



Freedom of Information Publication Scheme

Version	2
Effective Date	11/10/23
Review Date	11/10/26
Lead	Vice Principal Finance and Operations
Agreed by	Corporation

CONTENTS

	Page
FREEDOM OF INFORMATION PUBLICATION SCHEME	1
1. LEGAL REQUIREMENT	1
2. WHAT IS A PUBLICATION SCHEME?	1
3. THE 'MODEL' PUBLICATION SCHEME FOR HIGHER EDUCATION/FURTHER EDUCATION	1
4. AVAILABLE CLASSES AND CATEGORIES OF INFORMATION	1
5. INFORMATION NOT COVERED BY THE PUBLICATION SCHEME (DIRECT REQUEST PROCEDURE)	2
6. PUBLICATION SCHEME	3-4
7. COMPLAINTS	5
8. EXEMPTIONS UNDER THE ACT	5

APPENDICES

APPENDIX 1

6

APPENDIX 2

7

FREEDOM OF INFORMATION PUBLICATION SCHEME

1. LEGAL REQUIREMENT

- 1.1 Adopting a publication scheme is a requirement of the Freedom of Information Act 2000. This Act promotes greater openness and accountability across the public sector by requiring all 'public authorities' to make information available proactively, through a publication scheme.
- 1.2 'Public authorities' are defined in the Act and include universities, further education colleges and sixth form colleges.

2. WHAT IS A PUBLICATION SCHEME?

- 2.1 A publication scheme is a document that describes the information a public authority publishes, or intends to publish. In this context, 'publish' means to make information routinely available. These descriptions are called 'classes of information'. The scheme is not a list of the actual publications, because this will change as new material is published or existing material revised. It is, however, the public authority's commitment to make available the information described.
- 2.2 A publication scheme must set out the classes, or categories, of information published. It must also make clear how the information described can be accessed and whether or not charges will be made.

3. THE 'MODEL' PUBLICATION SCHEME FOR HIGHER EDUCATION/FURTHER EDUCATION

- 3.1 Newham Sixth Form College (NewVic College) has adopted the model publication scheme developed for the Further Education sector by the Information Commissioner's Office (ICO) and is therefore committed to publishing the information it describes. A full description of the model publication scheme can be found on the ICO website: [Definition document for Colleges of Further Education](#)

4. AVAILABLE CLASSES AND CATEGORIES OF INFORMATION

- 4.1 All materials described in the classes or categories are available either electronically on request (see 4.2 below), or via the website and are offered free of charge at this present time. Much information is in the public domain and is available at <https://newvic.ac.uk/about-us>. Hard copy requests sent via post may have a small charge levied; typically this will cover postage, paper and photocopying, up to a limit of £5 per request item (class/category.) If a request is made that includes multiple classes or categories, each class or category will be treated as a separate item when calculating costs.

- 4.2 Materials stated within the classes or categories can either be found via the College's website or at request to the Quality Department by emailing quality@newvic.ac.uk, the request will then be passed onto the relevant individual or department to deal with your request. Materials requested that do not fall under the class and categories of information will be notified to the requestor and the "direct request procedure" detailed in section 5 will be followed.
- 4.3 Information that is not listed in the classes or categories must be made as a "direct request" using the procedure as detailed below in section 5, the College reserves the right to apply a charge for this information.

5. INFORMATION NOT COVERED BY THE PUBLICATION SCHEME (DIRECT REQUEST PROCEDURE)

- 5.1 Under the Freedom of Information Act 2000, individuals have the right to request information held by a public authority, which has not already been made available through its publication scheme. Your request will be handled under different regulations depending on the kind of information you ask for, such as the:
- [Data Protection Act 2018](#) (the UK's implementation of the General Data Protection Regulation, or GDPR)
 - [Environmental Information Regulations](#) (EIRs) if you ask for environmental information
- 5.2 Requests for information which is not covered by the publication scheme must be made in writing to quality@newvic.ac.uk or

Quality Office
NewVic College
Prince Regent Lane
London E13 8SG

When writing to make a Freedom of Information request, you should provide:

- your name (not needed if requesting environmental information)
- a contact address
- a detailed description of the information you want - for example, you might want all information held on a subject, or just a summary

You can ask for information in a particular format, such as:

- paper or electronic copies of information
- audio format
- large print

A response will normally be made within 20 working days.

- 5.3 Requests made to other departments or individuals within the College should be forwarded to the quality department at quality@newvic.ac.uk.

5.4 For requests not covered by the Publication Scheme, a cost will be levied. Should NewVic College calculate that the administrative work for finding, collating and publishing this information will cost more than £450 (in staff time at £25 per hour, or material costs) the request may be turned down. However, you will be asked if you would like to narrow down the request and be more specific in what you are looking for. <https://www.gov.uk/make-a-freedom-of-information-request>

5.5 Some sensitive information is not available to members of the public. If this applies, we will tell you why we cannot give you some or all of the information you requested. You will be asked to be more specific so we can provide just the information you need.

6. PUBLICATION SCHEME

6.1 NewVic College has adopted the model publication scheme approved by the Office of the Information Commissioner [Definition document for Colleges of Further Education](#)

Information falls under the following 'classes':

- Who we are and what we do
- Organisational information, structures, locations and contacts.
- What we spend and how we spend it
- Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.
- What our priorities are and how we are doing
- Strategies and plans, performance indicators, audits, inspections and reviews.
- How we make decisions
- Decision making processes and records of decisions.
- Our policies and procedures
- Current written protocols, policies and procedures for delivering our services and responsibilities.
- Lists and registers
- The services we offer
- Information about the services we offer, including leaflets, guidance and newsletters.

6.2 Publication Scheme

Class of Information	Type of document	Format for publication
Who we are and what we do	Organisational information, structures, locations and contacts	Some of this information can be found on website: https://www.newvic.ac.uk/ Information not found on the website can be provided electronically upon request Currently there is no charge for providing this information
What we spend and how we spend it	Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.	Some of this information can be found on website: https://www.newvic.ac.uk/ Information not found on the website can be provided electronically upon request Currently there is no charge for providing this information
What our priorities are and how we are doing	Strategies and plans, performance indicators, audits, inspections and reviews.	Some of this information can be found on website: https://www.newvic.ac.uk/ Information not found on the website can be provided electronically upon request Currently there is no charge for providing this information
How we make decisions	Decision making processes and records of decisions.	Some of this information can be found on website: https://www.newvic.ac.uk/ Information not found on the website can be provided electronically upon request Currently there is no charge for providing this information
Our policies and procedures	Current written protocols, policies and procedures for delivering our services and responsibilities.	Some of this information can be found on website: https://www.newvic.ac.uk/ Information not found on the website can be provided electronically upon request Currently there is no charge for providing this information
Lists and registers	Lists and registers	Some of this information can be found on website: https://www.newvic.ac.uk/ Information not found on the website can be provided electronically upon request Currently there is no charge for providing this information
The services we offer	Information about the services we offer, including leaflets, guidance and newsletters.	Some of this information can be found on website: https://www.newvic.ac.uk/ Information not found on the website can be provided electronically upon request Currently there is no charge for providing this information

7. COMPLAINTS

If an applicant is dissatisfied with the handling of a request for information, they may request a review by writing to the Director of Finance, NewVic College, email: quality@newvic.ac.uk, stating why you are unhappy and your grounds for requesting a review.

Should a request for a review be unsuccessful and the applicant remains unhappy with the handling of their request, applicants can make a complaint through the College's complaints procedure. Complaints should also be addressed to the Quality department (quality@newvic.ac.uk) or

Quality Office
NewVic College
Prince Regent Lane
London E13 8SG

If applicants are dissatisfied with the outcome of the Complaints Procedure they may seek an independent review from the Information Commissioner made via the website: <https://ico.org.uk/make-a-complaint/> or in writing to:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Tel: 0303 123 1113 (local rate)

8. EXEMPTIONS UNDER THE ACT

There are 23 exemptions under the Act, some exemptions where the public interest test applies, and others which are absolute exemptions. The full list of exemptions can be found at **Appendix 1**.

The College may decide that some information it holds could be regarded as exempt information under the Act. Where a request is made for information that includes exemptions the College will consider the prejudice test and the public interest test, and may in some circumstances withhold the requested information.

APPENDIX 1

Information exempt from general access under sections of the FoI Act 2000
Absolute and Qualified Exemptions

Exemptions where the public interest test applies (qualified exemptions)

- Section 22 Information intended for future publication
- Section 24 National security (other than information supplied by or relating to named security organisations, where the duty to consider disclosure in the public interest does not arise.)
- Section 26 Defence
- Section 27 International relations
- Section 28 Relations within the United Kingdom
- Section 29 The economy
- Section 30 Investigations and proceedings conducted by public authorities
- Section 31 Law enforcement
- Section 33 Audit Functions
- Section 35 Formulation of government policy, etc
- Section 36 Prejudice to effective conduct of public affairs (except information held by the House of Commons or the House of Lords)
- Section 37 Communications with Her Majesty, etc and honours
- Section 38 Health and safety
- Section 39 Environmental information.
- Section 40 Personal information; people cannot access personal data about themselves under the Freedom of Information Act as there is already access to such information under the Data Protection Act 2018. Personal data about other people cannot be released if to do so would breach the Data Protection Act.
- Section 42 Legal professional privilege
- Section 43 Commercial interests

Where a public authority considers that the public interest in withholding the information requested outweighs the public interest (Appendix 2) in releasing it, the authority must inform the applicant of its reasons, unless to do so would mean releasing the exempt information.

Exemptions where the public interest test does not apply ('absolute exemptions')

- Section 21 Information accessible to applicant by other means
- Section 23 Information supplied by, or relating to, bodies dealing with security matters (a certificate signed by a Minister of the Crown is conclusive proof that the exemption is justified. There is a separate appeals mechanism against such certificates)
- Section 32 Court records, etc
- Section 34 Parliamentary privilege (a certificate signed by the Speaker of the House, in respect of the House of Commons, or by the Clerk of the Parliaments, in respect of the House of Lords is conclusive proof that the exemption is justified.)
- Section 36 Prejudice to effective conduct of public affairs (only applies to information held by House of Commons or House of Lords)
- Section 40 Personal information (where the applicant is the subject of the information. The applicant already has the right of 'subject access' under the Data Protection Act 2018; this exemption covers the personal data of third parties (anyone other than the requester) where complying with the request would breach any of the principles in the GDPR).
- Section 41 Information provided in confidence.
- Section 44 Prohibitions on disclosure where a disclosure is prohibited by an enactment or would constitute contempt of court.

The exemptions have been the subject of considerable debate throughout the parliamentary progress of the Act. This introduction does not attempt to provide an analysis of each exemption, or provide advice as to how exemptions might apply in particular circumstances. Such guidance will be developed over time and in the light of case by case experience.

APPENDIX 2

The public interest test applies to information that falls within or outside of the normally released information. The public interest test ensures that the College does not release information unless the public interest in withholding it outweighs the public interest in disclosing it.

The test works in favour of disclosure, the burden is on the College to show that the public interest in withholding the information is greater than the public interest in disclosure.

There may be factors that make disclosure of the information in the public interest for example:

- The information relates to an issue that affects a large number of people;
- it sheds light on how public funds are being spent;
- it deals with a matter that is a subject of public controversy;
- disclosure would help individuals to make more informed choices on important matters.

In contrast, there is no general public interest in withholding information. However, there may be a particular public interest in maintaining an exemption, where for example, disclosure would damage the reputation of the United Kingdom, or damage the trust that companies have in public authorities respecting confidentiality.

A relevant example may be the disclosure of all of the equipment and systems used on the IT network, this would not necessarily be in the public interest as it could mean hackers could use this publically available information to attempt an attack. It would not be in the public interest for the college to be unable to function for many days, weeks or months while systems are repaired and unable to serve its students and the communities in which it resides.