



# Freedom of Information Policy

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| Version:  | 4.0             | Document Title: | Freedom of Information Policy |
| Author:   | Ansar Mahmood   | Date:           | October 2026                  |
| Approved: | Executive Board | Due for review: | October 2029                  |

## SIGNIFICANT CHANGES FOLLOWING REVIEW

| Page Number or Heading Name | Details of significant change                                                   | Changes made by |
|-----------------------------|---------------------------------------------------------------------------------|-----------------|
| Front cover                 | Amended version control table                                                   | Ansar Mahmood   |
| Introduction                | Corrected reference to Environmental Information Regulations 2004 (EIR)         | Ansar Mahmood   |
| Roles and Responsibilities  | Clarified governance responsibilities of Executive Board, COO and DPO           | Ansar Mahmood   |
| Roles and Responsibilities  | Added staff responsibilities for records management and forwarding FOI requests | Ansar Mahmood   |
| Internal Reviews            | Added internal review process and ICO complaint rights                          | Ansar Mahmood   |
| Fees and Charges            | Updated charging provisions and clarified fees notice arrangements              | Ansar Mahmood   |
| General Review              | Corrected drafting errors, terminology and policy wording throughout            | Ansar Mahmood   |

## **Introduction**

- 1.1 South Essex Colleges Group (SECG) is a public body and as such is subject to the Freedom of Information Act 2000. This policy details how staff, organisations or members of the public may make a freedom of information request (FOI request) to the College.
- 1.2 The Act provides a general legal entitlement to information held by the College (subject to certain exemptions). Therefore, any individual or organisation has the legal right:
  - To access information (subject to certain exemptions).
  - To request information held by the College, regardless of when it was created, by whom, or the form in which it is now held.
  - To be informed whether the College holds such information and if so to have that information communicated to them.
- 1.3 The Act operates in conjunction with the Data Protection Act 2018 and the Environmental Information Regulations 2004 (EIR), and the College's Data Protection Policy.
- 1.4 This policy applies to all recorded information that the College holds, including printed documents, computer files, letters, emails, photographs, video and sound recordings.
- 1.5 The College cannot release all the information it holds. A decision by the College to withhold information will be based on reasons relating to data protection, commercial sensitivity, confidentiality, health and safety or safeguarding.
- 1.6 All Freedom of Information requests should be addressed to FOIgroup@southessex.ac.uk

## **2. Policy**

- 2.1 The College will respond to a request within 20 working days following the receipt of the request. Where the College reasonably asks for further details to enable it to comply with the request, the response period does not start until these details are received.
- 2.2 If the College requires the applicant to pay a fee, the response period is suspended until the fee is received.
- 2.3 The College will proactively publish information as part of its Publication Scheme and will update it regularly.

- 2.4 The College will disclose information unless an exemption under the Freedom of Information Act 2000 or another lawful restriction on disclosure applies.

### **3. Roles and Responsibilities**

- 3.1 The Executive Board has overall responsibility for compliance. The Chief Operating Officer is accountable for operational implementation. The Data Protection Officer provides advice, monitoring and oversight including:
- The overall development and maintenance of Freedom of Information Act compliance throughout the College and for establishing and promoting good practice.
  - Reviewing this policy and all procedures and guidance
  - Ensuring that the College's Publication Scheme is maintained and updated regularly.
  - Ensuring all information requests are answered in line with the legislation.
  - Providing general guidance and training, as well as specific advice, on any aspect of the Freedom of Information Act and the Publication Scheme.
  - Liaising with the Information Commissioner's Office.
- 3.2 All members of staff, whether or not they create or manage information, have responsibilities under the Act. They are to ensure that any information request they receive is forwarded to the Data Protection Officer.
- 3.3 Staff must maintain records in accordance with the College's records retention schedule and Information Governance policies to support compliance with FOI obligations. Any member of staff receiving a request for recorded information must forward it immediately to [FOIgroup@southessex.ac.uk](mailto:FOIgroup@southessex.ac.uk).

### **4. Internal Reviews**

- 4.1 Applicants who are dissatisfied with the handling of their request may request an internal review. Requests for internal review should normally be submitted within 40 working days of the College's response. Internal reviews will be conducted by an individual not involved in the original decision wherever possible. If an applicant remains dissatisfied following the internal review, they may complain to the Information Commissioner's Office.

### **5. Fees and charges**

- 5.1 The College may charge fees where permitted by the Freedom of Information Act 2000 and associated regulations. Any chargeable fees will be communicated through a Fees Notice before work is undertaken. The College may refuse a request where the cost of compliance exceeds the appropriate limit prescribed by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, currently £450.