

Audit & Assurance Committee

Date of Meeting	2 September 2025
Paper No.	AAC1-G
Agenda Item	5.3
Subject of Paper	Annual Freedom of Information Report 2024-25
FOISA Status	Disclosable
Primary Contact	Drew McGowan Associate Director of Governance and Risk
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Action	For Discussion

1. Recommendations

- 1.1. To review the College's annual Freedom of Information report for the 2024-25 academic year.

2. Consultation

- 2.1. An annual report on the College's handling of requests submitted under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations is provided to the Audit & Assurance Committee each year before being published on the College website.

3. Key Insights

- 3.1. The College is committed to openness and transparency. As a public authority, under the terms of the aforementioned legislation and regulation, the College has a duty to respond to requests for information that we hold from members of the public promptly and efficiently, subject to certain specified exemptions. The College is also required to adopt and maintain a Model Publication Scheme, last updated in February 2025, which is available on our [website](#).
- 3.2. The enclosed Annual Freedom of Information Report 2024-25 covers the period 1 August 2024 to 31 July 2025. The report provides information and data on the requests received and handled by the College, including the nature of the requests and the types of applicants. A comparison with previous years is also provided.
- 3.3. In 2024-25, the College achieved a 100% compliant response rate for the first time since this key performance indicator was introduced in 2015-16, when the rate was 76%. Since then, it has been 90% or above.
- 3.4. Applicants who are unsatisfied with the College's response to a request have a right to request an internal review of how the request was handled and responded to. No internal reviews were requested in 2024-25, and follows a 43% reduction in 2023-24.
- 3.5. If an applicant is unsatisfied with the outcome of an internal review, they have the right to appeal to the SIC for a decision. Information on cases that have been referred to the SIC is also included in the annual report. No appeals were made to the Scottish Information Commissioner in 2024-25.
- 3.6. The College submits a quarterly return to the SIC covering Freedom of Information, Environmental Information Regulation and Subject Access Request data.
- 3.7. The annual FOI report is ordinarily tabled in March to allow for the reporting of any appeals to the SIC. However, as no internal reviews were requested in 2024-25 that could result in appeals, and due to personnel changes within the College, the report has been brought forward this year.

4. Impact and Implications

- 4.1. The College has processes and practices in place to meet our obligations under the Freedom of Information (Scotland) Act 2002 and to uphold openness and transparency. Failure to meet these obligations would damage public trust and confidence in the College and could result in an intervention from the SIC.

Appendix 1: Annual Freedom of Information Report 2024-25

Annual Freedom of Information Report 2024-25

1. The Freedom of Information (Scotland) Act 2002 and the associated Environmental Information Regulations 2004 provide individuals with a statutory right to access information that is held by public authorities. The legislation and regulations encourage openness and transparency, helping to build trust between the College and the public we serve. This report outlines the volume and nature of the requests received by the College, and how they were responded to, during the period 1 August 2024 to 31 July 2025.

Volume and Handling of Requests

2. In 2024-25, as shown below, the College received 48 requests. This is a 38% decrease in volume from the previous academic year, which was the second-highest number of requests the College has ever received. 47 were Freedom of Information (FOI) requests and 1 was an Environmental Information Request (EIR).
3. 100% of requests were responded to within the statutory timescale of 20 working days. This is the first time the College has achieved this level of compliance since this key performance indicator was introduced in 2015-16, when the rate was 76%.
4. 2 requests were closed and the College was therefore not obliged to respond to them. This occurs when the requester withdraws a request or does not respond to the College's request for clarification within one calendar month.

	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
On-time	25 (96%)	35 (97%)	22 (92%)	63 (97%)	71 (99%)	46 (100%)
Late	1 (4%)	1 (3%)	2 (8%)	2 (3%)	1 (1%)	0 (0%)
Closed	0	0	0	3	6	2
Total requests	26	36	24	68	78	48

5. The Act and the Regulations outline several exemptions for specific types of information or requests. The table below shows the number of times these exemptions have been used by the College in the past three academic years in each request. Exemptions tend to only be applied to parts of requests, meaning the vast majority of requests are responded to either in full or in part rather than refused entirely.

Section/Regulation	2022-23	2023-24	2024-25
Section 12: Excessive cost of compliance	2	0	1
Section 14(1)/(2): Vexatious or repeated request	0	0	0
Section 17/Regulation 10(4)a: Information not held	16	4	7
Section 25/Regulation 6(1)b: Information otherwise accessible	7	7	4
Section 27: Future publication	0	2	0
Section 30: Prejudice to effective conduct of public affairs	1	1	0
Section 33: Prejudice to commercial interests	3	1	1
Section 35: Prejudice to prevention/detection of crime	0	0	2
Section 36/Regulation 10(5)d: Confidentiality	0	1	0
Section 38/Regulation 11: Personal information	12	13	7
Regulation 10(4)c: Request formulated in too general a manner	0	0	0

Nature of Requests

6. The College receives requests for information from a range of different people and groups. Most requests are submitted by private individuals/organisations or trade unions, or through WhatDoTheyKnow.com (WDTK). WDTK is a web-based platform that helps people submit Freedom of Information requests and publishes both the requests and responses on their website so the information is available to the general public.

	2022-23	2023-24	2024-25
Journalists	7%	6%	6%
MP/MSPs	12%	8%	8%
Private Individuals/Companies	19%	21%	23%
Researchers	3%	4%	6%
Solicitors	1%	0%	0%
Staff	1%	1%	0%
Students	1%	0%	2%
Trade Unions	29%	14%	31%
WhatDoTheyKnow.com	25%	46%	23%

7. In 2024-25, most requests sought information about human resources, finance, student services/records and corporate development/commercial activities and work.

	2022-23	2023-24	2024-25
Board of Management	0%	0%	2%
Brand and Communications	3%	1%	0%
Corporate Dev & Commercial	15%	14%	10%
Estates/Facilities	7%	21%	6%
Faculties	9%	5%	4%
Finance and Procurement	15%	9%	15%
FOI and Data Protection	0%	1%	0%
HR & Organisational Development	24%	28%	35%
Information Technology	3%	10%	6%
Performance	1%	5%	2%
Principal/Executive Office	10%	4%	6%
Student Services/Records	13%	1%	13%

Internal Reviews and Appeals

8. If applicants are dissatisfied with the handling of their request and/or the College's response, they have the right to ask for an internal review within 40 working days of the response being issued. No internal reviews were requested in 2024-25. This continues a trend from the previous year, where there was a 43% reduction in internal review requests despite a 13% increase in the volume of requests received.
9. Applicants who are not content with the outcome of the internal review have the right to appeal directly to the Scottish Information Commissioner (SIC) for a decision within 6 months of receiving the College's response. As no internal review requests were made in 2024-25, no appeals could be made to the SIC. There were also no appeals in 2023-24.

Type of Review/Application	2022-23	2023-24	2024-25
Internal review requests			
Upheld the College's decision	7	3	0
Partially upheld the College's decision	0	0	0
Did not uphold the College's decision	0	0	0
Internal review request submitted outside of timescale	0	0	0
Closed	0	1	0
Applications to the Scottish Information Commissioner			
Decided in favour of the College	1	0	0
Decided in favour of the applicant	0	0	0
Withdrawn by the applicant	1	0	0
Yet to conclude	0	0	0

10. In 2022-23, as outlined in the 2022-23 and 2023-24 annual reports, two appeals (202300540 and 202300826) were submitted to the SIC. Due to a 384-case backlog that built up, there was a delay in the SIC investigating these appeals. However, the investigations concluded in May 2025 and July 2025.
11. Appeal 202300826 concerned an FOI request for the number of lecturers on precautionary suspension at the time of submission and over the previous 5 years, with a breakdown of reasons and outcomes. The College withheld the information under Section 38(1)(b), as the small numbers involved risked identifying individuals and breaching the Data Protection Act 2018. During the investigation, the College identified an error in one part of its response: the number of lecturers on suspension at the time of the request had been withheld due to a misunderstanding of scope. The College clarified that no lecturers were suspended at that time. Following engagement with the SIC, the requester withdrew the appeal.
12. Appeal 202300540 concerned a request for information regarding DPG18 and Price Group 5 funding that the College had received from the Scottish Funding Council since 2010. In our response, the College confirmed that we were not in receipt of this specific funding and explained that our main teaching grant is linked to volume/credit delivery – not individual price groups. The College therefore issued a Section 17 notice to confirm to the applicant that the information was not held and not provided. The SIC investigated, was satisfied that the information was not held and found in favour of the College.

Conclusion

13. It is essential that the College continues to have practices in place to meet our obligations under the Act and the Regulations and uphold our values of openness and transparency. Failure to meet these obligations would damage public trust and confidence in the College and could result in an intervention from the SIC – as has occurred in other public authorities but never at the College since its establishment in 2010.