



University Technical College Warrington (UTCW)

Freedom of Information Act Policy

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1. **About this policy**

- 1.1. This policy outlines the **Trust Board's** approach to requests made under the Freedom of Information Act 2000 (FOIA).
- 1.2. The **Trust Board** complies with the provisions of the FOIA which allows any member of the public or an organisation to request information from public bodies including UTCs created under the Academies Act 2010.

2. **Who is responsible for this policy**

- 2.1. The **Trust Board** has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework for freedom of information.
- 2.2. The **Trust Board** has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Principal.

3. **Publication scheme**

- 3.1. The **Trust Board** understands its duties under the FOIA to be transparent and proactive in relation to the information that it makes public.
- 3.2. The **Trust Board's** has adopted the Department for Education's Model Publication Scheme for Academies and this is available on the UTCW's website.

4. **Requests**

- 4.1. The FOIA applies to all recorded information held by UTCW, along with information held by a third party organisation on behalf of the UTCW. It does not extend to information held by the UTCW on behalf of a third party.
- 4.2. Requests must be made in writing (letter or email) and directed to UTCW's DPO. An address for correspondence must also be provided. The requester must also identify themselves when making the request. A corporate body may make a request or an individual.
- 4.3. When a request is made the requester must provide an adequate description of the information that they are seeking. In the event that an inadequate description is given UTCW will be entitled

to seek clarification. For the avoidance of doubt the statutory time period shall not commence until this clarification has been provided by the requester.

- 4.4. In the event that a requester cannot be readily identified from the request or appears to be using a pseudonym UTCW may require the requester to provide information to verify their identity. Until such time as the identification of the requester has been verified the statutory time period for providing a response will not commence.
- 4.5. Any member of staff that receives a freedom of information request (or believes that they may have done so) should forward it without delay to the DPO. UTCW has a statutory timeframe to adhere to which is 20 school days. In certain circumstances the UTCW may extend this period. The requester will be informed and provided with a reason for the need to extend. This may include, but is not limited to, the need to liaise with third parties.
- 4.6. UTCW will provide a response to a freedom of information request within 20 school days unless the data subject is notified that the statutory timeframe is extended by a necessity to consider the public interest test.
- 4.7. If an exemption applies to any of the information requested by the requester this will be set out in the response provided.

5. Advice and assistance

- 5.1. UTCW will provide advice and assistance to requesters in accordance with Section 16 of the FOIA.

6. Cost

- 6.1. UTCW will be entitled to apply the statutory costs cap of £450 to a request or a linked series of requests made within a period of 60 working days. If the cost of providing the requested information exceeds £450 UTCW may charge a fee or refuse to provide the information. If a fee is to be charged it must be with the prior agreement of the requester.
- 6.2. Costs will be charged in accordance with the Freedom of Information (Appropriate Limit and Fees) Regulations 2014.

7. Internal Review

- 7.1. UTCW operates an internal review procedure for any requester that is dissatisfied with the handling of their freedom of information request. Internal reviews will be carried out by a Trustee who has not been involved in making the original decision or responding to the request.
- 7.2. As part of the Trust's internal review procedure, the Trustee will consider whether or not the request was handled appropriately and in accordance with the requirements of the FOIA.
- 7.3. Requesters seeking an internal review must write to the DPO within 20 school days of the date of the original response to the request stating the grounds for the review.
- 7.4. The Trustee will endeavour to respond to requests for internal review within 20 school days of receipt of the request. Where this is not possible, the Trustee will write to the requester to inform them of the expected date of response to their request for internal review.
- 7.5. Requesters who are unhappy with the outcome of the internal review may raise a complaint with the Information Commissioner's Office.
- 7.6. For further information on FOIA requests, exemptions and duties that apply under the legislation please see the guidance maintained on the Information Commissioner's website.