



VOCATIONAL TRAINING COUNCIL

Code on Access to Information

Preamble

It is VTC's on-going effort to promote public understanding of its activities and services and make available information routinely required by the general public. We adopt an administrative Code on Access to Information (hereafter the "Code") to set out the scope of information which VTC will provide, the procedures governing its release, and channels for review and complaint.

2. VTC will as far as practicable make available information upon public requests, unless there are specific reasons as set out in this Code for which requests for the information may be refused. Requests for information in which specific reference was made to the Code will be processed in accordance with the Code.

Scope of Application

3. The Code applies to all operational units of VTC.

4. The Code which is administrative in nature does not affect the statutory rights of access to information (e.g. personal data rights under the Personal Data (Privacy) Ordinance). Equally the Code does not affect legal restrictions on access to information whether these are statutory prohibitions, or obligations arising under common law or international agreements which apply to Hong Kong.

Provision of Information

Information to be Published

5. The following information on VTC is available on the VTC Website (www.vtc.edu.hk) and at the enquiry counter of VTC Tower :-

- Information on its organisation, programmes and services;
- List of information made available, whether free or on payment;
- List of categories of records;
- The procedures and any charges for access to information.

Information to be Provided on Request

6. VTC may, upon request, provide information on matters falling within its area of responsibility, except those requests for information which fall into the areas listed in paragraph 27.

Procedures Processing Requests for Information

Access to Information Officer

7. VTC will designate an Access to Information Officer who will be responsible for promoting and overseeing the application of the Code.

Requests for Information

8. A wide range of VTC information is available on the VTC website (www.vtc.edu.hk) for public consumption. General enquiries on admissions to VTC programmes can be addressed to VTC Admissions Office at its 24-hour Hotline 2897 6111 or email to admission@vtc.edu.hk. Enquiries on other general matters can be made through the enquiry counter of VTC Tower at 2836 1000 or email to vtcmailbox@vtc.edu.hk.

9. Requests for information may also be made under this Code orally or in writing. Oral requests will usually suffice where the information sought can be readily and simply provided (e.g. by oral replies or provision of standard forms). VTC may, however, ask for an oral request to be confirmed in writing, or request members of the public to clarify their requests, or direct the requests to the most appropriate operational unit(s) for handling.

10. Written requests may be made by sending a letter or a completed application form addressed to the Access to Information Officer of VTC :-

Access to Information Officer
Vocational Training Council
c/o Central Administration and Services Division
7/F, VTC Tower
27 Wood Road
Wan Chai
Hong Kong

11. Requests for access to personal data held by VTC are not governed under this Code. These requests will be handled under the procedures for handling of personal data in accordance with the requirements of the Personal Data (Privacy) Ordinance.

Provision of Requested Information

12. Responses to requests for information will be given as early as practicable.

13. Information will normally be provided in the form in which it exists, for example, if the requested information is recorded in the form of a document in a single language, that will be the form in which it will be provided.

14. Where a request, whether written or oral, cannot adequately be met by an oral reply or provision of a standard leaflet/form etc., VTC may, where appropriate, decide to release the information by providing a copy/transcript/summary of the relevant record or part thereof.

15. Where the disclosure of certain information in a record is to be refused, access to the remaining part of the record may be allowed.

16. The Code does not oblige VTC to :-

- acquire information not in its possession
- create a record which does not exist
- provide on request information which is already published, either free or at a charge

In these circumstances an applicant for information will, where practicable, be directed to the appropriate source of the information.

Target Response Time

17. Where practicable, information will normally be made available within ten working days of receipt of a written request and where charges are involved, ten working days from receipt of payment of the charges. If the target response time cannot be met, the applicant will be so advised by an interim reply within ten working days of receipt of the request, and a substantive response will as far as practicable be given within twenty-one working days from receipt of all necessary clarifications and full payment of charges.

18. If a request is to be refused, the applicant will be duly informed within the timeframe set out in paragraph 17 above.

Requests for Third Party Information

19. Request for third party information will be handled within the target response time described in paragraph 17, subject to obtaining third party's consent.

Charges

20. VTC will levy charges for the provision of information in order to cover the costs for the resources used. Information will not be released until after the requisite payment has been made.

21. Other than publications/information which are available free of charge, or at the cost specified, the following photocopying charge will be levied :-

Photocopying black and white on single page A3 or A4 size paper (with or without enlarging)	HK\$1.00 per photocopy
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The above charge is subject to revision from time to time. Additional charges will be imposed for any postage or other delivery costs.

22. Data subjects requesting access to personal information will be charged under VTC's policies and procedures governing access to personal data in accordance with the Personal Data (Privacy) Ordinance.

23. Where practicable, applicants will be informed in advance of an estimate of the charges they have to pay for the requested information.

Review

24. Any person who believes that VTC has failed to comply with any provision of the Code may ask VTC to review the case. The target response times set out in paragraphs 17 to 18 above also apply to requests for review.

25. Any person who believes that VTC has failed to properly apply any provision of the Code may also put forward the case to The Ombudsman.

Information Which May Be Refused

26. VTC will consider disclosure of information taking into account the public interest factors as weighed against any possible risk of harm or prejudice.

27. VTC may refuse to disclose information, or to confirm or deny the existence of information, in the categories and for the reasons set out below, which will normally be referred to if a request is refused.

27.1 Security of VTC Properties and Premises

Information the disclosure of which would harm or prejudice the security of VTC properties and premises.

27.2 Market Sensitive Information

Market sensitive information the disclosure of which would harm or prejudice the competitiveness or financial position of VTC or any parties; or VTC's relations with any parties.

27.3 Law Enforcement, Legal Proceedings and Legal Restrictions

(a) Information the disclosure of which would harm or prejudice the administration of law enforcement, legal proceedings, legal advice and related privileged information.

(b) Information the disclosure of which would constitute a contravention of any law which applies in Hong Kong; or a breach of any obligation arising under common law or under any international agreement which applies to Hong Kong.

27.4 Management and Operation of VTC

(a) Information the disclosure of which would harm or prejudice the VTC's negotiating positions or contractual activities;

competitive or financial position or property interest; VTC's operations and managements of its member institutions, staff and students; information relating to the conduct of tests, management reviews, examinations, audits, etc.

- (b) Information which could only be made available by unreasonable or substantial diversion of VTC's resources; or in a particular form which is not currently available.

27.5 Internal Discussion and Advice

Information the disclosure of which would inhibit the frankness and candour of the discussions within VTC, and the advice given to VTC. Such information may include:

- (a) papers/documents for and records of discussions at any internal VTC meeting, or at any meeting of its advisory bodies;
- (b) opinions, advice, recommendations, consultations and deliberations, etc. made by VTC staff or its advisers/consultants.

27.6 Staff Employment and Management

Information the disclosure of which would harm or prejudice the employment and management of VTC staff.

27.7 Appointments to Boards and Committees

Information the disclosure of which would harm or prejudice the appointments to the various boards and committees under the VTC.

27.8 Research

Any research information or data where disclosure could deprive VTC or any other person of priority of publication or commercial value.

27.9 Third Party Information

Information held for, or provided by, a third party would not be disclosed unless with that third party's consent in writing.