

FREEDOM OF INFORMATION ACT POLICY

Policy Title:	Freedom of Information (FOI)	
Policy Owner:	Director of Governance	
Responsible Executive Director:	Executive Director Corporate Services	
Purpose:	Compliance with relevant legislation	
Review Cycle:	Every 2 years	
Approval Checklist (to be instigated by Owner):	Actioned by:	Date:
<ul style="list-style-type: none"> ● First draft uploaded to Grŵp Portal for initial consultation with staff (via ELD) 	ELD	01.26
<ul style="list-style-type: none"> ● Impact Assessments completed 	Sian Pritchard / Lisa Fowlie	09.02.26
<ul style="list-style-type: none"> ● Final draft presented to TS 	Director of Governance	02.26
<ul style="list-style-type: none"> ● Final draft presented to JCC (if applicable) 	Sharon Bowker	Na
<ul style="list-style-type: none"> ● Final draft presented to SHE (if applicable) 	-	Na
<ul style="list-style-type: none"> ● Union Approval at JCC / SHE 	Sharon Bowker	04.26
<ul style="list-style-type: none"> ● Policy presented to FRC Committee* 	Director of Governance	18.04.26
<ul style="list-style-type: none"> ● Policy presented to Board 	Director of Governance	23.04.26
<ul style="list-style-type: none"> ● Policy translated and uploaded to Grŵp Portal 	Director of Governance	23.04.26
<ul style="list-style-type: none"> ● Summary of changes: 	<p>No substantive changes with minor typographical amends only.</p> <p style="text-align: center;">Addition of timescale for Subject Access Requests</p>	

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Overarching Principles:

In line with the Grŵp's Welsh Language Standards, any request for information received in Welsh will receive a reply in Welsh, unless the person has indicated that there is no need to reply in Welsh.

Throughout this policy, reference is made to the Information Commissioner's Office (ICO)'s FOI procedures and guidance. In the event you have a query please contact the Grŵp Director of Governance (acting as Freedom of Information (FOI) Officer) for initial advice and guidance.

You can read more at:

<https://www.gov.uk/make-a-freedom-of-information-request/the-freedom-of-information-act>

1 Introduction

1.1 The Freedom of Information Act, referred to hereafter as the FOIA, provides an extensive right to all types of “recorded” information held by public authorities from 1st January, 2005, subject to certain conditions and exemptions. Public authorities such as Further Education Corporations are under two main obligations: first, to adhere to a model publication scheme; secondly, to respond to requests from individuals and entities for specific written information the Grŵp holds. Grŵp Llandrillo Menai (hereafter referred to as the Grŵp) and this policy supports the principle that openness should be the norm in public life. The Grŵp has a commitment to help and inform the public and improve access to information. The Grŵp also believes that individuals have a right to privacy and confidentiality and this policy does not overturn the common law duty of confidentiality or statutory provisions that prevent the disclosure of personal information. The release of such information will be dealt with under the provisions of the Data Protection Act 1998. This policy relates to all records held by the Grŵp and applies to all employees of the Grŵp.

2 Roles and Responsibilities

2.1 The Executive Director, Corporate Services, is ultimately accountable for FOI and all things related. The Director of Governance (acting as Freedom of Information (FOI) Officer) is the initial point of contact for all queries and access to information. Members of Tîm Polisi and Tîm Strategol are responsible for ensuring that this policy is communicated and implemented within their area of responsibility. All employees are responsible for ensuring that they are familiar with this policy. All staff will be expected to:

- Be aware of the Grŵp Model Publication Scheme and how to access it. A link is available at www.gllm.ac.uk/governance.
- Adhere to this Policy and all related systems and process to implement the Act, and
- Complete any training as appropriate

Any advice or assistance regarding this policy or the Act can be obtained from the Director of Governance & information: Toby G. Prosser: email t.prosser@gllm.ac.uk, Tel: (07936) 930569.

3 Publication Scheme

3.1 The Grŵp adopts a model Publication Scheme. This has been approved by the Information Commissioner. The Publication Scheme is a proactive tool for the dissemination of information relating to the business of the Grŵp, which includes information the Grŵp routinely publishes or intends to publish in the future. It describes the format in which the information is available and whether or not a charge will be made for that information. Requests that specifically cite that the

information the applicant requires has been identified in the Grŵp's Publication Scheme may be received verbally or in writing. A copy of the current Model Publication Scheme is available at: <https://ico.org.uk/media2/for-organisations/documents/definition-documents-2021/4018868/dd-colleges-of-further-education-20211029.pdf>

4 General Rights of Access

- 4.1 The general rights of access by individuals came into force on 1 January, 2005. A valid FOI request is any request in writing for **specific** information. A name and address must be provided to which the Grŵp can respond. It should be noted that e-mails and texts are a valid method to request information under the FOIA.
- 4.2 There is no need for the applicant to cite the FOIA. Therefore, in almost all circumstances a written request for specific information will be a freedom of information request and be governed by the FOIA. Essentially, the Act covers all requests for information and is fully retrospective.
- 4.3 As a general rule requests should be treated at face value. The Act does not allow the applicant to be asked the reason or purpose for their request. However, it does allow contact with the applicant to obtain more detail about the information requested to pin-point what might otherwise be a vague or broad request.
- 4.4 It should be remembered that the FOIA provides a right to request information. Importantly, this is not a right to request actual documents.

5 Dealing with a Request

- 5.1 Any requests for information that are received must be forwarded to the Director of Governance who will register the occurrence in line with the Freedom of Information (FOI) Act. Requests will then be directed to an appropriate Senior Manager for action. The Director of Governance will:
 - 5.1.1 confirm or deny whether the Grŵp holds the information;
 - 5.1.2 once the request has been processed by the correct department, provide the information;
 - 5.1.3 advise and assist applicants.

This is principally because people may make very broad requests or be unsure as to what they are looking for. Thus, the FOIA places an obligation on public authorities to advise and assist applicants in forming their requests once a request has been made.

- 5.2 The Grŵp has 20 working days to respond to a request from date of receipt. "Working days" excludes weekends and bank holidays but can include statutory school holiday periods. Week days when the Grŵp is closed other than bank holidays are still classed as "working days". A Subject Access Request (SAR) will be answered within one calendar month.

6 Initial Management of Requests

- 6.1 Many requests will be easy to deal with and will be normal requests for information which the Grŵp is used to dealing with as part of the everyday life – e.g. request for course information is unlikely to engage the FOIA because the Grŵp will simply deal with the request. Where requests are more complex, it is likely that these will engage the FOIA. The guidance set out here will assist in dealing with such requests.

7 Vexatious and Repeat Requests

- 7.1 The Grŵp may be able to refuse some requests because they are vexatious or repeat requests. Further assistance will be available through the Grŵp's Director of Governance.

8 Cost Cap

- 8.1 For all other requests the Grŵp will first assess whether the cost of retrieving the information will exceed the amount prescribed by the Secretary of State. At present this is £450 (set by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 ("the Regulations")). The effect of the Regulations is that if location and retrieval of the requested information will take more than 18 hours, the Grŵp is under no obligation to provide the information, although it will need to confirm or deny whether it holds the information. The ICO's FOIA Procedures sets out how the £450 figure is calculated and how the costs cap operates in practice.

9 Whether the Grŵp "holds" the Information

- 9.1 The FOIA only applies to information the Grŵp "holds". Information belonging to others that the Grŵp holds is caught by the FOIA, as is information belonging to the Grŵp but held by others.
- 9.2 It should also be noted that the Grŵp does not have to "create" information in order to satisfy a request. The Grŵp only needs to provide the information it holds.

10 Fees

- 10.1 Where the Grŵp must deal with a request it is possible to charge administrative costs. In order to do so the Grŵp must serve a fees notice. Once a fees notice has been served this stops the 20 working day clock. The clock will not continue until the applicant has paid the fee. If the Grŵp does not receive the fee within three months of the fees notice the request lapses. Again, further details are provided in the ICO's FOIA Procedures.

11 Exemptions

- 11.1 There may be situations where it would be inappropriate to disclose information that is requested. In order to refuse a request the Grŵp must be able to rely on one of the 24 exemptions set out in the FOIA. The exemptions are restrictively interpreted and as a result many are not likely to be of application to Further Education Colleges. Therefore, the exemptions have been categorised according to whether they are “highly likely”, “possibly” or “unlikely” to be considered by the Grŵp. It is likely that the Grŵp would seek specific advice in connection with the application of the exemptions in any specific circumstances.
- 11.2 Further information on the exemptions is also provided on the Information Commissioner’s Office website at <http://ico.org.uk>
- 11.3 The exemptions are split into two categories – absolute exemptions and qualified exemptions. The difference between the two categories is that qualified exemptions are subject to the public interest test. This means that having established that a qualified exemption applies the Grŵp must then consider whether in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

12 Responding to a Request

- 12.1 When the Grŵp deals with a request it will, through the Director of Governance:
- 12.1.1 confirm or deny whether it holds the information.
 - 12.1.2 Provide the requested information supplied by the appropriate department or College.
- 12.2 In the event that the Grŵp relies on an absolute or qualified exemption to avoid either confirming or denying that it holds the information or to avoid disclosing the information, the Grŵp must serve on the applicant a notice refusing the request.
- 12.3 Similar notices have to be served where the Grŵp refuses a request which it believes to be vexatious or repeated or where the cost of complying with the request would exceed the appropriate limit.

13 Complaints Procedure

- 13.1 Complaints concerning the discharge of duties of the Grŵp under this policy will be handled by reference to the FOIA Complaints Policy. Initial contact should be made to:-

The Chief Executive Officer
Grŵp Llandrillo Menai
Llandudno Road
Rhos-on-Sea
LL28 4HZ

- 13.2 Individuals also have the right under the Act to make a complaint to the Information Commissioner directly, if they remain dissatisfied with the conduct of the Grŵp, following attempts at local resolution of their complaint.

Information Commissioner's Office – Wales
2nd Floor, Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone: 029 2067 8400

Fax: 029 2067 8399

Email: wales@ico.org.uk

- 13.3 Whenever the Grŵp refuses a request and it serves a notice, this should include a complaints statement. Further information on this is provided in the ICO's FOIA Procedures.

14 Criminal Offence

- 14.1 It is a criminal offence to alter, deface, block, erase, destroy or conceal any record held by the Grŵp with the intention to prevent disclosure of information after a freedom of information request (or subject access request under the Data Protection Act 1998) has been made.
- 14.2 The offence applies to the Grŵp and any person employed by the Grŵp, an officer of the Grŵp or any person subject to the direction of the Grŵp. It is possible for both the Grŵp (in the form of the Corporation) and an individual to be convicted.

15 Records Management

- 15.1 The Grŵp has a separate policy with supporting systems and procedures that will ensure compliance with the Lord Chancellor's Code of Practice on the Management of Records under s.46 FOIA. The policy and associated procedures addresses the issues of active records management – creation, keeping, maintenance and disposal – according to the requirements that the law places upon the Grŵp.

FREEDOM OF INFORMATION (FOI) COMPLAINTS PROCEDURE

<i>TEITL Y POLISI: POLICY TITLE:</i>	Freedom of Information Act Policy Complaints Procedure
<i>CYFEIRNOD Y POLISI: POLICY REFERENCE NUMBER:</i>	
<i>RHIF ADOLYGIAD: ISSUE NUMBER:</i>	5
<i>UWCH-GYFARWYDDWR A CHYFRIFOLDEB: RESPONSIBLE EXECUTIVE DIRECTOR:</i>	Executive Director Corporate Services
<i>PWRPAS: PURPOSE:</i>	To comply with the requirements of the FOI Act 2000, and adoption of a model publication scheme for the sector
<i>OBLYGIADAU RISG: RISK IMPLICATIONS:</i>	The Grŵp is obliged to periodically review its Freedom of Information (Policy and Freedom of Information (FOI) Complaints Procedures)
<i>EFFAITH AR DDWYIEITHRWYDD IMPACT ON BILINGUALISM</i>	The policy will be issued bilingually once approved.
<i>EFFAITH AR GYNALIADWYEDD IMPACT ON SUSTAINABILITY</i>	None
<i>ARGYMHELLIAD: RECOMMENDATION:</i>	To accept and approve Policy
<i>CYFATHREBU COMMUNICATION</i>	As per checklist overleaf
<i>PWLLGOR / GRŴP MONITRO: MONITORING:COMMITTEE</i>	Finance & Resources Committee / Board
<i>CYMERADWYWYD GAN: APPROVED BY:</i>	Finance & Resources Committee / Corporation Board
<i>DYDDIAD CYMERADWYO APPROVAL DATE:</i>	Last Review: Board 04.24
<i>DYDDIAD ADOLYGU REVIEW DATE CYCLE:</i>	April 2026



Complaints Procedure

Procedure with reference to the Grŵp FOI Policy section 13 which reads:

- 13.1 All complaints concerning the discharge of duties by the Grŵp under its published FOI Policy will be handled by reference to this Freedom of Information (FOI) Complaints Policy. Initial contact should be made to:

The CEO
Grŵp Llandrillo Menai
Llandudno Road
Rhos-on-Sea
LL284HZ

In the event of a complaint being raised against the FOI Officer (Director of Governance), the CEO will appoint the Executive Director, Corporate Services to investigate matters and to report back within two weeks, and will formulate an appropriate response to the complainant. The Director of Governance may otherwise investigate and respond to any complaints under the FOI Act, as directed via the Executive Director, Corporate Services or CEO as appropriate.

- 13.2 Individuals also have the right under the Act to make a complaint to the Information Commissioner directly, if they remain dissatisfied with the conduct of the Grŵp, but this must follow attempts at local resolution of their complaint.

Information Commissioner's Office – Wales 2nd Floor,
Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone: 029 2067 8400

Fax: 029 2067 8399

Email: wales@ico.org.uk

13.3 Whenever the Grŵp refuses a request and it serves a notice this will include a complaints statement.

The ICO has a general duty to investigate complaints from members of the public who believe that an authority has failed to respond correctly to a request for information. If someone makes a complaint against the Grŵp, The complaints handling process provides the opportunity for the Grŵp to reconsider its actions and put right any mistakes without requiring the ICO to take any formal action.

If the complaint is not resolved informally, the ICO office will issue a “decision notice”. If that finds that The Grŵp has breached the Act, the decision notice will say what the Grŵp needs to do to put things right.

The ICO holds powers to enforce compliance if the Grŵp has failed to adopt the publication scheme or have not published information as you should whether or not we have received a complaint about this.

The Grŵp may be breaching the Freedom of Information Act if it does any of the following:

- fail to respond adequately to a request for information;
- fail to adopt the model publication scheme, or do not publish the correct information; or
- deliberately destroy, hide or alter requested information to prevent it being released.

This last point is the only criminal offence in the Act that individuals and public authorities can be charged with. Other breaches of the Act are unlawful but not criminal. The Information Commissioner’s Office (ICO) cannot fine the Grŵp if it fails to comply with the Act, nor can it require the Grŵp to pay compensation to anyone for breaches of the Act. However, the Grŵp should correct any mistakes as soon as you are aware of them

Equality Impact Assessment

Assessment completed by:	Siân Pritchard	Dated:	09/02/2026
Assessment approved by:		Dated:	

Consideration	Response	Special requirements / controls
Which protected groups might be disadvantaged by the policy/process?	<p>There have been no substantial changes to this policy and procedure in the most recent review cycle.</p> <p>The purpose of this policy and procedure is to ensure the Grŵp complies fully with its legal duties and adheres to its stated commitment to being an open and transparent organisation.</p> <p>The procedure aims to ensure that requests for information are well coordinated and minimise the risk of people being provided with conflicting or inaccurate information from different sources.</p> <p>Any person/ party who wishes to make a freedom of Information enquiry. There are no restrictions on who can make a FOI request.</p> <p>Depending on the nature of the communication it may more adversely impact on those groups for whom English or Welsh is not their first language, groups with learning disabilities and groups who may not be familiar with or have access to relevant technology.</p>	<p>The Governance Officer should take into account an applicant's needs when deciding on the format of response.</p>
Which protected groups might benefit from the policy/process?	<p>The Policy sets down a standard framework to ensure action is taken in a consistent, fair and equitable manner.</p>	<p>There are statutory obligations with regards to response times for FOI requests, however there is manoeuvrability in terms of the format of responses, and charging. The Governance Officer should take into account an applicant's needs when deciding on the format of response.</p>

Does the policy advance equality and foster good relations?	The policy covers all employees across the organisation and aims to treat everyone fairly regardless of protected characteristics. It seeks to ensure that there are no barriers to anyone accessing and making use of the policy and related procedures.	
Could any part of the process discriminate unlawfully?	Not if the policy is fully adhered to.	
Are there any other policies that need to change to support the effectiveness of this one?	No	
Conclusion	Continue the Policy and process	

SIGNED:	Siân Pritchard	Dated:	09/02/2026
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Welsh Language Impact Assessment

Assessment completed by:	Siân Pritchard	Dated:	09/02/2026
Assessment approved by:		Dated:	

Consideration	Response	Special requirements / controls
What positive effects will the implementation of the policy or procedure have on the use of Welsh language?	<p>There have been no substantial changes to this policy and procedure in the most recent review cycle.</p> <p>Individuals making FOI requests or making a complaint concerning the discharge of duties by the Grŵp under its published FOI Policy are welcome to make those in Welsh. Any correspondence relating to FOI made in Welsh will receive a Welsh reply, in accordance with the Welsh Language Standards.</p>	
What negative effects will the implementation of the policy or procedure have on the use of Welsh language?	This policy will be implemented in accordance with the Welsh Language Standards. It is not anticipated it will have any negative effects on the use of the Welsh language.	
Are there sufficient Welsh-speaking staff available to implement the policy or procedure?	There are sufficient Welsh-speaking staff on Tîm Polisi and Tîm Strategol to implement the policy/procedure.	
If not, what steps will be taken to ensure that sufficient staff are available, and by when?	N/A	
Does the policy or procedure comply with Grŵp Llandrillo Menai's Welsh Language Schemes/Language Strategy?	Yes. The policy states that applicants are able to make FOI requests in Welsh or English and will receive a response in their language of choice.	<p>The Governance Officer should take into account an applicant's Welsh language needs when deciding on the format of response. If an FOI request is made for documentation that is available in Welsh, then the Welsh language version should be made available to those who would like to receive them in Welsh.</p> <p>The language choice (Welsh/English/bilingual) of applicants should be recorded.</p>
Conclusion	Continue the policy & procedure	

SIGNED:	Siân Pritchard	Dated:	09/02/2026
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Sustainability Impact Assessment

Assessment completed by:	Lisa Fowlie	Dated:	10/01/2024
Assessment approved by:		Dated:	

Consideration	Response	Special requirements / controls
How will this policy impact upon the Grŵp's sustainability strategy?	<p>This policy should not impact on the Grŵp's sustainability strategy if the sustainability and associated policies and procedures are followed.</p> <p>There is the opportunity for FOI under the areas of environment, health and safety to be requested.</p>	
Conclusion	Continue the Policy and process	

SIGNED:	<i>Lisa Fowlie</i>	Dated:	10/01/2026
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