

Freedom of Information Policy

[QP1.28]

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1.0 Policy

In accordance with the Freedom of Information (Scotland) Act 2002 ('the Act'), the College will provide requestors with information, normally within twenty working days, subject to applicable fees being paid (such fees will be identified in the Adam Smith College, Fife Publication Scheme or, for requests for information not contained within the Publication Scheme, will comply with the scale of charges given below). In accordance with the Act, the college will provide such information in a format requested by the requestor, i.e. paper, electronic, Braille, tape etc.

The College will not provide information that it deems to be exempt under the Act. These exemptions include, but are not limited to the following (relevant section of the Act is quoted on parentheses):

- personal information relating to a third party (s38)
- any material intended, but not yet ready, for publication (s27)
- commercially sensitive information, including commercial
- confidences and trade secrets (s33)
- intellectual property, whose disclosure would harm the
- competitive position of a third party (s33)
- information supplied in confidence (s36)
- documentation relating to matters where the College is
- seeking legal advice on its position (s34)
- information about honorary appointments prior to acceptance

Scale of Charges:

Information contained within the Adam Smith College, Fife Publication Scheme will be charged as identified in Section 1.11 of the Publication Scheme.

Information (otherwise eligible under the Act) that is not identified in the Adam Smith College, Fife Publication Scheme will be charged as follows:

College Publication Cost	Fee payable to requestor
£100 or less	No fee
£600 or less	10% of production cost (production cost to be reduced by £100 to take account of the 'no fee' condition above)
More than £600	College is exempt from providing the information on grounds of excessive cost (s12 of the Act refers)

2.0 Justification

This policy relates to the Freedom of Information (Scotland) Act 2002 (“the Act”), which places obligations upon The Adam Smith College, Fife, (“the College”) as a designated Scottish Public Authority under the Act, to provide information to the public in accordance with the following timetable:

- i) from 1 September 2004, to provide information as detailed in the College Publication Scheme, and
- ii) ii) from 1 January 2005, to provide all information held by the College, regardless of age, subject to the exemptions detailed within the Act.

Persons requesting college information do not need to state their reason for doing so. College staff should refrain from seeking a reason, unless further information from the requestor would assist the college in meeting their information need. Persons making an information request must do so in writing, or in some other permanently recordable format, such as e-mail, tape, Braille etc. The request must also contain the requestor’s full name and address.

IT IS THE POLICY OF THE ADAM SMITH COLLEGE, FIFE TO ALLOW REASONABLE ACCESS TO COLLEGE INFORMATION.

3.0 Responsibilities

The college has a responsibility under the Act to make its information available to the public, subject to the exemptions detailed within the Act. Responsibility for ensuring compliance with this Policy rests with the Principal of the College as Chief Executive and Accounting Officer.

The Vice Principal (Resources) is the designated Freedom of Information Officer for the College and has operational responsibility for co-ordinating the College response to Freedom of Information requests. These responsibilities include maintenance of the College Freedom of Information Policy and Procedures and promoting compliance within the College.

All staff have a responsibility under the Act to ensure that information requests received are dealt with in conjunction with the applicable college policies and procedures. Staff are responsible for:

- Familiarising themselves with this Policy and related procedures;
- Providing advice and assistance to persons making requests for information;
- Dealing with all requests within 20 working days of receipt;
- Where applicable, maintaining the integrity of the Publication Scheme, and
- Contacting the Vice Principal (Resources) when assistance is required.

Compliance with this Policy is compulsory for all staff employed by the College. A member of staff who fails to comply with the Policy may be subject to action under the College's disciplinary policy. It is the responsibility of all Directors, Managers and Team Leaders to ensure their staff are made aware of the existence and content of this Policy.

The Freedom of Information Officer has responsibility for

- reviewing and updating this policy;
- monitoring of implementation and compliance, and
- dissemination and training.

4.0 Exemptions

This policy applies to all staff of the Adam Smith College, Fife.

5.0 Related Procedures

Guidance on implementation of this policy is available in related procedures, as detailed below:

- QP2.31 Freedom of Information - Receipt and handling of information request;
- QP2.32 Freedom of Information – Maintenance of the Publication Scheme, and