

FREEDOM OF INFORMATION POLICY

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Status: Statutory



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Summary		The City Learning Trust takes its responsibilities with regard to the management of the requirements of the Freedom of Information Act 2000 very seriously. This document provides the policy framework through which this effective management can be achieved and audited.		
Associated Documents		<ul style="list-style-type: none"> CLT UK's GDPR Policy 	<ul style="list-style-type: none"> CLT Records Management Policy 	
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VERSION CONTROL

Version No:	Type of change	Date	Revisions from previous version
0.1	New Document	April 2020	New Policy
1.0	Annual review	Sept 2020	Corporate format only, no other changes
1.1	Bi-annual review	Jan 2022	Updated to address the requirement under the Freedom of Information Act to adopt a publication scheme.
1.2	Interim update	Jan 2022	Appendix A & B included
1.3	Interim update	Mar 2023	Contact details for DPO updated

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1. STATUS

- a. Statutory.

2. INTRODUCTION

- a. The Freedom of Information Act 2000 (FoIA) applies to all public authorities. It provides the public with a statutory right of access to recorded information held by authorities, subject to certain exemptions.
- b. It does this in two ways:
 - i. public authorities are obliged to publish certain information about their activities; and
 - ii. members of the public are entitled to request information from public authorities.
- c. The Act does not give people access to theirs or anyone else's personal data, such as school records, attendance information or personnel records. If a member of the public wants to see personal data (information about themselves), they should make a data protection subject access request (SAR). For guidance on how to make a SAR, please refer to the City Learning Trust UK General Data Protection Policy <https://citylearningtrust.org/wp-content/uploads/2020/10/Data-Protection-Policy.pdf>.
- d. The City Learning Trust takes its responsibilities with regard to the management of the requirements of the Freedom of Information Act 2000 very seriously. This document provides the policy framework through which this effective management can be achieved and audited.

3. PURPOSE AND SCOPE

- a. The purpose of this policy is to ensure that the provisions of the Freedom of Information Act 2000 are adhered to and in particular that:
 - i. Certain information is published proactively in line with the ICO's guidance. Please see the following documents:
 - Model Publication Scheme – See Appendix A
 - CLT's Publication Guide to Information - See Appendix B
 - ii. Information available from City Learning Trust can be found in the CLT's Publication Guide to Information - seen Appendix B
 - iii. To respond to requests for information that we do not routinely publish within 20 school days, or 60 working days if this is shorter.
 - iv. In cases where information is covered by an exemption, consideration is given as to whether or not the information should be released

4. RELATIONSHIP WITH EXISTING POLICIES

- a. This policy has been formulated within the context of the following Trust and Academy documents:
 - i. CLT's UK GDPR Policy
 - ii. CLT's Records Management Policy

5. SUBMITTING A FREEDOM OF INFORMATION REQUEST

- a. Information not already made available in the CLT's Publication Scheme (Appendix B) will be accessible through a specific request for information.
- b. These rights can be exercised by anyone – natural or legal persons, worldwide.
- c. In this regard the Freedom of Information Act establishes two related rights:
 - i. The right to be told whether information exists, and
 - ii. The right to receive the information (subject to exemptions)
- d. Any request must be made in a permanent form (for example in writing or by email) and a charge may be made for dealing with any request. Requestors will not be entitled to information to which any of the exemptions in the Act applies.
- e. However, only those specific pieces of information to which the exemption applies will be withheld, and information covered by an exemption will be subject to review by the HR department.

- f. The requester should include an address for correspondence. This need not be your residential or work address – it can be any address at which we can write to you, including a postal address or email address;
- g. The Trust must respond to any request within 20 school days, or 60 working days if this is shorter following the date of receipt.

6. CHARGES

- a. The Trust reserves the right to charge an appropriate fee for dealing with a specific request for information, in accordance with the Act. The charges will only be for the cost of photocopying and posting where necessary. The applicant will receive written notice of any charges which are to be paid before the information is supplied.

7. COMPLAINTS

- a. The Data Protection Officer will co-ordinate any complaints received in respect of this policy.
- b. The complaint should be addressed to the HR department in the first instance. The complaint will be acknowledged immediately and every reasonable effort will be made to offer a more comprehensive reply within 21 days.
- c. If the applicant is not satisfied with the reply, then they should inform the HR department within 21 days. The complaint will then be forwarded to the Executive Director and will be dealt with as appropriate.
- d. If applicants are dissatisfied with the outcome of the Complaints Procedure they may seek an independent review from the Information Commissioner. Requests for review by the Information Commissioner should be made in writing to:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel No: 01625 545 700

8. EXEMPTIONS UNDER THE ACT

- a. There are 23 exemptions under the Act, to protect information that should not be disclosed, for example because disclosing it would be harmful to another person or it would be against the public interest. The public interest test applies to some exemptions, and others which are absolute exemptions. The full list of exemptions can be found at Appendix C of this policy.
- b. The Trust may decide that some information it holds could be regarded as exempt information under the Act. Where a request is made for information which includes exemptions the Trust will consider the prejudice test and the public interest test and may in some circumstances withhold the requested information.
- c. Whenever a decision is made to withhold information under an exemption, or for any other reason, we will inform the applicant of their right to complain about the decision through the Trust's complaint procedure and the right to appeal to the Information Commissioner. If the result of the complaint is that any decision to withhold information be overturned, this information will be supplied as soon as it is possible.

9. MONITORING AND REVIEW

- a. This policy has been approved by the Board of Trustees. It will be reviewed by the Policy and Procedures Working Group on an annual basis to ensure continuing compliance.

APPENDIX A

MODEL PUBLICATION SCHEME

1. Freedom of Information Act

- a. This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.
 - b. This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.
-

1.1.1 The Scheme Commits an Authority:

- a. To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- b. To specify the information which is held by the authority and falls within the classifications below.
- c. To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- d. To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- e. To review and update on a regular basis the information the authority makes available under this scheme.
- f. To produce a schedule of any fees charged for access to information which is made proactively available.
- g. To make this publication scheme available to the public.
- h. To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The term 'relevant copyright work' is defined in section 19(8) of that Act.

1.2 Classes of Information

1.2.1 Who we are and what we do.

- a. Organisational information, locations and contacts, constitutional and legal governance.
-

1.2.2 What we spend and how we spend it.

- a. Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
-

1.2.3 What our priorities are and how we are doing.

- a. Strategy and performance information, plans, assessments, inspections and reviews.
-

1.2.4 How we make decisions.

- a. Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.
-

1.2.5 Our policies and procedures.

- a. Current written protocols for delivering our functions and responsibilities.
-

1.2.6 Lists and registers.

- a. Information held in registers required by law and other lists and registers relating to the functions of the authority.

1.2.7 The services we offer.

- a. Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

1.2.8 The classes of information will not generally include:

- a. Information the disclosure of which is prevented by law, or exempt under the
- b. Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- c. Information in draft form.
- d. Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

1.3 The method by which information published under this scheme will be made available

- a. The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.
- b. Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.
- c. In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.
- d. Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.
- e. Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

1.4 Charges which may be made for information published under this scheme

- a. The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.
- b. Material which is published and accessed on a website will be provided free of charge.
- c. Charges may be made for information subject to a charging regime specified by Parliament.
- d. Charges may be made for actual disbursements incurred such as:
 - i. photocopying
 - ii. postage and packaging
 - iii. the costs directly incurred as a result of viewing
- e. Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.
- f. Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with the terms of the Re-use of Public Sector Information Regulations 2015, where they apply, or with regulations made under section 11B of the Freedom of Information Act, or with other statutory powers of the public authority.
- g. If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

1.5 Written Requests

- a. Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

APPENDIX B

CITY LEARNING TRUST PUBLICATION SCHEME

INFORMATION	HOW THE INFORMATION CAN BE OBTAINED	COST
Class One: Who we are and what we do (organisational information, structures and contacts).		
<ul style="list-style-type: none"> Who's who in the City Learning Trust. 	Website: https://citylearningtrust.org/our-trust/governance-members/ Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free See charges below
<ul style="list-style-type: none"> Who's who on the Board of Trustees and the basis of their appointment. 	Website: https://citylearningtrust.org/our-trust/governance-members/governance-members/ Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free See charges below
<ul style="list-style-type: none"> City Learning Trust contact details. 	Website: https://citylearningtrust.org/contact/ Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free See charges below
<ul style="list-style-type: none"> Contact details for the Chief Executive Officer (CEO) and Chair of Trustees. 	Website: https://citylearningtrust.org/contact/ Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free See charges below
<ul style="list-style-type: none"> Member Academies. 	Website: https://citylearningtrust.org/our-academies/	Free
<ul style="list-style-type: none"> Academy session times and term dates. (please refer to each individual Academy's website via City Learning Trust Website) 	Website: https://citylearningtrust.org/our-academies/ Hard copy available from the Academy upon request. Please follow the link above for contact details.	Free See charges below

INFORMATION	HOW THE INFORMATION CAN BE OBTAINED	COST
Class Two: What we spend and how we spend it (financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit – current and previous financial year, as a minimum).		
<ul style="list-style-type: none"> Annual budget plan and financial statements. 	Website: https://citylearningtrust.org/our-trust/key-documents-and-information/ Hard copy available by upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free See charges below
<ul style="list-style-type: none"> Capital funding & additional funding. 	Website: https://citylearningtrust.org/our-trust/key-documents-and-information/ Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free See charges below
<ul style="list-style-type: none"> Financial audit reports. 	Website: https://citylearningtrust.org/our-trust/key-documents-and-information/ Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free See charges below
<ul style="list-style-type: none"> Staffing, pay and grading structure (see Pay Policy) 	Currently under review	Free
<ul style="list-style-type: none"> Governors' allowances that can be incurred or claimed. 	Pleases see page 17 of the CLT Finance Policy: Website: https://citylearningtrust.org/wp-content/uploads/2021/10/V1.1-Finance-Policy-2021-22.pdf Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free See charges below
Class Three: What our priorities are and how we are doing - (strategies and plans, performance indicators, audits, inspections and reviews).		
<ul style="list-style-type: none"> Performance data DfE Performance Tables Latest Ofsted report 	Website: https://www.trenthamacademy.co.uk/parentscarers/performance-tables/ Website: https://www.compare-school-performance.service.gov.uk/school/141405/mill-hill-primary-academy/primary Website: www.gov.uk/school-performance-tables Website: https://www.compare-school-performance.service.gov.uk/school/142207/smallthorne-primary-academy/primary Website: https://www.compare-school-performance.service.gov.uk/school/138549/haywood-academy/secondary Website: https://reports.ofsted.gov.uk/ Hard copy available by email: hello@citylearningtrust.org or Tel: 01782 853535	Free Free Free Free Free Free Free See charges below
<ul style="list-style-type: none"> The Trusts future plans; for example, proposals for and any consultation on the future of the school, such as a change in status 	Any consultations/proposals will be available from our website as necessary. Hard copies available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free See charges below
<ul style="list-style-type: none"> Safeguarding and Child Protection Information. 	Website: https://citylearningtrust.org/wp-content/uploads/2021/10/V2.0-Safeguarding-CP-Policy-21-22-1.pdf Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free See charges below

INFORMATION	HOW THE INFORMATION CAN BE OBTAINED	COST
Class Four: How we make decisions (decision making process and records of decisions).		
<ul style="list-style-type: none"> Admissions procedures 	Website: https://www.haywoodacademy.coop/admission/ Website: https://www.trenthamacademy.co.uk/about/admissions/ Website: https://clt.smallthorne.coop/key-information/admissions-arrangements/ Website: https://www.millhillprimaryacademy.coop/admissions/nursery-and-reception-admissions-2021/ Website: (https://www.stoke.gov.uk/info/20033/school_admissions - Hard copy available from individual Academies upon request.	Free Free Free Free See charges below
<ul style="list-style-type: none"> Minutes of meetings and agendas (Local Governors' Committee) This will not include information considered private to the meeting. 	Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	See charges below
Class Five: Our statutory and procedures (current written protocols, policies and procedures for delivering our services and responsibilities). These include policies, procedures and documents that the Academy is required to have by statute or as stated in our Funding Agreement or by the English Government.		
<ul style="list-style-type: none"> Our statutory policies and procedures 	Website: https://www.haywoodacademy.coop/parents/policies-and-procedures/ Website: https://www.trenthamacademy.co.uk/about/policies-procedures-3/ Website: https://www.millhillprimaryacademy.coop/statutory-information/statutory-policies/ Website: https://clt.smallthorne.coop/key-information/policies/ Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free Free Free Free See charges below
<ul style="list-style-type: none"> Supplementary Funding Agreement 	Website: https://citylearningtrust.org/our-trust/key-documents-and-information/statutory-documents/ Hard copy available upon request by email: hello@citylearningtrust.org or Tel : 01782 853535	Free See charges below
Class Six: Lists and registers (not including attendance records)		
<ul style="list-style-type: none"> Governor attendance and meetings and pecuniary interests 	Website: https://citylearningtrust.org/our-trust/governance-members/pecuniary-interests/ Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535	Free See charges below

INFORMATION	HOW THE INFORMATION CAN BE OBTAINED	COST
Class Seven: The services we offer (information about the services we offer).		
<ul style="list-style-type: none"> Extra-curricular activities 	<p>Website: https://www.trenthamacademy.co.uk/academy-life/extra-curricular-activities-and-after-school-clubs-2/</p> <p>Website: https://www.millhillprimaryacademy.coop/school-life/extra-curricular-clubs/</p> <p>Website: https://clt.smallthorne.coop/pupils/extra-curricular/</p> <p>Website: http://www.haywoodacademy.coop/</p> <p>Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535</p>	<p>Free</p> <p>Free</p> <p>Free</p> <p>See charges below</p>
<ul style="list-style-type: none"> Out of school clubs 	<p>Website: https://clt.smallthorne.coop/pupils/extra-curricular/</p> <p>Website: https://clt.millhill.coop/pupils/extra-curricular/school-club/</p> <p>Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535</p>	<p>Free</p> <p>See charges below</p>
<ul style="list-style-type: none"> Newsletters 	<p>Website: https://www.millhillprimaryacademy.coop/news-and-events/newsletters/</p> <p>Website: https://clt.smallthorne.coop/news/</p> <p>Website: https://clt.millhill.coop/parents-and-carers/newsletters-key-dates/</p> <p>Website: https://www.haywoodacademy.coop/news-events/parents-newsletter/</p> <p>Website: https://www.trenthamacademy.co.uk/parentscarers/letters-home/</p> <p>Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535</p>	<p>Free</p> <p>Free</p> <p>Free</p> <p>Free</p> <p>Free</p> <p>See charges below</p>
<ul style="list-style-type: none"> Services for which the Trust Academies are entitled to recover a fee, together with the fees. 	<p>Website: https://citylearningtrust.org/wp-content/uploads/2021/10/V1.5-Charging-Remissions-Policy.pdf</p> <p>Hard copy available upon request by email: hello@citylearningtrust.org or Tel: 01782 853535</p>	<p>Free</p> <p>See charges below</p>

* **Any additional information that is not published on the list above will be published on the City Learning Trust website as necessary: Website: <https://citylearningtrust.org>**

Contact Details

City Learning Trust
The Old Town Hall
Market Place
Burslem
Stoke on Trent ST6 4AT

Tel No: 01782 853535

Email: info@citylearningtrust.org

Schedule of Charges

Digital copies are provided free of charge. We expect items digitally available on websites to be downloaded by yourselves. For hard copies of information, charges may be applied.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE	CHARGE
Disbursement cost	Photocopying/printing (black & white) *	Actual cost *	If a charge is to be made confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the info.
Disbursement cost	Photocopying/printing (colour) *	Actual cost *	
	Postage Royal Mail standard 2nd class	Actual cost of Royal Mail standard 2nd class	

APPENDIX C

Absolute Exemptions

- a. Exemptions where the public interest test does not apply:
 - i. Section 21: Information accessible by other means
 - ii. Section 23: National security – Information supplied by, or relating to, bodies dealing with security matters (a certificate signed by a Minister of the Crown is conclusive proof that the exemption is justified. There is separate appeals mechanism against such certificates)
 - iii. Section 32: Court records
 - iv. Section 34: Parliamentary Privilege – a certificate signed by the Speaker of the House, in respect of the House of Commons, or by the Clerk of the Parliament, in respect of the House of Lords is conclusive proof that the exemption is justified.
 - v. Section 36: Effective Conduct of Public Affairs – so far as relating to information held by the House of Commons or the House of Lords
 - vi. Section 40: Personal Information where the applicant is the subject of the information. The applicant already has the right of 'subject access under the Data Protection Act 1998; where the information concerns a third party and disclosure would breach one of the data protection principles.
 - vii. Section 41: Information provided in confidence
 - viii. Section 44: Prohibitions on disclosure – where a disclosure is prohibited by an enactment of would constitute contempt of court
 - ix. Section 33: Audit Functions
 - x. Section 35: Formulation of government policies and Ministerial Communications
 - xi. Section 36: Prejudice to effective conduct of public affairs (except information held by House of Commons or the House of Lords)
 - xii. Section 37: Communications with Her Majesty, the Royal Family or concerning honours
 - xiii. Section 38: Health and Safety

Qualified Exemptions

- a. Exemptions where the public interest test applies:
 - i. Section 22: Information Intended for Future Publication
 - ii. Section 24: National security (other than information supplied by or relating to named security organisations, where the duty to consider disclosure in the public interest does not apply)
 - iii. Section 26: Defense
 - iv. Section 27: International relations
 - v. Section 28: Relations within the United Kingdom
 - vi. Section 29: UK Economic Interests
 - vii. Section 30: Investigations and Proceedings Conducted by Public Authorities
 - viii. Section 31: Law Enforcement
 - ix. Section 33: Audit Functions
 - x. Section 35: Formulation of government policies and Ministerial Communications
 - xi. Section 36: Prejudice to effective conduct of public affairs (except information held by House of Commons or the House of Lords)
 - xii. Section 37: Communications with Her Majesty, the Royal Family or concerning honours
 - xiii. Section 38: Health and Safety
 - xiv. Section 39: Environmental Information as this can be accessed through the:

Environmental Information Regulations:

- a. Section 40: Personal information relating to a third party access request
- b. Section 42: Legal Professional Privilege
- c. Section 43: Commercial Interests
- d. Remember to include hard copies of Appendix A & Appendix B