



**Health
Futures**
UTC

**Freedom of Information Act
(FOIA)
Policy and Publication
Scheme**

Review and approved: March 2015

HEALTH FUTURES UTC

FREEDOM OF INFORMATION ACT POLICY AND PUBLICATION SCHEME

1. Introduction

Health Futures UTC Governing Body recognises its responsibility to ensure that the school meets the requirements of the Freedom of Information Act 2000 (FOIA) including the provision of guidance for staff.

2. Dealing with a request

The Freedom of Information Act 2000 (FOIA) came into force on 1 January 2005. This means there is now a legal responsibility for the UTC to provide access to information requested under the terms of the Act by members of the public.

The UTC has a duty to provide advice and assistance to anyone requesting information. All requests for information should be referred to the Principal.

The Freedom of Information Act 2000 presumes openness. However, it recognises the need to protect sensitive information in certain circumstances and provides for exemptions. Even where certain exemptions apply, information must still be released if it is in the public interest to do so.

When the UTC receives a request for information they must first decide whether it holds the information, or whether the request should be transferred to another organisation. The UTC has a duty to inform the enquirer if they do not hold the information.

If the UTC holds the information it should then provide the information within 20 working days, excluding UTC holidays. Where the UTC has asked the enquirer for more information, the 20 days starts when the further information has been received. Where the UTC makes a charge, the 20 days starts from the point when payment has been received.

Access to information includes providing extracts of a document, a summary of the information sought, or access to the original document. The need to preserve confidentiality of sensitive information must be taken into consideration.

The UTC will not charge for straightforward enquiries. Where there are significant costs in photocopying information the UTC will charge using the current reprographics 'scale of charges'. The enquirer requesting information must be informed, in writing, of any charges, and pay the fee before the information is provided.

Requests for information must be in writing, which includes fax or email. Enquirers do not have to say why they want the information and the request does not have to mention the FOIA. The request must state the enquirer's name and correspondence address (email addresses are allowed) and describe the information requested.

If the information requested is already in the public domain, eg through the UTC's Publication Scheme or on the website the enquirer should be directed to the information and informed how to access it.

3. Exemptions and refusals

There are certain circumstances when the UTC should not comply with a request

- If it would cost over £450 to provide
- If the request is considered vexatious or repeated
- If one or more of the Act's exemptions apply

Many of the exemptions are intended to protect sensitive or confidential information. Some of the exemptions are there to avoid the legal position where two pieces of law cover the same information requested, or where the information is already available by some other means. These include:

- Personal information: a request for personal information is covered by the Data Protection Act (DPA) 1998. Individuals may continue to make a 'subject access request' under the DPA – these are where the enquirer asks to see what personal information the UTC holds about their son or daughter.
- Environmental information: where information is covered by the Environmental Information Regulations 1992. This includes information that relates to air, water, land, natural sites, built environment, flora and fauna, health and any decisions and activities affecting any of these. These could include enquiries about recycling, phone masts, UTC playing fields, car parking etc. If the enquiry is about environmental information the UTC will follow the guidance on the DEFRA website.
- Information accessible by other means: eg information that other legislation requires the UTC to provide.

Where the UTC has concerns about disclosing information they should look to see whether an exemption applies by consulting Annex A www.teachernet.gov.uk/foi at the same time applying the public interest test.

If an exemption applies and the UTC needs more time to consider the public interest test, the UTC should reply within 20 days stating that an exemption applies. An estimate must be provided stating when a decision on the public interest test will be made. This must be within a reasonable time – the recommendation is within 10 working days.

If the UTC decides to refuse a request, the enquirer should be issued with a refusal notice as specified in the guidance – www.teachernet.gov.uk/foi. The Principal will keep a record of all refusals and the reasons for the refusals. These records should be retained for 5 years. There is no requirement to keep records where information has been supplied.

There is no obligation to comply with vexatious requests. That is, a request that is designed to cause inconvenience, harassment or expense rather than to obtain information. This does not provide an excuse for bad records management.

Wilfully concealing, damaging or destroying information in order to avoid answering an enquiry is an offence and may result in criminal proceedings.

4. Third parties

If the UTC does not hold the information but believes the local authority holds the information, the UTC should check with the LA, and then transfer the request to them. The UTC should inform the enquirer that the UTC does not hold the information and that they have transferred the request to the LA.

Where disclosure of information affects third parties they must be consulted.

Where a request is made for a document that contains personal information whose release to a third party would breach the Data Protection Act, the document may be issued by blanking out the relevant personal information.

5. Complaints

All complaints should be handled through the UTC's existing complaints procedure. Where the outcome of a complaint is that the information should be disclosed this should be done as soon as practicable. When the outcome upholds the UTC's original decision, the applicant should be informed of their right to appeal to the Information Commissioner. They should appeal in writing to: FOI Compliance Team (complaints), Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

6. Publication Scheme

The UTC will provide a list of all documents available through the UTC's Publication Scheme. Information included in the scheme includes:

- The classes of information which we publish or intend to publish
- The manner in which the information will be published
- Whether the information is available free of charge or on payment

The scheme covers information already published and information which is to be published in the future. All information in our publication scheme is available in paper form.

Some information which we hold may not be made public, for example personal information. There are clear exemptions to the requirement to produce information on demand, so as to protect confidential/sensitive/personal data, for example about children or members of staff.

This publication scheme conforms to the model scheme for schools approved by the Information Commissioner.

The publication scheme guides you to information which we currently publish (or have recently published) or which we will publish in the future. This is split into categories of information known as ‘classes’.

7. Classes of Information Currently Published

School Website –This section sets out specific information published on the school website, in accordance with the School Information (England) (Amendment) Regulations 2012

Class	Description
Specified information on school website	<ol style="list-style-type: none"> <li data-bbox="424 725 1406 801">1 The name, postal address and telephone number of the school, and the name of a person to whom enquiries should be addressed. <li data-bbox="424 853 1422 1003">2 The determined admission arrangements for the school in relation to each relevant age group at the school, including any arrangements for selection, any oversubscription criteria and an explanation of the process of applying for a school place. <li data-bbox="424 1055 1390 1171">3 Information as to where and by what means parents may access the most recent report about the school published by her Majesty’s Chief Inspector of Education, Children’s Services and Skills. <li data-bbox="424 1223 1414 1458">4 Information about the most recent KS4 examination performance including: <ol style="list-style-type: none"> <li data-bbox="472 1263 1414 1339">a) The percentage of students who achieved a C or above (or equivalent) in 5 or more subjects including English and maths <li data-bbox="472 1346 1334 1379">b) The percentage of students who achieved the English Baccalaureate <li data-bbox="472 1386 1362 1458">c) The percentage of students who made at least the minimum expected levels of progress in English and maths between KS2 and KS4. <li data-bbox="424 1509 1418 1626">5 Information as to where and by what means parents may access the School Performance Tables published by the Secretary of State on the Department for Education’s website. <li data-bbox="424 1677 1418 1872">6 The following information about the school curriculum: <ol style="list-style-type: none"> <li data-bbox="472 1718 1398 1834">a) In relation to each academic year, the content of the curriculum followed by the school for each subject and details as to how additional information relating to the curriculum may be obtained <li data-bbox="472 1841 906 1872">b) a list of courses available at KS4. <li data-bbox="424 1924 1414 2000">7 The measures determined by the Principal under section 89 of the Education and Inspections Act 2006 (determination by head teacher of behaviour policy).

	<p>8 The amount of the school's allocation from the Pupil Premium grant in respect of the current academic year;</p> <p>a) details of how it is intended that the allocation will be spent;</p> <p>b) details of how the previous academic year's allocation was spent, and the effect of this expenditure on the educational attainment of those pupils at the school in respect of whom grant funding was allocated.</p> <p>9 The report prepared by the school under section 317(5)(a) of EA 1996 (duties of governing bodies in relation to special educational needs).</p> <p>10 The school's charging and remissions policy determined by them under section 457 of EA 1996.</p> <p>11 A statement of the school's ethos and values.</p>
Instrument of Government	<p>1 The name of the school</p> <p>2 The category of the school</p> <p>3 The name of the governing body</p> <p>4 The manner in which the governing body is constituted</p> <p>5 The term of office of each category of governor if less than 4 years</p> <p>6 The name of any body entitled to appoint any category of governor</p> <p>7 Details of any trust</p> <p>8 If the school has a religious character, a description of the ethos</p> <p>9 The date the instrument takes effect</p>
Minutes ¹ of meeting of the governing body and its committees	Agreed minutes of meetings of the governing body and its committees [<i>current and last full academic school year</i>]

Pupils & Curriculum Policies - This section gives access to information about policies that relate to pupils and the school curriculum.

Class	Description
Home – school agreement	Statement of the school's aims and values, the school's responsibilities, the parental responsibilities and the school's expectations of its pupils for example homework arrangements
Curriculum Policy	Statement on following the policy for the secular curriculum subjects and religious education and schemes of work and syllabuses currently used by the school
Sex and Relationships Education Policy	Statement of policy with regard to sex and relationship education

¹ Some information might be confidential or otherwise exempt from the publication by law – we cannot therefore publish this

Special Education Needs Policy	Information about the school's policy on providing for pupils with special educational needs
Accessibility Plans	Plan for increasing participation of disabled pupils in the school's curriculum, improving the accessibility of the physical environment and improving delivery of information to disabled pupils.
Collective Worship	Statement of arrangements for the required daily act of collective worship
Child Protection Policy	Statement of policy for safeguarding and promoting welfare of pupils at the school. <i>(from March 2004)</i>
Pupil Discipline	Statement of general principles on behaviour and discipline and of measures taken by the head teacher to prevent bullying.

School Policies and other information related to the school - This section gives access to information about policies that relate to the school in general.

Class	Description
Published reports of Ofsted referring expressly to the school	Published report of the last inspection of the school and the summary of the report and where appropriate inspection reports of religious education in those schools designated as having a religious character
Charging and Remissions Policies	A statement of the school's policy with respect to charges and remissions for any optional extra or board and lodging for which charges are permitted, for example school publications, music tuition, trips
School session times and term dates	Details of school session and dates of school terms and holidays
Health and Safety Policy and risk assessment	Statement of general policy with respect to health and safety at work of employees (and others) and the organisation and arrangements for carrying out the policy
Equalities Policy	Policy for promoting equalities
Complaints procedure	Statement of procedures for dealing with complaints
Performance Management of Staff	Statement of procedures adopted by the governing body relating to the performance management of staff and the annual report of the head teacher on the effectiveness of appraisal procedures
Staff Conduct, Discipline and Grievance	Statement of procedure for regulating conduct and discipline of school staff and procedures by which staff may seek redress for grievance
Curriculum circulars and statutory instruments	Any statutory instruments, departmental circulars and administrative memoranda sent by the Department of Education and Skills to the head teacher or governing body relating to the curriculum

8. Paying for information

Single copies of information covered by this publication are provided free. If your request means that we have to do a lot of photocopying or printing, or pay a large postage charge, or is for a priced item such as some printed publications or videos we will let you know the cost before fulfilling your request.

9. Monitoring Evaluation and Review

The Principal will report to the Governors relevant aspects of the working of the policy as appropriate.