

Item 14
For Discussion and Noting

Glasgow Kelvin College

Audit and Risk Committee Meeting of 16 September 2025

**Freedom of Information and Data Protection Request Monitoring
Academic Year 2024/2025**

**Report by Director of Estates and Corporate Services,
Corporate Support and Administration Manager and
Regulations and Compliance Manager**

1. Introduction

Members will be aware that the College is required to ensure that it complies with both the Freedom of Information (Scotland) Act (2002) (FOISA) and the Data Protection Act 2018.

The purpose of this report is to provide reassurance to members that requests received are responded to in accordance with the requirements of both Acts and also provides an overview of the requests received during Academic Year 2024/2025.

2. Freedom of Information (FOI) Monitoring, Control and Quarterly Returns

The College has an established and approved procedure to ensure that all Freedom of Information (FOI) requests are handled in full compliance with statutory requirements and in line with the Board of Management's commitment to transparency in corporate governance. As part of this process, all FOI requests are reviewed by the relevant managers to ensure clarity and accuracy in interpreting what is being requested. Where any ambiguity arises, the College proactively contacts the requester to seek clarification.

A summary of the 34 FOI requests received over Academic Year 2024/2025 is provided in the table below. For comparison, the College received 38 requests during the 2023/2024 Academic Year.

Description	Aug - Oct 2024	Nov - Jan 2025	Feb - Apr 2025	May - Jul 2025	TOTALS
The number of requests received	4	8	7	15	34
The number of requests which received a response within the statutory timescales	4	8	7	15	34
The number of requests for which information was provided in full ¹	2	5	5	13	25
The number of requests for review received	0	0	0	0	0

¹ In the instances where a full response was not provided this was due to the information requested either not being held or otherwise accessible to the requestor, i.e., already published on the College website, information requested was personal identifiable information (Data Protection), disclosure would be a potential cyber security risk or considered commercially sensitive.

The College achieved a 100% compliance rate in Academic Year 2024/2025 in responding to requests within the statutory 20 working day timeframe. No requests for review were received therefore no appeals were made to the Information Commissioners Office. Additionally, all quarterly returns required by the Information Commissioner were submitted well in advance of the respective deadlines.

Members should note that responses to FOI requests are reviewed by various members of the Senior Leadership Team (SLT) as part of the College's ongoing commitment to transparency and good governance. Furthermore, much of the information requested is already publicly available, reflecting the Board's proactive approach to openness and accountability.

3. Data Protection Monitoring and Control

The College continues to ensure that it remains abreast of Data Protection requirements in line with the 2018 Data Protection Act. The College maintains a number of measures to ensure compliance including:

- Writing/reviewing and updating relevant policies and procedures;
- Ensuring appropriate Data Share Agreements are in place with relevant organisations;
- Keeping a master log of all data related matters i.e., Subject Access Requests received, Data Incident Logs, Record of Processing Activities and conducting Data Protection Impact Assessments for new projects involving data;
- Updating and amending the Business Continuity Plan to include information pertaining to data attacks;
- Testing the Business Continuity Plan for SLT and Incident Management Team members on a regular basis;
- Providing regular updates in relation to GDPR on the staff news area of the intranet;
- Discussing data matters at the Risk Management Committee;
- Maintaining a comprehensive data/document retention schedule across the College; and
- Maintaining Privacy Notices for staff, students and trustees.

The Data Protection Team consists of a College Privacy Network team, a Regulations and Compliance Manager and an external named Data Protection Officer (DPO) via HEFESTIS (HE/FE Shared Technology & Information Services). The DPO post is a resource shared with other Colleges and the DPO is available to the College for a few hours per week. The Regulations and Compliance Manager deals with the daily management of GDPR and Data Protection matters at the College. The DPO provides professional support and guidance as well as compliance assurance.

A summary of the number of GDPR requests received over Academic Year 2024/2025 is provided in the table below:

GDPR Items by Category Aug 2024 – Jul 2025	Aug - Oct 2024	Nov - Jan 2025	Feb - Apr 2025	May - Jul 2025	TOTALS
Subject Access Requests (SAR)	4	1	1	2	8
Data Breaches/incidents	1	2	2	1	6 ²
Law enforcement requests and data release consents	1	2	1	1	5
Other rights e.g. Right to erasure	1	1	0	0	2

A total of 21 data related items were attended to during the Academic Year 2024/2025. For comparison purposes, in Academic Year 2023/2024, the College received a total of 26 data related items.

The compliance rate for the College for the Academic Year 2024/2025, in relation to responding to requests in the relevant timescales (for SARs, this is one month) was 100%.

4. 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 and the Data Protection Act 2018.

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, Procurement and HR/Payroll teams.

5. Impact on Students

There is no negative impact on students identified as a consequence of anything within this report. Requests for information are handled in a timely manner in compliance with relevant legislation.

6. Risk and Assurance

As a public body, Glasgow Kelvin College continues to ensure that requests for information from applicants and the Information Commissioner are actioned within the timescales required. Failure to comply with the Freedom of Information (Scotland) Act 2002 and Data Protection Act 2018 can lead to an intervention by the Information Commissioner's Office - ICO.

This report highlights that the processes in place within Glasgow Kelvin College to manage the risk in relation to Freedom of Information / Data Protection continue to be working effectively.

7. Equality

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

² All 6 incidents were very minor in nature and not reportable to the ICO. The College encourages staff to report such errors to the gdpr@glasgowkelvin.ac.uk mailbox.

8. Data Protection

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

9. Environmental and Sustainability

There are no environmental and sustainability issues as a consequence of this report.

10. Recommendations

Members of the Audit and Risk Committee are recommended to:

- i) note the contents of this report;
- ii) note the number of FOI/Data Protection requests received during Academic Year 2024/2025;
- iii) note that all data and FOI requests received have been actioned within the relevant timescales required – 100% achievement rate;
- iv) note that the College has submitted the required quarterly FOI returns for the Information Commissioner to deadline; and
- v) note that the College will continue to have due regard to both the Freedom of Information (Scotland) Act 2022 and Data Protection Act 2018 and adhere to the timescales required.

11. Further Information

Members can obtain further information on the content of this report from Lisa Clark, Director of Estates and Corporate Services – lisaclark@glasgowkelvin.ac.uk; Donald Higgins–Durnan, Corporate Support and Administration Manager – dhigginsdurnan@glasgowkelvin.ac.uk; or Roddy MacKenzie, Regulations and Compliance Manager – rmackenzie@glasgowkelvin.ac.uk.

Glasgow Kelvin College
LC/DHD/RMack
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