



**ELLIS  
GUILFORD  
SCHOOL**  
*Creative  
Education  
Trust*



# Freedom of Information



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Education  
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# Freedom of Information Policy and Publication Scheme

## **Part 1: Freedom of Information Policy**

## **Part 2: Freedom of Information Publication Scheme**

### **Part 1: Freedom of Information Policy**

#### **1. Introduction**

- 1.1 Creative Education Trust is committed to complying with the Freedom of Information Act 2000 (“FOIA”) which came into force on 1 January 2005 and which applied to academies with effect from 1 January 2011. Each of our schools are committed to the principles of accountability and the general right of access to information, subject to legal exemptions. This policy outlines its framework for managing requests.
- 1.2 Under the Freedom of Information Act 2000, any person has a legal right to ask for access to information held by Creative Education Trust. They are entitled to be told whether Creative Education Trust holds the information, and to receive a copy, subject to certain exemptions. Each school is under a duty to provide advice and assistance to individuals making requests under the FOIA.
- 1.3 The information which the academy routinely makes available to the public is included in the Creative Education Trust FOIA Publication Scheme (Appendix 1). Requests for other information are dealt with in accordance with statutory guidance. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information.
- 1.4 The Act is fully retrospective, so that any past records which the Creative Education Trust holds are covered by the Act. It is an offence to wilfully conceal, damage or destroy information in order to avoid responding to an enquiry.

#### **2. Scope**

- 2.1 This policy applies to all recorded information held by the Creative Education Trust that relates to the business of the Trust or its schools.



- 2.2 Requests for personal data are covered by the Data Protection Act and are outside the scope of this policy. The Creative Education Trust Data Protection Policy gives further guidance on the process that must be followed.
- 2.3 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”). Requests under the EIR are dealt with in the same way as those under the FOIA, but they may be oral requests.

### **3. Associated documents**

- 3.1 The following documents have relevance to this policy:
- Creative Education Trust Data Protection Policy
  - Creative Education Trust Records Management Policy

### **4. Requesting information**

#### **4.1 Procedure**

- 4.1.1 Creative Education Trust recognises its duty to provide advice and assistance to anyone requesting information.
- 4.1.2 Requests under the FOIA should be addressed to Principal or Headteacher of the individual school or where the request concerns the Trust, [info@creativeeducationtrust.org.uk](mailto:info@creativeeducationtrust.org.uk). To help the school or the Trust process requests quickly, any correspondence should be clearly marked Freedom of Information Request.
- 4.1.3 The school 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 FOIA.
- 4.1.4 Creative Education Trust recognises its duty to tell enquirers whether or not it holds the information they are requesting (the duty to confirm or deny), and provide access to the information the school holds.
- 4.1.5 The Trust will have 20 working days from the receipt of the request to respond.

#### **4.2 Non-Disclosure of Requested Information**

- 4.2.1 Information will not be disclosed if one or more of the following applies:
- An exemption to disclosure.
  - The information sought is not held.
  - Requests are considered vexatious or repeated.



- The cost of compliance exceeds the threshold (£450).

### **4.3 Exemptions**

4.3.1 There are two general categories for exemptions:

- Absolute, where there is no obligation to confirm or deny the information is held, disclose the information or consider the public interest test.
- Qualified, where, even if an exemption applies, there is a duty to consider the public interest test.

### **4.4 Applying the Public Interest Test**

4.4.1 Once it has been established that a qualified exemption applies to a request, Creative Education Trust will apply the public interest test to establish whether the public interest in applying the exemption outweighs the public interest in disclosing it.

### **4.5 Cost of compliance**

4.5.3 Where the Creative Education Trust estimates that the cost of locating the information will exceed the statutory threshold of £450, the Trust is not obliged to comply with the request.

4.5.4 The £450 limit covers:

- the time taken to determine whether or not the Creative Education Trust holds the information;
- finding the information
- retrieving the information
- extracting or editing the material.

It does not cover the time taken to consider whether an exemption applies and the public interest test. Time will be charged at a flat rate of £25 per hour per person.

### **4.5 Charges**

4.5.1 Most information will be freely available through school websites. Enquirers will be directed to the school or trust website if the information they request is available on it. For further information, please see Part 2: Creative Education Trust FOIA Publication Scheme.

4.5.2 The Creative Education Trust may charge a fee for complying with requests.

4.5.3 Where the cost of postage, printing or photocopying documents is below £10, Creative Education Trust will not make a charge. Where it is over £10, the first £10 will be free of charge; after that, Creative Education Trust will charge the full estimated cost of postage and copying. The requestor will be provided with an estimated cost before the information is produced. A requestor may decide to refine the request so it reduces the cost of, for example, copying.



## 5. Complaints

- 5.1 Creative Education Trust takes its obligations under the Freedom of Information Act (2000) and the Environmental Information Regulations very seriously.
- 5.2 If a requestor is dissatisfied with the way in which their request for information has been handled, the following complaints procedure should be invoked.
- 5.3 Written complaints must be sent to [dpo@creativeeducationtrust.org.uk](mailto:dpo@creativeeducationtrust.org.uk)
- 5.4 Complaints will be investigated and responded to within 20 working days.
- 4.7.4 If, after exhausting the complaints process, a requestor is still dissatisfied with the outcome, they may refer the matter to the Information Commissioner. The Information Commissioner may be contacted at:  
Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF  
Tel: 01625 545700  
Web: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)



## Part 2: Freedom of Information Publication Scheme

### 1. Introduction

- 1.1 This model publication scheme has been prepared and approved by the Information Commissioner. It has been adopted without modification by Creative Education Trust and will be valid until further notice.
- 1.2 This publication scheme commits Creative Education Trust 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 school. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

### 2. The scheme commits Creative Education Trust to:

- Proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the school and falls within the classifications below.
- Specify the information which is held by the school and falls within the classifications below.
- Proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- 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.
- Review and update on a regular basis the information the school makes available under this scheme.
- Produce a schedule of any fees charged for access to information which is made proactively available.
- Make this publication scheme available to the public.
- Publish any dataset held by the school that has been requested, and any updated versions it holds, unless the school 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 school is the only owner, to make the information available for re-use under a specified licence. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of that Act.

### 3. Classes of information

- **Who we are and what we do**  
Organisational information, locations and contacts, constitutional and legal governance.



- **What we spend and how we spend it**  
Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
- **What our priorities are and how we are doing**  
Strategy and performance information, plans, assessments, inspections and reviews.
- **How we make decisions**  
Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.
- **Our policies and procedures**  
Current written protocols for delivering our functions and responsibilities.
- **Lists and registers**  
Information held in registers required by law and other lists and registers relating to the functions of the school.
- **The services we offer**  
Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

#### **4. 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 is difficult to access for similar reasons.

#### **5. Methods of publication**

- 5.1 Appendix 1 indicates the information which is published and how it may be obtained.
- 5.2 Where it is within the capability of individual schools, information will be provided on the school's website. Where it is impracticable to make information available on its website or when an individual does not wish to access the information by the website, it is indicated how information will be provided by other means
- 5.3 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.
- 5.4 Information will be provided in the language in which it is held or in such other language that is legally required. Where the school or the Trust is legally required to translate any information, it will do so.



- 5.5 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.
- 6. Charges which may be made for information published under this scheme**
- 6.1 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 school or the Trust for routinely published material will be justified and transparent and kept to a minimum.
- 6.2 Material which is published and accessed on a website will be provided free of charge.
- 6.3 Charges may be made for information subject to a charging regime specified by Parliament.
- 6.4 Charges may be made for actual disbursements incurred such as:
- photocopying
  - postage and packaging
  - the costs directly incurred as a result of viewing information
- 6.5 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.
- 6.6 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 either regulations made under section 11B of the Freedom of Information Act or other enactments.
- 6.7 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.
- 6.8 Information held by the school 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 1

This Appendix indicates the required information for each of the 'Classes of Information' listed in the main provision, and either provide details of where such data has been published, or the contact details of who can provide the information.

### 1) Who we are and what we do

Only current information will be provided.

Information type	Where Found
Articles of association	Creative Education Trust website
Outline of curriculum	School websites
Details of directors of the Trust	Creative Education trust website
Membership of rapid improvement boards / academy councils	School websites
School session times	School websites
Term dates and holidays	School websites
Location and contact data	Creative Education Trust website for the head office and school websites for individual schools
Statement of the school's ethos and values	School websites

### 2) What we spend and how we spend it

Financial information for the current and previous two financial years will be available.

Information Type	Where Found
Trustees report and financial statements	Creative Education Trust website
Annual report	Creative Education Trust website
Annual audited accounts	Creative Education Trust website
Memorandum of association	Creative Education Trust website
Articles of association	Creative Education Trust website
Pay policy	School Office
Staff pay and grading	Organisational structure can be obtained from the School Office Pay scales may be obtained from the School Office

### 3) What our priorities are and how we are doing

Only current information will be provided.

Information Type	Where Found
Performance data supplied to the government	Link provided from the school website to both the DFE and Ofsted websites.



Latest Ofsted report	Report or link provided from the school website
Performance management information	School Office for copy of performance management policy
School's future plans	Consultations will be on the school website Academy Council/rapid improvement board (RIB) meeting minutes are available by contacting the School Office

#### 4) How we make decisions

Information for the current and previous three years will be available.

Information Type	Where Found
Admissions policy	School websites
Minutes of meetings of the Academy Council/RIB	Approved minutes of meetings are available by contacting the School Office

Register of interests

#### 5) Our policies and procedures

Only current information in this class will be available.

Information Type	Where Found
Behaviour for learning policy (to include exclusions arrangements)	School websites
Local procedures for behaviour management	School websites
Anti-bullying policy	School websites
Child protection policy	School websites
Complaints policy	School websites
Whistle-blowing policy	School websites
Charging and remissions policy	School websites
Staffing policies	School Office
Records management and data policies	School Office
Equality and diversity	School Office
Policies and procedures for recruitment of staff	School Office The school websites shows current vacancies at the individual schools.

#### 6) Lists and registers

Only current maintained lists and registers will be available.

Information Type	Where Found
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Disclosure log	A log showing information provided as part of a FOI request is kept in the School Office for the current academic year
Asset register	School Office

## 7) The services we offer

Only information not included in the previous 'Classes' will be available.

<b>Information Type</b>	<b>Where Found</b>
Extra curricular activities	School Office
Out of school clubs	School Office as these vary dependent on the term
School publications	School Office
Services for which school can charge	School Office