



<i>Policy/Procedure Title</i>	<i>Freedom of Information policy</i>
<i>Policy Owner</i>	<i>Head Teacher</i>
<i>Link Governor (if any)</i>	
<i>Version No.</i>	<i>1</i>
<i>Approved by</i>	<i>Head Teacher</i>
<i>Approved on</i>	
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<i>Other Related Policies (if any)</i>	

Freedom of Information Act 2000

Explanatory Notes

Governing bodies are responsible for ensuring that schools comply with the Freedom of Information Act 2000 (FoIA). Some aspects, such as charging are at the discretion of the Governing Body.

Introduction

UTC Cambridge is committed to the Freedom of Information Act 2000 and to the principles of accountability and the general right of access to information, subject to legal exemptions. This policy outlines our response to the Act and a framework for managing requests.

Background

The Freedom of Information Act 2000 (FoI) came fully into force on January 1 2005. Under the Act, any person has a legal right to ask for access to information held by the academies. They are entitled to be told whether the school holds the information, and to receive a copy, subject to certain exemptions.

The information which the school routinely makes available to the public is included in the Publication Scheme. Requests for other information should be dealt with in accordance with the statutory guidance. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information.

The Act is fully retrospective, so that any past records which the school holds are covered by the Act. The DfE has issued a Retention Schedule produced by the Records Management Society of Great Britain, to guide schools on how long they should keep school records. It is an offence to wilfully conceal, damage or destroy information in order to avoid responding to an enquiry, so it is important that no records that are the subject of an enquiry are amended or destroyed.

Requests under FoI can be addressed to anyone in the school; so all staff need to be aware of the process for dealing with requests. Requests must be made in writing, (including email), and should include the enquirer's name and correspondence address, and state what information they require. They do not have to mention the Act, nor do they have to say why they want the information. There is a duty to respond to all requests, telling the enquirer whether or not the information is held, and supplying any information that is held, except where exemptions apply. There is no need to collect data in specific response to an FoI enquiry. There is a time limit of 20 days excluding school holidays for responding to the request.

For further information and guidance, see the ICO (Information Commissioner's Office) "The Guide to Freedom of Information"

Scope

The FoI Act joins the Data Protection Act and the Environmental Information Regulations as legislation under which anyone is entitled to request information from the school.

Requests for personal data are still covered by the Data Protection Act (DPA). Individuals can request to see what information the school holds about them. This is known as a Subject Access Request, and must be dealt with accordingly.

Requests for information about anything relating to the environment – such as air, water, land, the natural world or the built environment and any factor or measure affecting these – are covered by the Environmental Information Regulations (EIR). They also cover issues relating to Health and Safety. For example queries about chemicals used in the school or on school land, phone masts, car parks etc. would all be covered by the EIR. Requests under EIR are dealt with in the same way as those under FoIA, but unlike FoIA requests, they do not need to be written and can be verbal.

If any element of a request to the school includes personal or environmental information, these elements must be dealt with under DPA or EIR. Any other information is a request under FoIA, and must be dealt with accordingly.

Obligations and Duties

UTC Cambridge recognises its duty to:-

- provide advice and assistance to anyone requesting information. We will respond to straightforward verbal requests for information, and will help enquirers to put more complex verbal requests into writing so that they can be handled under the Act.
- tell enquirers whether or not we hold the information they are requesting (the duty to confirm or deny), and provide access to the information we hold in accordance with the procedures laid down in the ICO Information Request Handling Procedures.

Publication Scheme

UTC Cambridge has adopted the Model Publication Scheme for Schools approved by the Information Commissioner.

Dealing with Requests

We will respond to all requests in accordance with the procedures laid down in the ICO Information Request Handling Procedures. We will ensure that all staff are aware of the procedures.

Exemptions

Certain information is subject to either absolute or qualified exemptions. For further information on exemptions refer to the ICO Guide to Freedom of Information. When we wish to apply a qualified exemption to a request, we will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information. We will maintain a register of requests where we have refused to supply information, and the reasons for the refusal. The register will be retained for 5 years.

Public Interest Test

Unless it is in the public interest to withhold information, it has to be released. We will apply the Public Interest Test before any qualified exemptions are applied.

Charging

We reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450.

Governing bodies may choose to charge a fee for complying with requests for information under FOI.

The fees must be calculated according to FoI regulations, (see Appendix 1) and the person notified of the charge before information is supplied. It is recommended that schools respond to most requests free of charge, and only charge where significant costs are incurred.

You can calculate the costs, taking account of staff time, as well as direct costs, but if the total is less than the statutory maximum, you can only charge the direct costs (e.g. printing, postage etc.) If the cost exceeds the statutory maximum you do not have to respond, but may choose to do so, either charging for time and direct costs or not. It is good practice to contact the enquirer, and see if they wish to reduce the request, thus reducing the time and costs to below the maximum.

11. Complaints

Any comments or complaints will be dealt with through UTCC's normal complaints procedure. We will aim to determine all complaints within 10 days of receipt. We will publish information on our success rate in meeting this target. The UTCC will maintain records of all complaints and their outcome. If on investigation the UTCC's original decision is upheld, then UTCC has a duty to inform the complainant of their right to appeal to the Information Commissioner's office.

Appeals should be made in writing to the Information Commissioner's office. They can be contacted at:

<https://ico.org.uk/global/contact-us/>

Appendix 1

Who we are and what we do

Information to be published	How the information can be obtained	Charge
Academy Funding Agreement – a document on the Department for Education's website	Department for Education's website See the UTCC's website www.utccambridge.co.uk	Free
School staff and structure – names of key personnel	UTCC Website	Free
Governing body – names and contact details of the governors and the basis of their appointment	UTCC Website	Free
School session times, term dates and holidays	UTCC Website	Free
Location and contact information – address, telephone number and website	UTCC Website	Free
Contact details for the Principal and the Governing Body	UTCC Website. Governors can be contacted via the Corporation clerk.	Free
School Prospectus	UTCC Website	Free
GCSE results – a link to the data on the Department for Education's website	See UTCC website for link to DfE	Free

What we spend and how we spend it

Information to be published	How the information can be obtained	Charge
Annual budget plan and financial statements	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage
Capital funding – details of capital funding allocated to the school along with information on related building projects and other capital projects	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage
Additional funding – Income generation schemes and other sources of funding.	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage
Procurement and contracts – details of procedures used for the acquisition of goods and services. Details of contracts that have gone through a formal tendering process.	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage
Staffing structure	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage
Pay policy – a statement of UTCC’s policy on procedures regarding teachers’ pay.	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage
Governors’ allowances – Details of allowances and expenses that can be claimed or incurred	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage

What our priorities are and how we are doing

Information to be published	How the information can be obtained	Charge
Government supplied performance data OFSTED report – summary and full report	See the UTCC’s website www.utccambridge.co.uk For Ofsted reports see Ofsted’s website www.ofsted.gov.uk	£25 per letter 15p/sheet plus postage
Performance management information	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage
UTCC’s future plans – any major proposals on Safeguarding and promoting the welfare of children.	Contact Info@utccambridge.co.uk	15p/sheet plus postage
Child protection – policies and procedures on safeguarding and promoting the welfare of children.	See the UTCC’s website www.utccambridge.co.uk	Free

How we make decisions

Information to be published	How the information can be obtained	Charge
Admissions policy (not individual admission decisions)	See the UTCC's Websites www.utccambridge.co.uk	Free
Governing body meeting agendas, papers and minutes – n.b. this will exclude information that is properly regarded as private to the meetings.	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage

Our policies and procedures

Information to be published	How the information can be obtained	Charge
School policies including: Charging and remissions policy Health and Safety and risk assessment Complaints procedure Staff conduct policy Discipline and grievance policies Pay policy Staffing structure implementation plan Information request handling policy Staff recruitment policies	See the UTCC's website www.utccambridge.co.uk or Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage
Pupil and curriculum policies, including: Home-school agreement Curriculum Sex education Special education needs Accessibility Race equality Collective worship Careers education Pupil discipline	See the UTCC's website www.utccambridge.co.uk or Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage
Records management and personal data policies Information security Records retention	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage

Lists and Registers

Information to be published	How the information can be obtained	Charge
Curriculum circulars and statutory instruments	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage
Disclosure logs	Contact Info@utccambridge.co.uk	15p/sheet plus postage
Asset register	Contact Info@utccambridge.co.uk	£25 per letter 15p/sheet plus postage
Any information UTCC is currently legally required to hold in publicly available registers (THIS DOES NOT INCLUDE THE ATTENDANCE REGISTER)		

The services we offer

Information to be published	How the information can be obtained	Charge
Extra-curricular activities	See the UTCC's website www.utccambridge.co.uk	Free
Out of school clubs School publications Services for which UTCC is entitled to recover a fee, together with those fees	See the UTCC's website www.utccambridge.co.uk Contact Info@utccambridge.co.uk	Free £25 per letter 15p/sheet plus postage
Leaflets, booklets and newsletters	See the UTCC's website www.utccambridge.co.uk	Free

