Freedom of Information Act 2000

Definition document for colleges of further education

This document is written for the use of further education colleges in England, Wales and Northern Ireland that are subject to the Freedom of Information Act 2000 (FOIA). Sixth form colleges may opt to use either this definition document or the one for schools, as appropriate to their constitution and country location (ie England, Wales or Northern Ireland). You must make clear which document you are using.

The guidance gives examples of the kinds of information that the ICO expects you to provide in order to meet your commitments under the model publication scheme.

The ICO expects you to make the information in this definition document available unless:

- you do not hold the information;
- the information is exempt under one of the Freedom of Information Act (FOIA) exemptions or Environmental Information Regulations 2004 (EIR) exceptions, or its release is prohibited under another statute (eg UK GDPR);
- the information is readily and publicly available from an external website; such information may have been provided either by you or on your behalf. You must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or
- it would be impractical or resource-intensive to prepare the material for routine release.

If the information is only held by another public authority, you should provide details of where to obtain it.

The guidance is not meant to give an exhaustive or definitive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and you should look to provide as much information as possible on a routine basis.

As a minimum, the ICO expects you to make available information that is required by statute or by virtue of a funding agreement, financial memorandum or other arrangement, unless the disclosure is contrary to those provisions.

Publishing datasets for re-use

As a public authority, you must publish under your publication scheme any dataset you hold that has been requested, together with any updated versions, unless you are satisfied that it is not appropriate to do so. So far as reasonably practicable, you must publish it in an electronic form that is capable of re-use.

If the dataset or any part of it is a relevant copyright work and the public authority is the only owner, the public authority must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.

The 2018 Section 45 Code of Practice recommends that public authorities make datasets available for re-use under the Open Government Licence.

The term 'dataset' is defined in section 11(5) of FOIA. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of FOIA. The ICO has published guidance on Datasets (sections 11, 19 and 45). This explains what is meant by "not appropriate" and "capable of re-use".

Model publication scheme

The table below identifies the specific information the ICO expects you to publish under each of the seven classes of information set out in the model publication scheme.

Class 1 – Who we are and what we do

Organisational information, structures, locations and contacts

Information in this class to be current information only.

- **Legal framework, Instrument of Government or Articles of Association**

Information relating to your legal and corporate status.

- **Organisational Structure**

Information about your management structure, including a description of your governance arrangements and organisational structure, together with a description of the work of each unit and the names and responsibilities of key personnel. Provide terms of reference, membership and description of all boards and committees. Also include department structures and identify senior personnel.

- **Gender Pay Gap Reporting**

Read the Government's guidance on the gender pay gap reporting to find out what information you need to publish. Publish this data annually if you have a head count of 250 staff or more.

- **Lists of and information relating to organisations you work in partnership with and any companies you wholly or partially own**

On the basis that most of these bodies will be responsible for their own affairs, you only need to provide information for the purposes of identifying the relationship between you and these bodies (such as business, the professions and the community).

- **Location and contact details**

Provide your postal and email address. If possible, provide named contacts including contact phone numbers and email addresses.

- **Student activities**

Information relating to the operation and activities of the Student

Union or its equivalent and other clubs. You can also include information about associations and non-academic activities that are organised for or by the students.

Class 2 – What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit

Make available your financial information for the current and previous two financial years, as a minimum.

- **Funding or income**

Information on the sources of funding and income, such as funding grants, tuition fees, endowment, rents and investment income (including investment strategy), as well as income generation schemes.

- **Budgetary and account information**

Annual statement of accounts and other information to allow the public to see where you are spending money or planning to spend it and the difference between the two. Include revenue budgets and budgets for capital expenditure to be included.

- **Expenditure**

Details of items of expenditure over £15,000, including costs, supplier and transaction information. Publish this at least annually or, if practical for you to do so, on a quarterly or six-monthly interval.

- **Financial audit reports**

- **Capital programme**

Information on major plans for capital expenditure, including any private finance initiative and public or private partnership contracts.

- **Financial regulations and procedures**

- **Staff pay and grading structures**

You can provide this as part of your organisational structure. As a

minimum, include the details of senior staff salaries in bands of £ 5,000. For all other posts, identify levels of pay by salary range.

- **Staff allowances and expenses**

Details of the allowances and expenses that can be incurred or claimed. Include the total of the allowances and expenses paid to individual senior staff members by reference to categories. Produce this information in line with your policies, practices and procedures. As a minimum, include travel, subsistence and accommodation.

- **Governors' allowances**

Details of allowances or expenses that can be claimed or incurred, and a record of total payments made to individual governors.

- **Register of suppliers**

- **Procurement and tender procedures and reports, and contracts**

Provide details of procedures used for the acquisition of goods and services and details of contracts that have gone through a formal tendering process.

- **TU facility time reporting**

Read the government guidance on reporting [trade union facility time](#) to find out what information you need to publish. You need to publish this information once a year.

Class 3 – What our priorities are and how we are doing

Strategies and plans, performance indicators, audits, inspections and reviews

Make information in this class available for at least the current and previous three years.

Include any reports or recorded information demonstrating your planned or actual performance.

- **Annual report**
- **Self-assessment report**

- **Corporate and business plans**
- **Teaching and learning strategy**
- **Academic quality and standards**
- **Most recent Ofsted, Estyn or Education and Training Inspectorate inspection report**
- **Exam and assessment results**
- **Performance tables**
- **Data Protection impact assessments (in full or summary format) or any other impact assessment (eg Health & Safety Impact Assessment, Equality Impact Assessments etc), as appropriate and relevant**
- **Quality assurance procedures**

Information, or a direct link to publicly available information, on your internal procedures for assuring academic quality and standards and qualitative data on the quality and standards of learning and teaching.

- **External review information**

Include information such as the annual monitoring and review process together with a statement of roles, responsibilities and authority of different bodies within your institution involved in programme approval and review.

- **Corporate relations**

Information relating to your links with employers and sponsors, in both the public and private sectors, and the development of learning programmes.

- **Government and regulatory reports**

Provide details about accreditation and monitoring reports by professional, statutory or regulatory bodies and information that you are legally obliged to make available to funding and /or monitoring bodies.

Class 4 – How we make decisions

Decision making processes and records of decisions

Make information in this class available for at least the current and previous three years.

- **Minutes, agendas and papers from the governing body, council, academic boards, steering groups and committees.**

Provide minutes of meetings where you made key decisions about the operation of the college. Include information such as teaching and learning committee minutes, minutes of staff or student consultation meetings and appointment committees. Exclude material that is properly considered to be exempt from disclosure.

Class 5 – Our policies and procedures

Current written protocols, policies and procedures for delivering our services and responsibilities

Information in this class to be current information only.

- **Policies and procedures for conducting college business**

Include codes of practice, memoranda of understanding, procedural rules, standing orders and similar information. Include procedures for handling requests for information.

- **Welsh Language standards (Wales only)**

Include details of how you comply with the requirements of either the Welsh Language Act 1993 or the Welsh Language Measure (Wales) 2011, or both.

- **Procedures and policies relating to academic services**

Include policies such as policies and procedures relating to changing course, student assessment, appeals and breach of assessment regulations.

- **Procedures and policies relating to student services**

Include relevant policies and procedures about student admission and registration, accommodation, management of the student records system, internal student complaints and appeals, student support services and code of student discipline.

- **School policies and other documents**

Include policies such as your behaviour, anti-bullying, valued and ethos etc policies. As a minimum, include policies, procedures and documents that you are required to have by statute, by your funding agreement or equivalent.

- **Procedures and policies relating to human resources**

Include the full range of human resources policies and procedures such as generic terms and conditions of employment, collective bargaining and consultation with trade unions, grievance, disciplinary, harassment and bullying, public interest disclosure, staff development (such as induction, probation, appraisal, promotions).

- **Pay policy**

The statement of your policy and procedures regarding staff pay.

- **Procedures and policies relating to recruitment**

Make details of current vacancies readily available, if they are advertised as part of recruitment policies.

- **Code of Conduct for members of governing bodies**

- **Equality and Diversity policies, Equality Scheme (NI only)**

Include policies, schemes, statements, procedures and guidelines relating to your commitment to the promotion and advancement of equal opportunities, including details of your compliance with the public sector equality duty.

- **Health and safety**

- **Estate management**

Include disposals policy, estates strategy and plan, facilities management policies, grounds and building maintenance.

- **Complaints policies and procedures**

Include those covering requests for information and operating the publication scheme.

- **Records management, personal data and access to information policies**

Include information security policies, file plans, records retention and archive policies, and data protection (including data sharing and CCTV usage) policies.

- **Charging regimes and policies**

Provide details of any statutory charging regimes. Include charging policies about charges made for information routinely published. Clearly state what costs you are recovering, the basis on which you make them, and how they are calculated.

If you charge a fee for licensing the re-use of datasets, you should state in your guide to information how this is calculated and whether the charge is made under the Re-use Fees Regulations or under other legislation. You cannot charge a re-use fee if you make the datasets available for re-use under the Open Government Licence.

Class 6 – Lists and registers

Only information contained in currently maintained lists and registers.

- **Any information you are currently legally required to hold in publicly available registers**

- **Asset registers**

- **Information asset register**

Make the location of public land and building assets and key attribute information that is normally recorded on an asset register available, along with some other information from capital asset registers, if you hold such registers.

- **CCTV**

Details of the locations of any overt CCTV surveillance cameras operated by you or on your behalf. You should decide on the level of detail which is appropriate. This could be by building or more general geographic locations eg postcodes or partial postcodes, depending on the security issues raised.

- **Disclosure logs**

If you produce a disclosure log indicating the information provided in response to FOIA and EIR requests, make it readily available. Disclosure logs are recommended as good practice.

- **Any register of interests you keep**

- **Senior staff declaration of interests**

Include the names, departments and job titles of all senior staff who have made entries.

- **Register of gifts and hospitality provided to senior staff**

Include details of gifts given or received and details of any hospitality afforded and by which organisation.

Class 7 – The services we offer

Information about the services you offer, including leaflets, guidance and newsletters

Generally, this is an extension of part of the first class of information. While the first class provides information on your roles and responsibilities, this class includes details of the services you provide as a result of them. It may also relate to information covered in other classes. Examples of other services you could include are:

- **Prospectus and course content**
- **Services for outside bodies**
- **Health, including medical services**
- **Welfare and counselling services**
- **Funding, such as grants and bursaries, available to students from the college**
- **Careers advice and careers programme information**
- **Chaplaincy services and multi-faith provision**
- **Services for which you are entitled to recover a fee together with those fees**
- **Sports and recreational facilities**
- **Facilities relating to music, art and other cultural activities**
- **Museums, libraries, special collections and archives**

Include guides to collections and scope and availability of catalogues (if you need further guidance, you can check the [Definition Document for museums, libraries, art galleries and historical collections](#)).

- **Conference facilities**
- **Advice and guidance**
- **Media releases**