

Royal Northern College of Music

# Freedom of Information Policy

Policy & Procedure

Department: Executive

Document owner: Data Protection Officer

Approval Committee: Executive Committee

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RNCRM  
ROYAL NORTHERN  
COLLEGE of MUSIC

## **1. PURPOSE**

The RNCM (hereinafter 'the College') is committed to the principles of freedom of information. The Freedom of Information Act 2000 (FOIA) establishes a general right of access to the information the College holds, thereby promoting greater openness and accountability. The College will operate an access regime on the presumption that information is open unless there is a valid reason to restrict access (where an exemption specified under the Act has to be applied).

The following policy establishes a framework which underlines this commitment and draws together key issues of accountability and implementation, providing policy statements through which best practice can be implemented and audited.

## **2. SCOPE**

This policy has been established to ensure that the College meets the provisions of the FOIA and related statutory codes of practice. It applies to information held across the College, by its departments, staff, subsidiaries and agents, irrespective of its format, storage medium or age. Information 'held' by the RNCM is not confined to information generated by College employees and agents but encompasses any information in its possession, including information the College has received or purchased, or that is held by third parties on its behalf.

## **3. POLICY STATEMENT**

It is the intention of the policy to reinforce the application of the Act's key principles and ensure that they remain central to the College's access regime, information strategies and records management programme. Namely:

- That information routinely published by the College concerning its activities is made publicly available through the College's Publication Scheme;
- That information held by the College which is not included in the Publication Scheme is available on request (subject to an assessment of whether or not an exemption applies);
- That requests for information are dealt with in an efficient and timely manner;
- That, in cases where an exemption may be claimed, due consideration is given as to whether or not the information is disclosed (with appropriate regard to the public interest, the rights of data subjects, legal obligations and issues of information access and security).

## **4. RESPONSIBILITIES**

### **4.1 Senior Management**

The RNCM has a corporate responsibility to implement the provisions of the FOIA, supporting a general right of access to the information in its possession and maintaining its records and record-keeping systems in accordance with the regulatory environment. The member of the College's senior management with overall responsibility for this policy is the Director of Finance. The College is accountable to the Information Commissioner in its compliance with the Act.

### **4.1 Data Protection Officer**

The College's Data Protection Officer (DPO) is responsible for drawing up guidance for the implementation of best practice and promoting compliance with the Act and this policy in

such a way as to ensure the easy, appropriate and timely retrieval of information and efficient handling of requests. The DPO will advise on policy and best practice and will report to the Director of Finance and Executive Committee. The Head of Library Services is the RNCM's Data Protection Officer.

Individual employees must ensure that the records for which they are responsible are complete and accurate records of their activities, and that requests for information are handled efficiently and promptly in accordance with the College's Freedom of Information guidelines.

## **5. PUBLICATION SCHEME**

The College Publication Scheme is available electronically at <https://www.rncm.ac.uk/about/college-information/freedom-information/> and in hard copy format on request from the Head of Academic Quality and Standards.

The Publication Scheme details:

- the classes of information the College is committed to making routinely available to the public;
- how this information will be made available (via the web, in paper or electronic format);
- whether this information will be made available free of charge or on payment of a fee.

## **6. ACCESS REQUESTS**

The FOIA gives any member of the public the right to request information which is not made available through the Publication Scheme; such requests **MUST** be in writing.

The Act provides the public with:

- The right to be informed whether the information exists;
- The right to receive this information (subject to exemptions);
- Individual requests will be handled in accordance with the Act and the Lord Chancellor's Code of Practice on the discharge of public authorities' functions under Part I of the Freedom of Information Act 2000.

The enquiry handling process will be supported by College guidance on handling Freedom of Information requests.

## **7. CHARGES**

For information provided in response to specific requests the College reserves the right to apply charges. These will be calculated in accordance with the Fees Regulations published by the Lord Chancellor and applied according to sections 9, 13 and 19 of the Freedom of Information Act. Where payment is not received within three months a request will be deemed invalid.

## **8. COMPLAINTS**

A College complaints procedure in relation to the Freedom of Information Act is available on request from the Head of Academic Quality and Standards. This procedure establishes the internal route a complaint should follow. In the first instance, complaints should be addressed to the Head of Academic Quality and Standards.

## **9. EXEMPTIONS**

9.1 There will be occasions where the College will have to claim one or more of the 23 exemptions provided by the FOIA and therefore be unable to supply some or all of the information requested. Information will only be withheld in accordance with the exemptions specified by the Act.

9.2 Particular regard will be given to:

- The public interest in maintaining an exemption (through the application of public interest and prejudice tests);
- The General Data Protection Regulation (GDPR) and the College's obligation to maintain the security and confidentiality of sensitive information concerning individual members of staff and students;
- Other legal and contractual obligations;
- Commercially sensitive information and that whose disclosure would prove detrimental or prejudicial to the health and safety of the College's staff and students or the safe and effective conduct of the College's operations.

9.3 In instances where an exemption is claimed, the RNCM will provide a clear statement of the reasons for applying the exemption and will supply details of its complaints procedure.

## **10. COPYRIGHT**

Information released under the Publication Scheme and in response to specific requests is protected by copyright in accordance with the Copyright, Design and Patents Act 1988. Therefore, it may not be used by third parties for any purpose not permitted by copyright law.

## **11. RECORDS MANAGEMENT**

The RNCM has a Records Management Policy in order to ensure the creation and maintenance of authentic, reliable and useable records, with appropriate evidential characteristics that are created, maintained, managed and destroyed in accordance with the needs of the College and the regulatory environment. The records management programme also has regard to the Lord Chancellor's *Code of Practice on the Management of Records* issued under section 46 of the Freedom of Information Act.

## **12. RELATED DOCUMENTS**

This policy has been formulated within the context of College policies and guidelines, national legislation and professional standards. This policy establishes a framework for guidance on the procedures necessary to comply with the policy.

- Publication Schedule
- Retention Schedule
- Data Protection Policy
- Email Protocol
- Guide to the Management of Electronic Records
- FOIA Enquiry Handling Procedure
- FOIA Complaints Procedure

### **13. CONTACT**

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