



Leading learning and skills

LSC Freedom of Information Policy

Context

This policy is one of several that the LSC has developed to meet the aims of its Information Management Charter.

Purpose

The Freedom of Information Act 2000 (Fol Act) promotes a culture of openness and accountability among public sector bodies by providing the public with a general entitlement to all the information held by the LSC. This imposes a number of obligations on the Council.

The purpose of this policy is to clearly state the Council's policy, including the scope, specific and general responsibilities, and the penalties for non-compliance.

Scope

The Fol Act applies to all information created, received and maintained by the Council in the course of its work, regardless of storage, including paper, electronic copies and emails.

This policy is therefore applicable to the entire LSC: National and local Councils; statutory committees and regional teams; and all colleagues including employees, contractors, temps and Council members.

Policy statement

From 1 January 2005 members of the public have a statutory right to request all information held by the Council, subject to certain limited exemptions.

The Council, as a transparent and trustworthy public body, fully intends to meet its statutory obligations under the Act, and is committed to providing exemplary access to our recorded information by:

- proactively publishing information falling into the classes detailed in the LSC Publication Scheme
- responding to all requests for information within the 20 working day limit
- implementing a complaints procedure
- not charging for processing requests except in certain extreme cases.

This policy is effective as of 1 December 2004.

Responsibilities

This policy sets out a number of specific responsibilities:

- The Chief Executive is accountable for compliance with the Fol Act. Responsibility is delegated to Executive, Regional and National Directors for providing support, resources, and ensuring colleagues are aware of, and comply with, Fol Act policy and procedures.
- The Director of Information will develop, promote, review and maintain compliance with Fol Act policy and procedures.
- The Knowledge and Information Services team will maintain an Fol Act Reading Room on the LSC website, and support colleagues handling requests for information.
- Local Fol request handlers and regional Fol coordinators will co-ordinate requests, act as a focal point and provide guidance.

- Internal audit will provide independent assurance on compliance with FoI Act policy
- The LSC legal team will handle all requests for information that fall under exemptions to the Act, and all complaints.

All colleagues have a general responsibility for making themselves aware of FoI Act policy, their local request handler, and for ensuring they handle requests for information in compliance with FoI Act procedures.

Penalties

Compliance with the Act is mandatory for the LSC. Penalties for non-compliance include enforcement notices, powers of entry and inspection by the Information Commissioner, and the Council held in contempt of court.

Compliance with this policy, and supporting FoI Act procedures, is compulsory for all colleagues; failure to comply may lead to disciplinary action. Where a request for information has been made under the FoI Act, it is a criminal offence for **any** person to alter, deface, block, erase, destroy or conceal any record held by the LSC with the intention of preventing disclosure of any information to which the applicant would have been entitled.

Review and evaluation

The Director of Information will ensure this FoI Act policy and supporting procedures are reviewed, at least annually, for effectiveness and compliance.

References

This policy forms an essential part of the LSC's overall Information Management arrangements and should be considered in association with related policy and procedures:

- Information Management charter
- Complaints procedure
- Data Protection policy
- Disciplinary procedure
- Freedom of Information Act Request Handling procedure

Definitions

Information is a corporate resource to be shared and managed as other key resources, for example, human and financial, and maintained by reference to UK law and Council policy.

A **request for information** is a request which is in writing, clearly states the name of the requestor, an address for correspondence and describes the information requested.

The **Publication Scheme** specifies information the LSC proactively makes publicly available. It is approved by the Information Commissioner, subject to regular review to ensure completeness and is available on the LSC website.

Key Contact

Please contact the LSC FoI Compliance Manager on:
freedomofinformation@lsc.gov.uk