leadership Team structure / role profiles • College policies and procedures	
List of and information relating to organisations it works in partnership with and any companies wholly or partly owned by it	• Funding Agencies • Ofsted • Awarding Bodies • Local Authorities • Partner Schools and other schools • Employers • Department for Education • Other FE Colleges • Health and Wellbeing Organisations • Universities – information on formal partnerships with HE institutions	Website, Paper, Electronic
Information on the institutional context	• The Trust Strategic Plan • The Trust Vision • The Trust Values • The Trust Prospectus	Website, Paper, Electronic
Location and contact details	Franklin College Trust Franklin Sixth Form College Chelmsford Avenue Grimsby DN34 5BY Telephone: 01472 875000 Email: reception@franklin.ac.uk Website: Welcome to Franklin | North East Lincolnshire's Top Performing College	Website, Paper, Electronic
Student/Pupil Activities	Marketing, recruitment and public relations. Publications relation to student recruitment and publicising our facilities and activities: • Prospectus (including entry requirements for courses) • Open Days / Evenings • Taster Days • Application Process • Enrolment • Press Releases	Website, Paper, Electronic

	• Course Brochures • Newsletters • Social Media • Employer Engagement	
2. What we spend and how we spend it		
Funding/Income	• Funding Agreement • Financial Regulations • Insurance Certificate	All Electronic
Budgetary and account information; expenditure	• Annual audited Financial Statements • Financial Regulations • Remuneration of senior staff – detailed in the annual Financial Statements	All Electronic
Financial Audit Reports	• Annual Financial Statements and Regularly Audit Report • Annual Internal Audit Report	All Electronic
Capital Programme	• Premises Manager reports to senior leaders on progress of capital projects	All Electronic
Financial Regulations and Procedures	• Financial Regulations Policy	All Electronic
Staff Pay and Grading Structures	• Salary grades and pay	All Electronic
Staff Allowances and Expenses	• Details of the allowance and expenditure that be claimed • Details of any staff/governor allowances and expenses paid – Financial Statements	All Electronic
Register of Suppliers	List of approved suppliers	All Electronic
Procurement and Tender Procedures and Reports	Financial Regulations	All Electronic
Contracts	Detail of any contracts valued over £100,000 is available on request – subject to confidentiality and commercial sensitivity restrictions	All Electronic
3. What our priorities are and how we are doing		
What our priorities are and how we are doing	• Strategic Plan • College Self-Assessment Report (SAR) and Quality Improvement Plan (QIP) • Quality Assurance Guidance • Ofsted Inspection Report • Annual Financial Statements • Student Outcomes / Performance Tables • Strategic Planning • Student Perspective of Course (SPoCs) / Student Feedback	Website, Paper, Electronic
4. How we make decisions		
How we make decisions	• Members Meeting Agendas, Minutes and Papers • Board of Directors Agendas, Minutes and Papers • Local Governing Body Agendas, Minutes and Papers	Website, Paper, Electronic

	• Local Advisory Board Agendas, Minutes and Papers • College Leadership Team Agendas, Minutes and Papers • EDI, Health and Safety and Safeguarding Meeting Minutes and Papers Many papers and minutes of such meetings are confidential under data protection or commercial sensitivity issues.	
5. Our policies and procedures		
Our policies and procedures	• All Trust Staff and Student Policies • Franklin College Trust – Annual Cycle of Business • Members, Board of Directors, Community Governors and Local Advisory Boards Meeting Timetable	All Electronic
6. Lists and registers		
Lists and registers	• A Register of Interest Held • An asset register is held • FOI requests log • Register of any gifts/hospitality provided to senior staff • Location of any overt CCTV cameras	Website All Electronic
7. The services we offer		
The services we offer	• Prospectus • Information relating to admissions/enrolment • Health & Wellbeing Services • Careers – Information, Advice and Guidance • Course/subject leaflets/information • Learning Behaviour Policy • Examinations Policy • Study Centre – Resources, Computer and IT Facilities/Support, Printing, photocopying and scanning • Bursary Information • Lettings Information/Facilities • Press Releases • Work Experience • Bus Route Information • Careers Programme	All Electronic