

# Freedom of Information Policy and Publication Scheme

**Part 1: Freedom of Information Policy Part 2: Freedom of Information Publication Scheme**

<b>Policy Owner</b>	Trust Data Protection Officer
<b>Reviewed by</b>	CEO on 27 <sup>th</sup> March 2024
<b>Approved by Trust Board</b>	Audit and Risk Committee on 17 <sup>th</sup> April 2024
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<b>Next review date</b>	January 2027



## **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 and Retention 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, [dpo@creativeeducationtrust.org.uk](mailto:dpo@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 Head Office will have 20 working days following the date of receipt to respond, excluding any public holidays. Schools will have 20 school days following the date of receipt to respond, excluding any public holidays and school holidays.

## **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 of (£450).
- The time taken to complete the request will exceed 18 staff hours.

## **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**

4.5.1 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.

4.5.2 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 for any request that exceeds 18 hours of staff time to fulfil the request.

## **4.6 Charges**

4.6.1 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.

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

4.6.3 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.

5.4.1 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.

#### **6.4.1 Schedule of charges**

Type of Charge	Description	Basis of charge
<b>Disbursement cost</b>	Photocopying/Printing @ 10p per sheet	Actual cost 10p
	Photocopying/Printing @ 50p per sheet	Actual cost 50p
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class

- 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.

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.

### **7. Written requests**

7.1 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:** Organisational information, structures, locations and contacts.

Information in this class will be current information only.

Information available	How the information can be obtained	Charge
Articles of association	Creative Education Trust website	No charge
School prospectus and curriculum	School websites	No charge
Details of Trustees and directors	Creative Education trust website	No charge
Membership of Academy Councils at Creative Education Trust schools.	School websites	No charge
School session times and term dates	School websites	No charge
Gender pay gap reporting	Creative Education trust website	No charge
Location and contact information	Creative Education Trust website for the head office and school websites for individual schools	No charge
Statement of the school's ethos and values	Statement of the school's ethos and values	No charge

**2) What we spend and how we spend it:** Financial information about actual income and expenditure, procurement, contracts and financial audit.

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

Information available	How the information can be obtained	Charge
Trustees report and financial statements	Creative Education Trust website	No charge
Annual report	Creative Education Trust website	No charge
Annual audited accounts	Creative Education Trust website	No charge
Memorandum of association	Creative Education Trust website	No charge
Articles of association	Creative Education Trust website	No charge
Pay policy	School Office	No charge
Staff pay and grading	Organisational structure can be	No charge



	obtained from the School Office	
	Pay scales may be obtained from the School Office	
TU facility time reporting	Creative Education Trust website	No charge

**3) What our priorities are and how we are doing:** Strategies and plans, performance indicators, audits, inspections and reviews.

As a minimum, information in this class to be current information only.

Information available	How the information can be obtained	Charge
Performance data supplied to the government	Link provided from the school website to both the DFE and Ofsted websites.	No charge
Latest Ofsted report	Report or link provided from the school website	No charge
Performance management information	School Office for copy of performance management policy	No charge
School's future plans	Consultations will be on the school website Academy Council meeting minutes are available by contacting the School Office	No charge
Exam and assessment results	School site (headlines), individual results obtained from the School	No charge
Performance tables	School websites	No charge

**4) How we make decisions:** Decision-making processes and records of decisions.

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

Information available	How the information can be obtained	Charge
Admissions policy	School websites	No charge
Minutes of meetings of the Academy Council	Approved minutes of meetings are available by contacting the School Office	No charge

**5) Our policies and procedures:** Current written protocols, policies and procedures for delivering our services and responsibilities.

Only current information in this class will be available.



Information available	How the information can be obtained	Charge
Behaviour for learning policy (to include exclusions arrangements)	School websites	No charge
Local procedures for behaviour management	School websites	
Anti-bullying policy	School websites	No charge
Child protection policy	Creative Education Trust and school websites	No charge
Safeguarding policy	Creative Education Trust and school websites	No charge
Complaints policy	Creative Education Trust and school websites	No charge
SEND policy and information	Creative Education Trust and school websites	No charge
Health and Safety	School websites	No charge
Online safety policy	School websites	No charge
Whistle-blowing policy	School websites	No charge
Charging and remissions policy	School websites	No charge
Pay policy	School Office	No charge
Records management and data policies	School Office	No charge
Data protection policy	Creative Education Trust and school websites	No charge
FOIR and publication scheme	Creative Education Trust and school websites	No charge
Equality and diversity	Creative Education Trust and school websites	No charge
Careers policy	School office	No charge
Policies and procedures for recruitment of staff (recruitment policy)	School Office The school websites show current vacancies at the individual schools.	No charge

**6) Lists and registers:** Only current maintained lists and registers will be available.

Information available	How the information can be obtained	Charge
Disclosure log	A log showing information provided as part of a FOI request is kept by the Data Lead in each School.	Schedule of charges
Asset register	School Office	Schedule of charges



Any information Creative Education trust are currently legally required to hold in publicly available registers	Head office or school office	Schedule of charges
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**7) The services we offer:** Information about the services the school provides including leaflets, guidance and newsletters.

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

<b>Information available</b>	<b>How the information can be obtained</b>	<b>Charge</b>
Extra curricular activities	School Office	No charge
Out of school clubs	School Office as these vary dependent on the term	No charge
School publications	School Office	No charge
Services for which school can charge	School Office	No charge
Leaflets, booklets and newsletters	School Office	No charge