



Freedom of Information and Environmental Information Regulations Policy and Procedure

No: GC-POL-017	Version: 01
Issue Date: 3 April 2025	Review Date: 2 April 2028
Author: Director of Governance and Compliance	Approved by: Corporation Board 2 April 2025
Equality Impact Assessment (EIA) completed by: Director of Governance and Compliance	Equality Impact Assessment (EIA) completed on: 11 February 2025

Version Level	Details of Change	Date
01	New Policy	March 2025

Key search words for this document
Freedom of Information (FOI), Environmental Information Regulations EIR), Information Commissioner's Office ICO,

This front page is for monitoring and dissemination purposes only.
It does not form part of this Policy document.

If you need this information in a different format or language, would like someone to help explain it to you or require any other support please let us know by emailing start@gateshead.ac.uk or calling 0191 490 0300.

Freedom of Information and Environmental Information Regulations Policy and Procedure

1. Freedom of Information

1.1. Introduction

- 1.1.1. [The Freedom of Information \(FOI\) Act 2000](#) provides public access to information held by public authorities. It does this in two ways: public authorities are obliged to publish certain information about their activities, and members of the public are entitled to request information from public authorities
- 1.1.2. Gateshead College operates in accordance with the FOI Act and has fully adopted the Model Publication Scheme and [definition document provided by the Information Commissioner's Office \(ICO\) for colleges of Further Education](#) recommended by the Information Commissioner.

1.2. Making A Request

- 1.2.1. For a request to be valid under the Freedom of Information Act it must:
 - Be in writing (this includes by letter, email or via Gateshead College social media channels).
 - Include the requester's real name.
 - Include an address for correspondence (including an email address).
 - Describe the information requested.
- 1.2.2. Try to include as much information as possible within your request.
- 1.2.3. FOI requests can be made via various means and should be directed to the Data Protection Lead at DPLoad@gateshead.ac.uk or to Data Protection Lead, Baltic Campus, Quarryfield Road, Baltic Business Quarter, Gateshead, NE8 3BE.

1.3. Receiving A Request

- 1.3.1. As above, FOI requests can be made via various means and should be directed to the Data Protection Lead at DPLoad@gateshead.ac.uk or to Data Protection Lead, Baltic Campus, Quarryfield Road, Baltic Business Quarter, Gateshead, NE8 3BE.
- 1.3.2. It is the Data Protection Lead who responds to requests.

1.4. Responding To A Request

- 1.4.1. Upon receiving a request, the College will acknowledge receipt within 5 working days.
- 1.4.2. The College may take up to 20 working days to respond to a request.
- 1.4.3. Where the request is unclear, the College may seek clarification, and the response time will not begin until the necessary information has been provided.
- 1.4.4. There are also cases where a fee may be charged, and in these circumstances, the information will not be sent until the fee has been received.

1.5. Refusing A Request

1.5.1. Requests may be refused where:

- It would cost too much or take too much staff time to deal with the request.
- The request is vexatious.
- The request repeats a previous request from the same person.

1.5.2. The FOI Act contains a number of exemptions that allow the withholding of information. Exemptions include information that is already reasonably accessible, potential harm from disclosure, or information including personal data. Further exemptions can be found in [Part II of the FOI Act](#).

1.5.3. In any case of refusal, the requester will be informed with reasons and has the right to appeal the decision.

1.5.4. If information is covered by an exemption, the requester has the right to appeal the decision through an internal review process and, if still dissatisfied, can appeal to the Information Commissioner's Office (ICO).

1.6. Further Information

1.6.1. You can find further information about the Act on the Information Commissioner's website at: <https://ico.org.uk/>

2. Environmental Information Regulations (EIR)

2.1. Introduction

2.1.1. [The Environmental Information Regulations \(EIR\) 2004](#) provide public access to environmental information held by public authorities. The Regulations do this in two ways: public authorities must make environmental information available proactively, and members of the public are entitled to request environmental information from public authorities.

2.2. Making A Request

2.2.1. The Regulations do not specify how a valid request must be made. Requests can be made verbally or in writing.

2.2.2. To allow the College to respond to a request, please provide a name and contact details.

2.3. Receiving A Request

2.3.1. As above, EIR requests can be made via various means and should be directed to the Data Protection Lead at DPLead@gateshead.ac.uk or to Data Protection Lead, Baltic Campus, Quarryfield Road, Baltic Business Quarter, Gateshead, NE8 3BE.

2.3.2. It is the Data Protection Lead who responds to requests.

2.4. Responding To A Request

2.4.1. Upon receiving a request, the College will acknowledge receipt within 5 working days.

- 2.4.2. The College may take up to 20 working days to respond to a request. In these exceptional circumstances, the Regulations permit the extension to 40 working days to give more time to answer the request.
- 2.4.3. Where the request is unclear, the College may seek clarification. Requests can often be ambiguous, with many potential interpretations or no clear meaning at all. Under regulation 12(4)(c) of the Regulations, the College can refuse to answer a request that is too general if further information has been requested to clarify or rephrase a request.
- 2.4.4. There are also cases where a fee may be charged, and in these circumstances, the information will not be sent until the fee has been received.

2.5. Refusing A Request

2.5.1. Requests may be refused where:

- It would cost too much or take too much staff time to deal with the request.
- The request is vexatious.
- The request repeats a previous request from the same person.

2.5.2. The EIR contains a number of exemptions that allow the withholding of information. Exemptions include information relating to personal data, the information isn't held, or the request is "manifestly unreasonable". Further exemptions can be found in [regulation 12-14 of the Environmental Information Regulations](#).

2.5.3. In any case of refusal, the requester will be informed with reasons and has the right to appeal the decision.

2.5.4. If information is covered by an exemption, the requester has the right to appeal the decision through an internal review process and, if still dissatisfied, can appeal to the Information Commissioner's Office (ICO).

2.6. Further Information

2.6.1. You can find further information about the Act on the Information Commissioner's website at: <https://ico.org.uk/>