

Freedom of Information Policy

The Freedom of Information Act (FOI) 2000 imposes a duty on public authorities:

- To confirm or deny that the information requested is held;
- If the information is held, to communicate it to the applicant.

Tolley will only consider FOI requests that relate to its apprenticeship programme.

Apprentices on apprenticeship programmes may make a request in writing for recorded information held by, or on behalf of, Tolley and we will comply promptly and in any case within 20 working days. Unless subject to one of 23 exemptions described by the FOI, the information must be provided.

The Information Commissioner's Office is the independent regulatory authority for the FOI and the avenue of appeal for requests that have not been resolved to the applicant's satisfaction.

The Senior Leadership Team have overall responsibility for FOI in Tolley in the context of the apprenticeship programme.

Operational responsibility for apprentices is delegated to the Director of Tolley Learning who will log and track all FOI requests. All Freedom of Information requests will be logged and tracked by the Director of Tolley Learning.

There are 23 exemptions from the right of access. Some are designated 'absolute', meaning that if an absolute exemption applies, the duty to provide the information does not apply.

Most are known as 'qualified' exemptions and require a public interest test to be applied, to decide whether the public interest in withholding the information outweighs the public interest in

disclosing it. Where an exemption is deemed to apply to some or all the information requested, the applicant will be notified in writing.

Where an apprentice makes a request for his/her own personal data, the data is absolutely exempt and the request will be treated as a subject access request under the General Data Protection Regulations. (see **Data Protection Policy**).

If the information requested includes personal information about a third party, the information will be provided, unless disclosure would contravene any of the data protection principles or Section 10 or 17 of the Data Protection Act (or its successor legislation, as amended), or the data subject would not be entitled to receive the data.

All eligible FOI requests that cost less than £450 to process (the 'appropriate limit') will be complied with free of charge. If the estimated cost of compliance exceeds £450, the duty to comply with the request does not arise. Such requests may be refused.

Any written reply from the applicant expressing dissatisfaction with our response to a request will be treated as a complaint, whether or not the applicant has expressly stated a wish to have the decision reviewed. This includes appeals against decisions to withhold information and will be dealt with in accordance with the **Complaints Policy** outlined in this handbook.



Jonathan Scriven – Director of Tax Markets