



STOKE-ON-TRENT 6TH FORM COLLEGE

CORPORATION POLICY ON PUBLIC ACCESS TO INFORMATION – OPENNESS

1. Purpose

1.1 This document outlines the policy of the 6th Form College Corporation in relation to access to information on the work of the College and the Corporation.

2. Aims and Objectives

2.1 The 6th Form College Corporation is committed to ensuring that:

- The proceedings of the Corporation and its Committees are conducted in a spirit of openness to comply with the recommendations of the Nolan report.
- Members of the public, students and staff of the College shall have as much access as possible to information about the work of the College and the Corporation.
- The requirements of the Freedom of Information Act 2000 to support public access to information are fully met.

3. Legislative Background

3.1 The statutory Instrument of Government, which governs the work of FE Corporations, requires that a copy of each of the following items relating to the work of the Corporation shall be made available during normal office hours at the College to any person wishing to inspect them:

- the agenda for every meeting of the Corporation;
- the draft minutes of every Corporation meeting when approved by the Chair of the meeting;
- the approved and signed minutes of every Corporation meeting;
- any report, document or other papers relating to meetings of the Corporation;
- a register of interests of the members of the Corporation which are disclosed to the Corporation.

3.2 Corporation minutes or papers relating to a named individual or otherwise classed as confidential are excluded from public access (see paragraph 9).

3.3 The Freedom of Information Act 2000 requires public authorities to adopt and maintain a Publication Scheme relating to the publication of information by the

College, which is approved by the Information Commissioner. The Publication Scheme specifies:

- the classes of information which the College publishes or intends to publish;
- the manner in which information of each class is, or is intended to be, published;
- whether the material is, or is intended to be, available to the public free of charge or on payment.
- The Publication Scheme is available on request to the Clerk of the Corporation.

4. Public Access to Corporation Meetings

- 4.1 Part A (that considers items classified as non-confidential) of any full Corporation meeting is open to any member of the College or member of the public, the capacity of the meeting room permitting. Any non-member of the Corporation attends as an observer and has no right to speak unless invited to do so by the Chair.
- 4.2 Senior members of the College Management Team will normally be 'in attendance' at full Corporation meetings.
- 4.3 The Corporation may invite others to be 'in attendance' at a meeting to act in an advisory capacity or to make a presentation. Those 'in-attendance' are not entitled to vote.
- 4.4 The Corporation will hold an 'open' meeting annually at which an annual report may be presented.

5. Enquiries from the Public

- 5.1 It is the policy of the Corporation that the Clerk will deal with routine enquiries about the business of the Corporation.
- 5.2 Enquiries from inspectors or auditors will be dealt with by the Chair, Principal, deputy Principal or Director of Finance, depending on the nature of the enquiry.
- 5.3 An enquiry from the national press or an MP on a potentially serious incident will be dealt with by the Chair, advised by the Principal and Clerk.
- 5.4 Enquiries following major incidents concerning the College are to be handled in accordance with the 'Media Policy' contained within the College Disaster Plan

5.4 Members of staff wishing to contact individual governors should in the first instance be directed to the Clerk.

7. Publication of Minutes

7.1 It is the policy of the Corporation that draft minutes of Corporation meetings, when cleared by the Chair of the meeting, shall be classed as 'unapproved' and are then made available in the public domain. The minutes are classed as approved when signed by the Chair of the meeting at the following meeting.

7.2 Both unapproved and approved (non-confidential) minutes are made available using the following means:

- on request from the Clerk to the Corporation
- they are available for open access in the College Library;
- posting onto the Corporation page of the College's intranet [under construction].

8. Access to College Documentation /Enquiries from the Public/ Freedom of Information Act (FOIA)

8.1 The majority of documents identified in the College's FOIA Publication Scheme will be available on the College's web site/ intranet [under construction]. The Scheme will be updated to identify which documents can be accessed via the web and which are available only on request from the College when construction is complete.

8.2 Any person wishing to inspect hard copies of College documents detailed in the Publication Scheme may do so by contacting the Clerk during normal office hours. Details of any charges for the documents are included in the Publication Scheme.

8.3 The College will endeavour to provide information on request, and to do so within 15 working days. Where the information can be collated easily, it will normally be provided free of charge. Where significant work is involved, requiring more than 1 hour of staff time, the College reserves the right to charge for this time and any other costs incurred. Any such charge will be notified in advance to the person making the request to check that they wish to proceed. Where possible alternative information or information sources will be given.

8.3 If a request for information is refused in reliance on an exemption under the FOI Act, an explanation to the applicant will specify the exemption category. Details of exemptions are included in the College's Publication Scheme.

9. Confidential Information

9.1 It is the policy of the Corporation that certain items of business will be treated as confidential and will be withheld from public access. Details of the type of information considered by the Corporation as confidential are provided in Appendix 1. The decision to label a Corporation report as confidential should be made by the Clerk in consultation with the Principal and Chair during the preparation of the agenda.

9.2 It is the policy of the Corporation to minute confidential items separately in order that access to information about other items of business taken at the same meeting is not inhibited. Those members who may have been required to withdraw when a confidential item was discussed are not entitled to see the minutes of that part of the meeting.

9.3 It is the policy of the Corporation to review all confidential minutes and decisions of the Corporation on an annual basis. In undertaking this review the Corporation will consider whether the information referred to in the confidential minute would cause harm and/or embarrassment to any individual or organisation, including the College, if released for the public record. A recommendation for an item to remain confidential might be taken where the information concerns a named person, or someone who could be identified from the information contained in the minute. (See appendix 1)

9.4 The College is not at liberty to divulge any information if, in so doing, they contravene the requirements of the Data Protection Act.

10. Complaints

10.1 Any person with a complaint about the availability of information should raise their concerns through the College complaints procedure which is available on the College's website [under construction] or on request from the College.

11. Review

11.1 This policy will be reviewed every 2 years following approval by the Corporation.

Appendix 1

CRITERIA FOR CONFIDENTIALITY

In considering whether material should be dealt with on a confidential basis, due regard shall be taken of the need to ensure openness in relation to the proceedings of the Corporation and its standing Committees and to the requirements of the Instrument and Articles of Government.

Due regard should be given to the recommendations of the Nolan Report that holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Examples of material that may be considered by members of the Corporation and its Committees to be confidential are:

- (i) Material relating to a named person employed at or proposed to be employed at the institution (this will also apply to prospective members of the corporation).
- (ii) Material relating to a named student at, or candidate for admission to, the institution.
- (iii) Information relating to an identifiable group of staff or students at the institution.
- (iv) Information relating to contract negotiations.
- (v) Commercially sensitive information.
- (vi) Information that may have long term legal implications or contain legal advice which if revealed may prejudice the colleges position.
- (vii) Other sensitive information which if widely available would detrimentally affect the college. This would include the financial or other stability of the college.

The reasons for the decision to require any material to remain confidential shall be duly recorded in the minutes of the meeting.