

FREEDOM OF INFORMATION POLICY

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Freedom of Information Policy

1. Introduction

- 1.1 Under the Freedom of Information Act 2000, members of the public have a general right to access all recorded information held by a public organisation, including colleges of further education. This policy also covers the Environmental Information Regulations 2004, which gives the public a right of access to environmental information (EIR).
- 1.2 Any person has the right to ask if a particular piece of information is held by UCS College Group and to request a copy of that information.
- 1.3 UCS College Group seeks to ensure that it operates in an open and transparent manner, dealing satisfactorily with requests and readily providing information to the public.

2. General

- 2.1 Section 19 of the Freedom of Information Act places a duty on public organisations to have a Public Information Disclosure Scheme in accordance with the Information Commissioner (Appendix A).
- 2.2 The Publication Scheme outlines the types of information held by the UCS College Group and how each of these may be accessed. The Scheme is available to the public through the College Group's website. Electronic and paper copies of the documentation are available on request.
- 2.3 The Publication Scheme will be reviewed on an annual basis to assure accuracy.

3. Exemptions

- 3.1 Whilst the UCS College Group will endeavour to be as open as possible in terms of the information it makes available, there are certain categories of information that are exempt from the provisions of the Freedom of Information Act (2000), which allow for information to be withheld or qualified.
- 3.2 The exemptions include personal information deemed to be sensitive under the UK GDPR and the Data Protection Act and information where a public interest test applied.
- 3.3 Requests involving personal data will be considered under Section 40 of the Freedom of Information Act, with reference to the UK GFPR and Data Protection Act 2018 where applicable. The College Group has a separate policy on Data Protection which is available on the UCS College Group website.

3.4 Breaches of confidentiality of personal and sensitive information by any employee may lead to disciplinary action under the UCS College Group's staff disciplinary procedure.

3.5 The College Group will make the information available unless:

- It does not hold the information in question;
- The information is exempt under one of the FOI Act exemptions
- Information is readily and publicly available from the website and will provide a direct link to that information;
- The request exceeds the appropriate cost limit under Section 12 of the FOI Act
- The request is considered vexatious or repeated under Section 14 of the FOI Act

4. Confidentiality

4.1 The College Group Board of Governors has established a few categories for determining the confidentiality of its own proceedings. Records of such discussions are recorded separately and will not be made publicly available. The following matters will be assessed as confidential and treated as such:

- Personal information relating to an individual;
- Information provided in confidence by a third party who has not authorised its disclosure;
- Financial or other information relating to procurement decisions during the course of those negotiations;
- Information relating to personnel matters during the course of negotiations;
- Information relating to the financial position of the College where the Board of Governors is satisfied in good faith that disclosure may harm the College;
- Legal advice received from or instructions given to the College's legal advisers;
- Information planned for publication in advance of that publication; or
- Commercially sensitive material or information

5. Register of Interests

5.1 All governors and senior managers with significant budgetary responsibilities are required to complete an annual declaration of interest form. These are kept on file by the Director of Governance.

6. Procedures

6.1 Requests for information must be made in writing (including email) to:

Data Protection Officer
Bridgwater College, Bath Road, Bridgwater, TA6 4PZ

Where individuals require assistance to make a request, the College Group will provide reasonable support in accordance with its duty to advise and assist applicants.

- 6.2 You should provide your name with your request. We encourage you to be as specific as possible when describing the information you are requesting, to help us in our search. This will also speed up our response, and ensure we provide you with all the relevant information you request.
- 6.3 We will respond to your request within 20 working days. In some cases, where a qualified exemption applies and a public interest test is required, the response time may be extended beyond 20 working days. In such cases, we will inform the applicant and provide an estimated timeframe.
- 6.4 We can refuse to disclose information if:
- The cost of the providing the information exceeds £450
 - The UCS College Group does not hold the information you are looking for
 - The information is exempt from disclosure under the FOI Act
 - Your request is considered vexatious or repeated.
- 6.5 Information will be provided in the applicant's preferred format, where reasonable practical.

7. Fees and costs

- 7.1 The college will generally not charge a fee for a Freedom of Information Request.
- 7.2 Where the estimated cost of compliance is greater than £450 (approximately 2.5 staff days at a cost of £25 per hour) we will endeavour to provide advice and assistance to help you to refine the request such that it falls under £450. The college is not obliged to comply with requests that are estimated to cost more than £450 in accordance with Section 12(1) ('excessive costs') of the Freedom of Information Act.

8. Environmental Information Regulation

- 8.1 Any requests for environmental information held by public authorities must be responded to in accordance with the Environmental Information Regulations 2004 (EIR), rather than the Freedom of Information Act.
- 8.2 EIR requests do not need to be made in writing; however, a written record will be made of any verbal requests that are received. The College will respond to a request within 20 working days and will treat these requests in line with the guidance provided by the Information Commissioner.

9. Review

- 9.1 The UCS College Group follows best practice and guidance provided by the FOI Code of Practice and has a procedure in place for dealing with disputes about its handling of requests for information.
- 9.2 These disputes will be dealt with as a request for an 'internal review'. In accordance with the FOI Act, applicants are informed in the original decision notice for their request for information whether the UCS College Group has an internal review process.
- 9.3 The applicant is also informed of their right to approach the Information Commissioner if unsatisfied with the outcome of their internal review request.
- 9.4 A request for internal review needs to be made in writing. There is no prescribed format that need to be followed, however, it needs to be expressed that the applicant is asking for such a review.
- 9.5 It is usual practice for a request for internal review to be accepted within 40 working days of the date of the original decision notice. The UCS College Group will not accept such a request after this date.
- 9.6 The time period for compliance with a request for internal review is 20 working days from the date of a valid request. If the internal review is complex, requires consultation with third parties or if the relevant information is of a high volume, the UCS College Group may require longer than 20 working days to consider its response, in which case the applicant will be informed.
- 9.7 An internal review will be dealt with based on the scope of the original request. If the scope of the request needs to be clarified, the applicant will be informed as soon as possible. The request will be placed on hold until the UCS College Group is in receipt of the necessary clarifications needed and the timeframe of 20 working days to comply will be stopped. If no response is received within one calendar month from the date the request has been placed on hold it will be withdrawn.
- 9.8 Internal reviews will be conducted by a senior member of staff who was not involved in the original decision.

10. Review of Policy

- 10.1 This policy will be updated as necessary no later than 3 years, to reflect best practice and to ensure compliance with any changes to legislation.

UCS College Group Publication Scheme

A FOI Act publication scheme is a document which describes the information a public authority publishes or intends to publish. In this context, this is the information the UCS College Group means to make available, routinely.

The table below indicates where documents may be obtained, either on the website or can be requested in writing. The Scheme is not an exhaustive list but indicative of the types of documents held.

There are documents which are not available on the website because they are:

- Constantly being updated;
- Very large in size;
- Of minority interest;
- Contain some exempt information and will need to be individually amended in order not to compromise the reader;
- Will remain on paper only.

Class	Description	Manner
Who we are and what we do	Locations and contact details	www.ucscollegegroup.ac.uk
	Corporation Membership	www.ucscollegegroup.ac.uk
	Leadership Team	www.ucscollegegroup.ac.uk
	Organisational Structure	Available on request
	Gender Pay Report	www.ucscollegegroup.ac.uk
Legal Framework	Education Act 2011	Education Act 2011
	Further and Higher Education Act 1992	Further and Higher Education Act 1992
	Charities Act 2011	Charities Act 2011
	Learning and Skills Act 2000	Learning and Skills Act 2000
	UCS College Group Instrument & Articles of Government	www.ucscollegegroup.ac.uk
	Audit Code of Practice	Code of Audit Practice - National Audit Office
What we spend and how we spend it	Annual Report and Financial Statements	www.ucscollegegroup.ac.uk
What our priorities are and how we are doing it	Mission Statement and Strategic Objectives	www.ucscollegegroup.ac.uk
	Ofsted Reports	University Centre Somerset College Group - Open - Find an Inspection Report - Ofsted
	Exam and assessment results and academic performance tables	www.ucscollegegroup.ac.uk

	Data Protection Impact Assessments	Available on request
How we make decisions	Governance structure	Available on request
	Corporation, committee and board agendas and minutes	Available on request
Our policies and procedures	Policies and procedures	www.ucscollegegroup.ac.uk
	Code of conduct for members of the governing body	Available on request
	Current staff vacancies	www.ucscollegegroup.ac.uk
Lists and registers	Data Protection logs	Available on request
	Freedom of Information and Environmental Information logs	Available on request
	Register of interests	Available on request
	Register of gifts and hospitality received	Available on request
The services we offer	Prospectus	www.ucscollegegroup.ac.uk
	Student Voice	www.ucscollegegroup.ac.uk
	Enrichment	www.ucscollegegroup.ac.uk
	Learning Resource Centre	www.ucscollegegroup.ac.uk
	Careers Advice and Guidance	www.ucscollegegroup.ac.uk
	Student Funding	www.ucscollegegroup.ac.uk
	Additional Learning Support	www.ucscollegegroup.ac.uk
	Sports Centre	www.ucscollegegroup.ac.uk
	Restaurants and Cafes	www.ucscollegegroup.ac.uk
	Hair and Beauty Salons	www.ucscollegegroup.ac.uk
	Accommodation	www.ucscollegegroup.ac.uk
	Conference Centre	www.ucscollegegroup.ac.uk
Theatres	www.ucscollegegroup.ac.uk	
Marketing and Media	Press releases	www.ucscollegegroup.ac.uk
	Open Events	www.ucscollegegroup.ac.uk