Item 14
For Information

Glasgow Kelvin College

Audit and Risk Committee Meeting of 22 February 2022

Freedom of Information Requests Monitoring

January 2021 - December 2021

Report by Director of Corporate Services and Team Leader - Administration

1. Introduction

Members will be aware that the College is required to ensure that it complies with the Freedom of Information (Scotland) Act (2002).

The purpose of this report is to provide reassurance to members that Freedom of Information requests received are responded to in accordance with the requirements of the Act and an overview of the requests submitted in calendar year 2021.

Members should note that responsibility for Freedom of Information (FOI) is contained within the remit of the Director of Corporate Services.

2. Freedom of Information Monitoring, Control and Quarterly Returns

As members will be aware the College has an approved procedure for ensuring that all FOI requests are dealt with in accordance to statutory requirements and in accordance with the Board of Management commitment to transparency in corporate governance. As part of that procedure all Freedom of Information requests received by the College are reviewed by the appropriate managers in order to ensure there is no ambiguity in respect of what is being requested. Should there be any such doubt as to what is being requested, contact is made with the requester to clarify matters.

A summary of the number of requests received between January 2021 and December 2021 is provided in the table below:

Description	Jan-Mar 21	Apr-Jun 21	Jul-Sep 21	Oct-Dec 21	Totals
The number of requests received	4	4	3	7	**18**
The number of requests which received a response within the statutory timescales	4	4	3	6	**17**[1]
The number of requests for which information was provided in full	3	4	3	6	**16**
The number of requests for review received	0	0	0	0	**0**

[1] This is not 18 as one response was held in the College server and not delivered due to a College ICT technical issue. Further explanation provided in the text overleaf.

For comparison purposes, in calendar year 2020, the College received 21 requests.

The compliance rate for the College for the period January 2021 - December 2021 in relation to responding in the relevant timescales (20 working days) was 94%. This was a slight reduction on the Colleges 100% response rate attained in previous years and was due to an ICT issue occurring whilst sending a response; as such the response (which was sent on time) was held in the server and not delivered to the requestor. The response was resent immediately once the College was made aware that the requestor was yet to receive their response. This one issue has, however, prevented us reaching 100% deadline achievement rate.

The College has received no requests for review and there have there been no appeals to the Information Commissioner during 2021.

An analysis undertaken of the requests under this legislation has identified requests being received from the media, Trade Unions, University students, members of the public and individuals using the *"what do they know"* website.

The quarterly returns required by the Information Commissioner were also completed and returned well ahead of deadline dates.

Members should note that the Senior Management Team reviews FOI responses as part of the College approach to transparency in corporate governance

Furthermore, members should note that much of the information requested is available to the public as a consequence of the commitment of the Board to transparency in corporate governance.

3. Resource Implications

There are no additional resource implications for Glasgow Kelvin College arising from the continued compliance with the Freedom of Information (Scotland) Act 2002.

Responding to these requests continues to place a workload burden on those managing and preparing responses and staff throughout the College, particularly within the Student Records, Finance and Procurement and HR/Payroll teams.

The Team Leader(s) – Administration have delivered training in relation to FOI/ Complaints and GDPR to staff members.

4. Assurance and Risk

As a public body, Glasgow Kelvin College continues to ensure that requests for information from applicants and the Information Commissioner are actioned in the timescales required. Failure to comply with the Freedom of Information (Scotland) Act 2002 can lead to an intervention by the Information Commissioner's Office - ICO.

This report highlights the processes in place within Glasgow Kelvin College to manage the risk in relation to freedom of information continue to be working effectively.

5. Equality

No negative impacts on people with protected characteristics have been identified as a consequence of this report.

6. Data Protection

There are no data protection implications as a consequence of this report. Cognisance is given where requests are received in which a response may contain personal data. When drafting responses to these requests the relevant exemption is applied.

7. Recommendations

Members are recommended to:

i) note the contents of this report;
ii) note the number of FOI requests received for the period January 2021-December 2021;
iii) note that the College has produced the required quarterly reports for the Information Commissioner; and
iv) note that the College will continue to have due regard for the Freedom of Information (Scotland) Act 2002 and adhere to timescales required.

8. Further Information

Members can obtain further information on the contents of this report from Lisa Clark, Director of Corporate Services – lisaclark@glasgowkelvin.ac.uk

LC/DHD
January 2022