



# Freedom of Information (FOI) Policy and Publication Scheme

Version 5

**This policy applies to all NCLT institutions and Trust HQ.**



## **CONTENTS**

<b>Paragraph Number</b>	<b>Heading</b>	<b>Page Number</b>
1.0	Introduction	3
2.0	Legal Context	3
3.0	About the Freedom of Information Act	3
4.0	Publication Scheme	3
5.0	Accessing Information Under the Freedom of Information Act	4
6.0	Fees	4
7.0	Exemptions	5
8.0	Public Interest Test	5
9.0	Information Not Covered by the Publication Scheme	5
10.0	Feedback	5
11.0	Further Information	6
Appendix 1	Freedom of Information Act Publication Scheme	7

## **1.0 Introduction**

- 1.1 New Collaborative Learning Trust (the Trust) is committed to the Freedom of Information Act 2000 (FOIA), and to the principles of accountability and the general rights of access to information, subject to exemptions.
- 1.2 This policy outlines the Trust's response to the Freedom of Information Act and the framework for managing requests.

## **2.0 Legal Context**

- 2.1 This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:
  - Freedom of Information Act 2000
  - Data Protection Act 2018
  - UK General Data Protection Regulation (UK GDPR)
  - Environmental Information Regulations 2004

## **3.0 About the Freedom of Information Act**

- 3.1 The Freedom of Information Act gives a right of access to all types of recorded information held by public organisations and places a number of obligations on such organisations, one of which is to produce a Publication Scheme. This applies to the Trust and its schools and colleges.
- 3.2 The Act, which is enforced by the Information Commissioner, gives applicants rights:
  - to be told whether information is held by the Trust.
  - to receive the information, where possible in the manner requested, for example as a copy or summary, or in paper or electronic format
  - to be told whether or not the information is available free of charge.
- 3.3 The Trust promotes transparency and openness in relation to the information it holds and will seek to meet its obligations in law and in spirit, achieving an appropriate balance between the resources, confidentiality and other people's right to privacy and the purpose for which the information is held.

## **4.0 Publication Scheme**

- 4.1 A Publication Scheme describes the information the Trust publishes, or intends to publish. In this context, 'publish' means to make information available. There is no obligation to publish drafts, notes, older versions of documents that have been superseded, emails or other correspondence. Actions and decisions in relation to specific individuals are also unlikely to be covered.

- 4.2 The Trust has adopted the model Publication Scheme from the UK Independent Authority, the Information Commissioner's Office (ICO), and has included descriptions using guidelines and best practice from within the Education sector.
- 4.3 These descriptions are called 'classes of information'. The scheme is a list of types of information which may change as new material is published or existing material revised. It is also the public organisation's commitment to make available the information described.
- 4.4 The Publication Scheme also makes clear how the information described can be accessed and whether or not charges will be made. This Publication Scheme is not an exhaustive list of information held and is a 'live' document and so may be subject to change. The FOIA only covers information held, it does not require us to create new information or to record information we do not need for our own business purposes.

## **5.0 Accessing Information Under The Freedom of Information Act**

- 5.1 Select information from the Publication Scheme will be published on our website, or through other public domains, and this will be freely available.
- 5.2 To request information not freely available, please put your request in writing stating as clearly as possible the type of information you require to:

### **Data Privacy Manager**

New Collaborative Learning Trust  
Pontefract Road, Normanton Industrial Estate, Normanton  
WF6 1RN  
Email: [Data.Protection@nclt.ac.uk](mailto:Data.Protection@nclt.ac.uk)

- 5.3 All requests will be recorded on a register, which will include details about the Trust's response to each request.
- 5.4 The Trust will respond to requests within 20 working days, providing any fees have been met.

## **6.0 Fees**

- 6.1 The Trust reserves the right to charge a fee to cover any administration costs over £10 for the supply of information. If this is the case, a fee notice will be issued to the requester within 10 working days of the request being made. The fee notice will include the total cost of the fee, and details of how to pay. To proceed with the request, you must make the correct payment in advance.
- 6.2 If the request exceeds the current statutory limit of £450, the fee will cover additional staff time required to meet the request. This limit is based on 18 hours of work at £25 per hour. Where the costs of meeting the request does not exceed the current statutory limit, the fee will only cover the costs of copying, collating and postage required.
- 6.3 In certain circumstances the Trust may waive the fee at its absolute discretion. If an administration fee applies we will supply the information within 10 working days of receiving your payment.

## **7.0 Exemptions**

- 7.1 The Freedom of Information Act creates a general right of access to information held by public organisations. However, it also sets out a number of exemptions where that right is either not allowed or is qualified. The exemptions relate to issues such as national security, law enforcement, commercial interests and data protection.
- 7.2 If the information you have requested is exempt from the Act we will contact you within 20 days and explain which exemption the information falls within.

## **8.0 Public Interest Test**

- 8.1 The principle behind the Freedom of Information Act is to release information unless there is a good reason not to. To justify withholding information, the public interest in maintaining the exemption would have to outweigh the public interest in disclosure. This is known as the 'Public Interest Test'.
- 8.2 A public interest test will be applied to any exemptions identified prior to the release of the requested information.

## **9.0 Information Not Covered by the Publication Scheme**

- 9.1 From 1 January 2005 members of the public have the right, under the Freedom of Information Act (2000), to request any information held by a public organisation which it has not already made available through its Publication Scheme.
- 9.2 Responses will include confirmation that the Trust holds the data requested, unless there is an exemption (known as 'Neither Confirm nor Deny' exemption).
- 9.3 Requests will have to be made in writing and, in general, the college will have 20 working days to respond. A fee may be charged (see 6.0), and if we are unable to supply the information you have requested due to a valid exemption then the reason will be explained to you.

## **10.0 Feedback**

- 10.1 It is important that this publication scheme meets your needs. If you find the scheme difficult to understand, please let us know. Any questions, comments or complaints about this scheme should be directed to the Freedom of Information Officer:

### **Data Privacy Manager**

New Collaborative Learning Trust  
Pontefract Road, Normanton Industrial Estate, Normanton  
WF6 1RN  
Email: [Data.Protection@nclt.ac.uk](mailto:Data.Protection@nclt.ac.uk)

- 10.2 If we are unable to resolve any complaint, you can complain to the Information Commissioner, the independent body who oversees the Freedom of Information Act:

### **Information Commissioner**

Wycliffe House, Water Lane  
Wilmslow

Cheshire, SK9 5AF

## **11.0 Further Information**

11.1 More information about the Freedom of Information Act is available on the Information Commissioner's website at: **[www.ico.org.uk](http://www.ico.org.uk)**.

## Appendix 1

## Freedom of Information Act Publication Scheme

### **GUIDE TO DOCUMENTS AVAILABLE UNDER THE PUBLICATION SCHEME**

(all requests via the Trust's Data Privacy Manager)

**Many documents can be found electronically on the Trust/College/School website.**

*This is not an exhaustive list but indicative of the types of document held. If a document you require is not shown in this guide please contact us. Some information may, in some circumstances, be exempt from disclosure.*

<b>SECTION ONE - WHO ARE WE AND WHAT WE DO</b>		
<b>Class</b>	<b>Name of Document/Description</b>	<b>Manner ie paper or electronic</b>
Legal framework	<ul style="list-style-type: none"><li>• Instruments and Articles of Government</li><li>• Legal status – we are an approved academy as deemed by the Academies Act 2010</li><li>• Charitable status – the Trust is a charitable company limited by guarantee</li></ul>	Electronic Paper Paper
How the institution is organised	<ul style="list-style-type: none"><li>• Organisation chart/Trust structure</li><li>• Calendar and term dates</li><li>• Trust/College/School policies</li><li>• Governance Plan (including Standing Orders)</li><li>• Staff job descriptions</li></ul>	All Electronic
List of and information relating to organisations it works in partnership with and any companies wholly or partly owned by it	<ul style="list-style-type: none"><li>• Funding Agencies</li><li>• Ofsted</li><li>• Examining Boards</li><li>• Partner Schools and other schools</li><li>• Employers</li><li>• Local Authorities</li><li>• FE Colleges</li><li>• Universities - information on formal partnerships with HE Institutions</li><li>• Teaching School Alliance</li></ul>	All Paper
Location and contact details	New Collaborative Learning Trust (NCLT) Pontefract Road, Normanton Industrial Estate, Normanton WF6 1RN Telephone: 01977 702139 Email: <a href="mailto:Reception@nclt.ac.uk">Reception@nclt.ac.uk</a> Website: <a href="http://www.nclt.ac.uk">www.nclt.ac.uk</a>	Paper
Student/Pupil Activities	<ul style="list-style-type: none"><li>• Student Executive Constitution</li><li>• Student Handbook</li></ul>	Electronic
<b>SECTION TWO - WHAT WE SPEND AND HOW WE SPEND IT</b>		
Funding/Income	<ul style="list-style-type: none"><li>• Funding Agreement</li><li>• Financial Regulations</li><li>• Insurance Certificate</li></ul>	All Electronic
Budgetary and account information; expenditure	<ul style="list-style-type: none"><li>• Annual audited financial statements</li><li>• Financial Regulations</li><li>• Remuneration of senior staff – detailed in the annual accounts</li></ul>	All Electronic
Financial Audit Reports	<ul style="list-style-type: none"><li>• Annual Financial Statements and Regularity Audit Report</li><li>• Annual Internal Audit Report</li></ul>	Electronic
Capital Programme	<ul style="list-style-type: none"><li>• Estates Manager reports to senior managers on progress of capital projects</li></ul>	Paper
Financial Regulations and Procedures	<ul style="list-style-type: none"><li>• Financial Regulations Policy</li></ul>	Electronic
Pay Policy	<ul style="list-style-type: none"><li>• Remuneration and Pay Progression Policy</li></ul>	Electronic
Staff Pay and Grading Structures	<ul style="list-style-type: none"><li>• Salary grades and pay</li></ul>	Electronic

Staff/Director Allowances and Expenses	<ul style="list-style-type: none"> <li>• Details of the allowances and expenditure that can be claimed</li> <li>• Details of any staff/governor allowances and expenses paid</li> </ul>	Electronic
Register of Suppliers	<ul style="list-style-type: none"> <li>• List of approved suppliers</li> </ul>	Electronic
Procurement and Tender Procedures and Reports	<ul style="list-style-type: none"> <li>• Financial Regulations</li> </ul>	Electronic
Contracts	Detail of any contracts valued over £100,000 is available on request - subject to confidentiality and commercial sensitivity restrictions.	Electronic

### SECTION THREE - WHAT OUR PRIORITIES ARE AND HOW WE ARE DOING

<ul style="list-style-type: none"> <li>• Mission Statement</li> <li>• Strategic Plan</li> <li>• College/school Self-Assessment Report and Quality Improvement Action Plans (SAR/QUIP)</li> <li>• Teaching and Learning Policy</li> <li>• Quality assurance guidance</li> <li>• Ofsted Inspection Report</li> <li>• Annual accounts</li> <li>• Teaching results</li> <li>• Assessment Policy</li> <li>• Strategic Planning</li> <li>• Student Perception of Course/Pupil feedback</li> <li>• Equal opportunities monitoring data</li> <li>• Equal opportunities objectives, action plan and progress</li> <li>• Provider Access Policy</li> </ul>	All Electronic
--	-------------------

### SECTION FOUR - HOW WE MAKE DECISIONS

Meeting Minutes/Papers	<ul style="list-style-type: none"> <li>• Board of Directors' Meeting Agendas, Minutes and Papers</li> <li>• Trust Executive Team Meeting Agendas, Minutes and Papers</li> <li>• E&amp;D, Health and Safety and Safeguarding Meeting Minutes and Papers</li> </ul> <p>Many papers and minutes of such meetings are confidential under data protection or commercial sensitivity issues.</p>	All Electronic
------------------------	--	-------------------

### SECTION FIVE – OUR POLICIES AND PROCEDURES

Policies and Procedures	<ul style="list-style-type: none"> <li>• All College/School Staff and Student/Pupil Policies</li> <li>• Governance Plan</li> </ul>	Electronic
-------------------------	--	------------

### SECTION SIX - LISTS AND REGISTERS

<ul style="list-style-type: none"> <li>• A Register of Interests held</li> <li>• An asset register is held</li> <li>• FOI requests log</li> <li>• Register of any gifts/hospitality provided to senior staff.</li> <li>• Location of any overt CCTV cameras.</li> </ul>	All Electronic
---	-------------------

### SECTION SEVEN - THE SERVICES WE OFFER

Information and Services	<ul style="list-style-type: none"> <li>• Prospectus</li> <li>• Course/subject leaflets/information</li> <li>• Counselling Handbook/Policy</li> <li>• Student/Pupil Handbook</li> <li>• Examinations Policy</li> <li>• Bursary Information</li> <li>• Lettings Information/Facilities</li> <li>• Press Releases</li> <li>• Work experience procedures</li> <li>• Bus route information</li> <li>• Careers Programme</li> </ul>	All Electronic
--------------------------	---	-------------------

### Policy Status

<b>Policy Lead (Title)</b>	Data Privacy Manager	<b>Review Period</b>	Every 3 year (Publication Scheme Annually in November)
<b>Reviewed By</b>	Trust Executive Team	<b>Equality Impact Assessment Completed (Y/N)</b>	Y

### POLICY AMENDMENTS

Version	Approval Date	Trade Union Consultation Date (if applicable)	Page No./Paragraph No.	Amendment
Version 1	29/11/2019	N/A		
2	TET 08/02/2021 BoD 20/03/2021	N/A	Historical versions available from HR.	
3	TET 09/11/2021 BoD 13/12/2021	N/A	Historical versions available from HR.	
Version 4  Updated by Andy Dye	TET 08/11/2022 BoD authorised delegating approval to TET only.	N/A	P.4, Para 5.2 & P. 6, Para 10.1	Change of contact details from Freedom of Information Officer to Data Privacy Manager and change of email to <a href="mailto:Data.Protection@nclt.ac.uk">Data.Protection@nclt.ac.uk</a>
Version 4  Updated by Andy Dye.	TET 20/09/2023	N/A		Contact address for Data Privacy Manager updated following move to new Trust HQ.

## Equality Impact Assessment (EIA)

**The completion of this document is a requirement for all existing and proposed New Collaborative Learning Trust (NCLT) policies, major procedures, practices and plans (hereafter referred to as policies) as well as whenever looking at policy updates.**

The Equality Act 2010 sets out our legal duty to undertake equality analysis of all trust/college policies. Completion of this EIA is the first step in meeting this duty. Please send the completed EIA (together with a copy of the related policy/draft policy document) to the Trust Director for Human Resources who will review the document and may refer to the Equality and Diversity Committee as necessary to advise on any follow up action that might be required.

Completion of the Equality Impact Assessment is part of the Specific Equality Duties (SED) required of the trust. Over arching the specific duties is the General Equality Duty (GED) required of everyone. Please bear the GED and SED in mind when undertaking this audit.

### General Equality Duty

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

### Specific Equality Duties Relevant to EIA are to provide:

- Sufficient information to demonstrate compliance with the general duties; including effects policies have on people.
- Evidence that analysis of this information has been undertaken.
- Details of information considered during analysis.
- Details of engagement (consultation) that has taken place.

### Protected Characteristics are:

- |                              |                      |
|------------------------------|----------------------|
| • Age                        | • Race               |
| • Disability                 | • Religion or Belief |
| • Gender Reassignment        | • Sex                |
| • Marriage/Civil Partnership | • Sexual Orientation |
| • Pregnancy/Maternity Leave  |                      |

Audit Prompt	Response
Name of policy	Freedom of Information (FOI) (Including Publication Scheme)
Author of document:	Andy Dye
Responsible Senior Manager:	Data Privacy Manager – Andy Dye

<p>Briefly describe the aims, objectives and purpose of the policy.</p>	<p>This policy aims to provide viewers with information which allows them to understand the NCLT responsibilities, under the Freedom of Information Act 2000. It provides a full brief on what information we hold and the framework we use to share this information.</p>
<p>Who does the policy apply to:</p> <ul style="list-style-type: none"> <li>• Staff</li> <li>• Learners (please indicate which groups)</li> <li>• Members of the general public (please specify)</li> </ul>	<p>This policy applies to any members of the public who wish to make a request to the Trust for Information, under the FOI Act 2000. The above group includes any staff, students and partners who are connected to the Trust.</p>
<p>Will the policy affect members of the target audience equally?</p> <p>If no, please indicate the specific groups targeted by the policy.</p> <p>In targeting the policy at a specific group of people will members of other groups be disadvantaged?</p> <p>If yes, how will this be addressed?</p> <p>What information has been gathered about the diversity of the target audience? Attach details of information considered.</p> <p>How has this diversity been taken into account in writing the policy?</p>	<p>Yes – under the FOI Act anyone can make a request to the Trust, which will be treated equally.</p> <p>None, as the target audience involves the public.</p>
<p>Does this policy contain visual images?</p> <p>If yes, are these technical or cultural in nature?</p> <p>If cultural, do they reflect diversity?</p> <p>If yes, please indicate how.</p>	<p>No</p>
<p>Please indicate how this policy supports the trust/college in its General Equality Duty to:</p> <ul style="list-style-type: none"> <li>• Eliminate unlawful discrimination, harassment and victimisation (A).</li> <li>• Advance equality of opportunity between people who share a protected characteristic and those who do not (B).</li> <li>• Foster good relations between people who share a protected characteristic and those who do not (C).</li> </ul>	<p>The FOI Act applies to everyone and we publish this policy on our website publicly, this means we treat everyone who engages with this, equally, regardless of their protected characteristics.</p>
<p>Please indicate any negative impacts identified in relation to the protected characteristics listed below, or how you have arrived at the view that</p>	

<p>there are not negative impacts in relation to these characteristics:</p> <p>Age</p> <p>Disability</p> <p>Gender Reassignment</p> <p>Marriage/Civil Partnership</p> <p>Pregnancy/Maternity Leave</p> <p>Race</p> <p>Religion or Belief</p> <p>Sex</p> <p>Sexual Orientation</p>	<p>This policy relates to a subject matter, which some children/young adults may not be able to engage with, due to development.</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
<p>Is the policy free from discrimination on the grounds of:</p> <ul style="list-style-type: none"> <li>• Additional Learning Needs</li> <li>• Economic Needs</li> <li>• Social Needs</li> </ul>	<p>Yes</p>
<p>Please indicate who the policy has been considered by and/or who has been consulted about the policy. Where applicable include:</p> <ul style="list-style-type: none"> <li>• Staff/student consultative groups</li> <li>• Trade unions</li> <li>• Equality and Diversity, Health and Safety and Safeguarding Committee</li> <li>• Other committees/working groups (specify)</li> <li>• Senior Management Team</li> <li>• Trust Executive Team</li> <li>• Board of Directors</li> <li>• External group / Advisory group (specify)</li> </ul>	<p>TET &amp; BOD</p>
<p>Can you identify any further consultations that might be necessary to ensure no adverse impact? If yes, please specify.</p>	<p>No</p>
<p>Can you identify any differential or adverse impact the policy might have that is not already recorded? If yes, please specify.</p>	<p>No</p>
<p>How would you assess the overall impact of this policy on equality? Please circle.</p>	<p>High / Medium / <b>Low</b></p>
	<p>Name : Andy Dye</p>

Please record who this audit has been completed by (if by committee/work group please indicate and get lead person to sign off):

Job Title : Data Privacy Manager

Date : 13/9/2023