



# FREEDOM OF INFORMATION

<b>Policy Number</b>	
<b>Named Person(s)</b>	<b>COO</b>
<b>Approved by</b>	<b>Board</b>
<b>Last review date</b>	December 2022
<b>Next review date</b>	December 2025

## Statement of Intent

As an educational provider, Tyne Community Learning Trust has an obligation to publish a freedom of information statement, outlining how we will meet our duties under the Freedom of Information Act 2000, the General Data Protection Regulations (“GDPR”) and associated regulations. The development and effective implementation of this policy fulfils that requirement. More specifically, this policy outlines our Trust’s policy and procedures for:

- The release and publication of private data and public records.
- Providing applicants with advice and assistance throughout the duration of their requests.
- the school’s policy and procedure for the disclosure of recorded information held by the school.

It also clarifies the Trust’s position regarding the appropriate limit to the costs incurred by the trust or academy within the trust in obtaining any requested information, and on charging fees for its provision within the publication scheme (included within this policy). This policy applies to all data held by Tyne Community Learning Trust and each individual school within the Trust

## **1. Legal Framework**

1.1 This policy has due regard to the following legislation:

- the Freedom of Information Act 2000; and
- the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.
- The General Data Protection Regulation

## **2. Accepting Requests for Information**

2.1 We will only accept a Freedom of Information request which meets all of the following criteria:

- It is in writing (this includes requests sent to the Trust’s or an academy within the Trust’s official social media accounts)
- It states the name of the applicant (not a pseudonym) and an address for correspondence. This may be a postal address or email address.
- It describes the information requested

2.2 A request will be treated as made in writing if it meets all of the following requirements:

- It is transmitted by electronic means
- It is received in legible form
- It is capable of being used for subsequent reference

### **3. General right of access to information held by the school**

3.1 Provided that the request complies with section 2 of this policy, we will, no later than 20 school days from receipt of the request, comply with our duty to:

- Confirm or deny to any person making a request for information to the school, whether we hold information of the description specified in the request.
- Provide the documentation, if we confirm that we hold the requested information.

3.2 We will not comply with section 3.1 of this policy where:

- We reasonably require further information to meet a freedom of information request, have informed the applicant of this requirement, but were not subsequently supplied with that further information.
- The information 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.
- A request for information is exempt under Part 2 of the 2000 Act.
- The cost of providing the information exceeds the appropriate limit.
- The request is vexatious.
- The request is a repeated request from the same person made within 60 consecutive working days of the initial one.
- A fee notice was not honoured.
- The request is for information which is already published or publically available, and we can direct the requester to its location.
- The requested information is not held by the Trust for the purposes of the Trust's business.

We may also not be able to disclose information if that information contains personal data and to do so would be a breach of the principles of the General Data Protection Regulation (EU) 2016/679.

3.3 Where information is, or is thought to be, exempt, we will, within 20 school days, give notice to the applicant which:

- States the fact.
- Specifies the exemption in question.
- States why the exemption applies.

### **4. The Appropriate Limit**

4.1 We will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450.

4.2 When determining whether the cost of complying with a freedom of information request is within the appropriate limit, we will take account only of the costs we reasonably expect to incur in relation to:

- Determining whether we hold the information.
- Locating the information, or a document which may contain the information.
- Retrieving the information, or a document which may contain the information.
- Extracting the information from a document containing it.

4.3 Costs related to the time spent by any person undertaking any of the activities outlined in section 4.2 of this policy on behalf of our school, are to be estimated at a rate of £25 per person per hour.

4.4 Where multiple requests for information are made to the school within 60 consecutive working days of each other, either by a single person or by different persons who appear to be acting in concert, the estimated cost of complying with any of the requests is to be taken to be the total costs to the school of complying with all of them.

## **5. Charging Fees**

5.1 We may, within 20 school days, give an applicant who has requested information from the school a written notice stating that a fee is to be charged for our compliance.

5.2 Charges may be made for disbursements, such as the following:

- Production expenses, e.g. printing and photocopying
- Transmission costs, e.g. postage

5.3 Fees charged will not exceed the total cost to the school of:

- Informing the person making the request whether we hold the information.
- Communicating the information to the person making the request.

5.4 Where a fee is to be charged, we will not comply with section 3 of this policy unless the requested fee is paid within a period of three months beginning with the day on which the fees notice is given to the applicant.

5.5 We will not take into account any costs which are attributable to the time spent determining whether exemptions apply, redacting exempt information, or carrying out a public interest test, where this is necessary.

5.6 Once a fee is received, the Trust will inform the applicant of the revised response deadline, i.e. an additional 20 school days (or 60 working days).

5.7 Where the Trust has underestimated the cost to be charged to an applicant, a second fees notice will not be issued; instead, the Trust will bear the additional costs.

## **6. Means of Communication**

6.1 Where, on making a request for information, the applicant expresses a preference for communication by any one of the following means, the school will, as far as is practicable, give effect to that preference:

- The provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant.
- The provision to the applicant of a reasonable opportunity to inspect a record containing the information.
- The provision to the applicant of a digest or summary of the information in permanent form or in another form acceptable to the applicant.

## **7. Providing advice and assistance**

7.1 The Trust will meet its duty to provide advice and assistance, as far as is reasonable, to any person who proposes to make, or has made, requests for information to the Trust or school within the Trust.

## **8. Publication scheme**

8.1 the Trust will meet its duty to adopt and maintain a publication scheme which specifies the information which it will publish on the trust website, and whether the information will be available free of charge or on payment.

8.2 Our publication scheme will be reviewed and, where necessary, updated on a tri-annual basis.

## **Appendix 1**

This scheme follows the model approved by the ICO and sets out the classes of information which we publish or intend to publish; the format in which the information will be made available and whether the information is available free of charge or on payment.

### **1. Classes of information**

Information that is available under this scheme includes:

- Who we are and what we do
- What we spend and how we spend it
- What are our priorities are and how we are doing?
- How we make decisions
- Our policies and procedures
- Lists and registers
- The services we offer

Information which will not be made available under this scheme includes:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form, or notes, documents in older versions, emails or other correspondence.
- 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.

### **2. How to request information**

Requested documents under this scheme will be delivered electronically where possible either by being available on the Trust or individual academy websites or by email. Paper copies can be provided by emailing the Trust.

Documents can be translated under disability legislation into accessible formats where possible.

### **3. Charges**

The purpose of the publication scheme is to make the maximum amount of information readily available with minimum inconvenience and cost to the public. Charges may be made for actual disbursements incurred such as photocopying, postage and packaging and the costs directly incurred as a result of viewing information. If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment will be requested prior to provision of the information.

#### **4. What we will generally not publish**

The classes of information will not generally include:

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

## Tyne Community Learning Trust Publication Scheme

### Class 1 – Who we are and what we do – Organisational information, locations and contacts, constitutional and legal governance.

What information is available?	How can the information be obtained?	Is there a charge for the information?
Multi-Academy Trust Governance Structure including Members and Trustees	Trust website	No charge
Trust Senior Leadership Team	Trust website	No charge
Schools Local Governing Bodies	Individual schools website	No charge
Schools staff structure	Individual schools website	No charge
Term dates, times and holidays	Individual schools website	No charge
Contact details of Headteachers and Local Governing Bodies	Individual schools website	No charge
Location, contact information, addresses	Individual schools website / Trust website	No charge
Articles of Association	Trust website	No charge
School prospectus and curriculum	Individual schools website	No charge

### Class 2 – 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 two financial years

What information is available?	How can the information be obtained?	Is there a charge for the information?
Statutory Report & Accounts	Trust website/Companies House	No charge



Capital funding and income generation for prior years	Trust website	No charge
Pay Policy	Trust website	No charge
Mainstream Academy and Free School: Supplemental Funding Agreement	Trust website	No charge
Details of capital funding allocated to the school along with information on related building projects and other capital projects or sources of funding for current year	Trust website	No charge
Procurement and contracts	Trust website/email Trust	No charge
Governors' allowances – details of allowances/expenses that can be claimed/incurred	Trust website	No charge
Staff allowances and expenses	Trust website	No charge
Staff grading and structure (We are following the NCC structure for grading)	Northumberland County Council website	No charge

**Class 3 – What our priorities are and how we are doing - (Strategies and plans, performance indicators, audits, inspections and reviews.) - Current information as a minimum:**

<b>What information is available?</b>	<b>How can the information can be obtained?</b>	<b>Is there a charge for the information?</b>
Latest Ofsted Reports	Ofsted website / Individual schools website	No charge
Performance Tables	Compare School Performance.gov.uk website /Individual school website	No charge

Exam and assessment results	Compare School Performance.gov.uk website /Individual school website	No charge
Safeguarding policies and child protection procedures	Individual schools website	No charge

**Class 4 – How we make decisions - Decision making processes and records of decisions - Current and previous three years as a minimum**

<b>What information is available?</b>	<b>How can the information can be obtained?</b>	<b>Is there a charge for the information?</b>
Admissions Policy / decisions	Individual schools website	No charge
Governing Board meeting agendas and minutes – (this will exclude information that is properly regarded as private to the meeting)	Individual schools website	No charge

**Class 5 – Our policies and procedures - Current written protocols, policies and procedures for delivery our services and responsibilities - Current information as a minimum**

<b>What information is available?</b>	<b>How can the information can be obtained?</b>	<b>Is there a charge for the information?</b>
Data Protection/GDPR Policy	Trust website / Individual schools website	No charge
Charging and remission policy	Trust website / Individual schools website	No charge
Health & Safety Policy	Trust website / Individual schools website	No charge
Complaints Policy	Trust website / Individual schools website	No charge
HR Policies:	Trust website / Individual schools website	No charge

Staff, discipline, grievance, pay and conduct policies		
Equal opportunities policy	Trust website / Individual schools website	No charge
Safeguarding Policies	Trust website / Individual schools website	No charge
Curriculum Policy	Individual schools website	No charge
SEND Policy	Individual schools website	No charge
Information Security Policies	Individual schools website	No charge
Behaviour for Learning / Behaviour Policies	Individual schools website	No charge
Charging Policy	Individual schools website	No charge

**Class 6 – Lists and registers - Current written protocols, policies and procedures for delivery our services and responsibilities**

<b>What information is available?</b>	<b>How can the information can be obtained?</b>	<b>Is there a charge for the information?</b>
Disclosure logs or Trust Directors (Trustees) and Local Governing Bodies	Trust website / Individual schools website	No charge
Asset register	Email trust	No charge
Any information the school is currently legally required to hold in publicly available registers ( <b>this does not include the attendance register</b> )		

**Class 7 – The services we offer – Information about the services we offer, including leaflets, guidance & newsletters**

What information is available?	How can the information be obtained?	Is there a charge for the information?
School newsletters	Individual schools website	No charge
School prospectus	Individual schools website	No charge
School publications	Individual schools website	No charge
Extra Curricular activities	Individual schools website	No charge