



FREEDOM OF INFORMATION POLICY

THIS POLICY WAS APPROVED:	SUMMER 2018
THIS POLICY WILL BE REVIEWED:	SUMMER 2021
MEMBER OF STAFF WITH RESPONSIBILITY FOR REVIEW:	DIRECTOR OF HR

1 INTRODUCTION

1.1 Anglian Learning is subject to the Freedom of Information Act 2000 (FOI) as a public authority, and as such, will comply with any requests for information in accordance with the principles laid out in the Act.

2 WHAT IS A REQUEST UNDER FOI?

2.1 Any request for any information from the Trust is technically a request under the FOI, whether or not the individual making the request mentions the FOI. However, the ICO has stated that routine requests for information (such as a parent requesting a copy of a policy) can be dealt with outside of the provisions of the Act.

2.2 In all non-routine cases, if the request is simple and the information is to be released, then the individual who received the request can release the information, but will ensure that this is done within the timescale set out below. A copy of the request and response should then be sent to the Principal of the relevant school.

2.3 All other requests should be referred in the first instance to the Principal of the relevant school who may allocate another individual to deal with the request. This will be done promptly, with an individual being allocated within 3 working days of receiving the request.

2.4 When considering a request under FOI, the Trust will bear in mind that release under FOI is treated as release to the general public, and so once it has been released to an individual, anyone can then access it, and access cannot be restricted by marking the information “confidential” or “restricted”.

3 TIME LIMIT FOR COMPLIANCE

3.1 The Trust will respond as soon as possible, and in any event, within 20 working days of the date of receipt of the request. When calculating the 20 working day deadline, a “working day” is a school day (one in which pupils are in attendance), subject to an absolute maximum of 60 normal working days (not school days) to respond.

4 PROCEDURE FOR DEALING WITH A REQUEST

4.1 When a request is received that cannot be dealt with by simply providing the information, it should be referred in the first instance to the Principal of the relevant school, who may re-allocate to an individual with responsibility for the type of information requested.

4.2 The first stage in responding is to determine whether or not the Trust “holds” the information requested. The Trust will hold the information if it exists in computer or paper format. Some requests will require the Trust to take information from different sources and manipulate it in some way. Where this would take minimal effort, the Trust is considered to “hold” that information, but if the required manipulation would take a significant amount of time, the requestor should be contacted to explain that the

information is not held in the manner requested, and offered the opportunity to refine their request. For example, if a request required the Trust to add up totals in a spreadsheet and release the total figures, this would be information “held” by the Trust. If the Trust would have to go through a number of spreadsheets and identify individual figures and provide a total, this is likely not to be information “held” by the Trust, depending on the time involved in extracting the information.

4.3 The second stage is for the Trust to decide whether the information can be released, or whether one of the exemptions set out in the Act applies to the information. Common exemptions that might apply include:

4.3.1 Section 40 (1) – the request is for the applicant’s personal data. This will be dealt with under the subject access regime in the Data Protection Act detailed in paragraph 9 of the DPA policy above;

4.3.2 Section 40 (2) – compliance with the request would involve releasing third party personal data, and this would be in breach of the DPA principles as set out in paragraph 3.1 of the DPA policy above;

4.3.3 Section 41 – information that has been sent to the Trust (but not the Trust’s own information) which is confidential;

4.3.4 Section 21 – information that is already publicly available, even if payment of a fee is required to access that information;

4.3.5 *Section 22 – information that the Trust intends to publish at a future date;*

4.3.6 *Section 43 – information that would prejudice the commercial interests of the Trust and / or a third party;*

4.3.7 *Section 38 – information that could prejudice the physical health, mental health or safety of an individual (this may apply particularly to safeguarding information);*

4.3.8 *Section 31 – information which may prejudice the effective detection and prevention of crime – such as the location of CCTV cameras;*

4.3.9 *Section 36 – information which, in the opinion of the Chair of the Trust Board, would prejudice the effective conduct of the Trust. There is a special application form for this on the ICO’s website to assist with obtaining of the Chair’s opinion.*

4.4 The sections mentioned in italics are qualified exemptions. This means that even if the exemption applies to the information, the Trust will need to carry out a public interest weighting exercise, balancing the public interest in the information being released, as against the public interest in withholding the information.

5 RESPONDING TO A REQUEST

5.1 When responding to a request where the Trust has withheld some or all of the information, the Trust will explain why the information has been withheld, quoting the appropriate section number and explaining how the information requested fits within that exemption. If the public interest test has been applied, this also needs to be explained.

5.2 The letter should end by explaining to the requestor how they can complain – either by reference to an internal review by a Trustee, or by writing to the ICO.

6 CONTACT

6.1 Any questions about this policy should be directed in the first instance to Director of ICT.

Published Information	How the information can be obtained
Who we are and what we do (Organisational information, structures, locations, contacts, constitutional and legal governance) Current Information Only	
Who's who on the board of the Trust and the basis of their appointment	Trust website/Clerk to the Trust Board
Articles and Memorandum of Association	Trust website
School Funding Agreement	Trust Reporting Accountant or available from: http://www.education.gov.uk/cgi-bin/schools/performance/school.pl?urn=136677&superview=sec
Academy Order	Trust Reporting Accountant
Contact details for the CEO and for the Board of Trustees	PA to the Chief Executive Officer
Individual School Prospectus	School website
Staffing structure in an individual School (names of key personnel including the Principal)	School website
School session time, term dates and holidays	School website
Who's who on the governing body of an individual School and the basis of their appointment	School website
GCSE results for an individual School	School website

Published Information	How the information can be obtained
What we spend and how we spend it (Financial information relating to the projected and actual income and expenditure, tendering procurement, contracts and financial audit of the Trust) Current and previous financial year as a minimum (accounts that have been filed with Companies House)	
Annual budget and financial statements	Trust website or http://www.education.gov.uk/cgi-bin/schools/performance/school.pl?urn=136677&superview=sec
Capital funding- details of capital funding allocated to an individual School along with information on related building projects and other capital projects	Trust website or Trust Reporting Accountant

Additional funding – income generation schemes and other sources of funding	Trust Reporting Accountant
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.	PA to the Chief Executive Officer
The Trust's Pay policy	Director of HR
The Trust's Performance Management policy	Director of HR
Staffing and grading structure	Director of HR
Governor's allowances – details of allowances and expenses that can be claimed or incurred.	Trust Reporting Accountant
Annual budget plan and financial statements	Trust Reporting Accountant

Published Information	How the information can be obtained
Strategies and plans, performance information, assessments, audits, inspections and reviews) Current Information	
Individual School Profile <ul style="list-style-type: none"> • Government supplied performance data • The School's latest Ofsted report <ul style="list-style-type: none"> - Summary - Full report 	School website https://www.gov.uk/school-performance-tables
The Trust's future plans – any major proposals on safeguarding and promoting the welfare of children.	Trust website/School website
Child protection – policies and procedures on safeguarding and promoting the welfare of children.	Trust website/School website

Published Information	How the information can be obtained
How we make decisions (Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations)	
Admissions policy/decisions (not individual admission decisions)	School website

Agendas of meetings of the governing body and (if held) sub-committees	Clerk to the Governing Body
Minutes of meetings (as above) – this will not include information that is properly regarded as private to the meeting.	Clerk to the Governing Body

Published Information	How the information can be obtained
The Trust's policies and procedures (Current written protocols, policies and procedures for delivering the Trust's services and responsibilities) Current information only	
The Trust's policies including: <ul style="list-style-type: none"> • Charging and remissions policy • Health and Safety • Complaints Procedure • Staff Conduct Policy • Discipline and Grievance Policies • Equality and Diversity Policy 	Trust website/School website Director of HR
Student and curriculum policies, including: <ul style="list-style-type: none"> • Homework • Special Educational Needs • Promoting Positive Behaviour 	Trust website/School website
Records management and personal data policies, including: <ul style="list-style-type: none"> • Personal Information 	Trust website/School website
Charging regimes and policies	Trust website/School website

Published Information	How the information can be obtained
Lists and Registers	
Curriculum circulars and statutory instruments	Individual School
Disclosure logs	Individual School
Asset register	Trust Reporting Accountant
Staff Equality Information	Director of HR
Any information that the Trust is currently legally required to hold in publicly available registers. This does not include the attendance register.	Trust website

Published Information	How the information can be obtained
The services the Trust offers (Information including leaflets, guidance and newsletters produced for the public and businesses) Current information only	
Extra-curricular activities	Individual School
Out of school clubs	Individual School
School Publications	Individual School
Services for which the Trust is entitled to recover a fee, together with those fees	Director of Finance
Leaflet books and newsletters	Individual School