



London Design & Engineering UTC

Freedom of Information (FOI) Policy

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Team acknowledgements	Judicium Consulting Ltd
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Version Control Table

Version	Date	Amended by	Rationale
1.1	14/11/2018		Version approved by the Board
1.2	21/05/2021	Dave Watherston	Scheduled policy review. Sections 5, 6 and 7 to bring them in line with current practice and guidance.
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2.1	June 2023	Katie Harris	Reviewed and no updates required.
3.0	15/06/2023		Version Approved by Committee
3.1	21/11/2025	David Hughes, CFOO	Policy rewritten and updated to Judicium's best practice template that covers the link to data protection and environmental information requests. No substantive change to process, responsibilities, or legislative requirements. Also links to UTC complaints procedure, and updates responsibilities
4.0	27/11/2025		The version approved by the Committee

Guidance on Version Control:

Versions are 0.1, 0.2, etc., until such point as the document is approved. Then it becomes version 1.0.

Subsequent edited versions become 1.1, 1.2, or, if it's a major update, 2.0.

FREEDOM OF INFORMATION (FOI) POLICY

Policy Coverage

THE POLICY APPLIES TO OR COVERS THE FOLLOWING GROUPS			
Type of Learner	Tick (✓)	Type of Stakeholder	Tick (✓)
Key Stage 3 (KS3) Carousel		Teaching Staff	✓
Key Stage 4 (KS4) GCSE		Education Support Staff	✓
Key Stage 5 (KS5) Level 2		Administrative Support Staff	✓
Key Stage 5 (KS5) Level 3		Directors	✓
Key Stage 5 (KS5) A Levels		Employers	
Apprentices		Visitors / Contractors	

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1. Introduction

The Freedom of Information Act 2000 gives individuals the right to access official information from public bodies. Under the Act, any person has a legal right to ask for access to information held by the UTC. They are entitled to be told whether the UTC holds the information and to receive a copy, subject to certain exemptions. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information. Full details on how requests can be made are set out in section 1 of this policy.

Public authorities should be clear and proactive about the information they will make public. For this reason, a publication scheme is available and can be found in Section 2 of this policy.

This policy does not form part of any individual's terms and conditions of employment with the LDE UTC and is not intended to have contractual effect.

2. Policy Aims

The aim of this policy is to comply with the Freedom of Information Act and seek to promote a culture of openness and accountability within the LDE UTC.

The LDE UTC Board of Directors welcomes this culture of openness and accountability and is committed to providing freedom of information. This policy sets out LDE UTC's response to the FOIA, and the ways in which the requirements of the Act will be enacted by the UTC on a day-to-day basis.

3. Roles and Responsibilities

Requests under Freedom of Information *should* be made to the Principal in writing to the UTC or via email to: admin@LDEUTC.co.uk. However, the request can be addressed to anyone in the UTC. All staff need to be aware of the process for dealing with requests. If staff receive an FOI request in their inbox or via post, they should forward it to Maxine Hylton.

The Principal has overall responsibility for Freedom of Information in the UTC. Operational responsibility is delegated to the UTC's Chief Financial and Operating Officer (**CFOO**), with day-to-day activities undertaken by the PA to the Principal.

The Qualified Person for determining whether disclosure would be likely to prejudice the effective conduct of public affairs (Section 36) is the Chair of the Board of Directors, who has the final say on disclosure.

4. UTC Publication Scheme

The UTC maintains a Publication Scheme as at **Appendix 1**, listing the classes of information and the documents that it routinely publishes or intends to publish.

The Publication Scheme will be on the UTC website, and hard copies of documents can be obtained from the UTC as directed in the Publication Scheme. The Scheme will be reviewed annually, following the latest advice from the Information Commissioner's Office.

5. Requests for Information

Freedom of Information requests must be made in writing (which can be via email) and should include the enquirer's name, correspondence address (email addresses are allowed) and state what information they require. There must be enough information in the request to be able to identify and locate the information. If this information is covered by one of the other pieces of legislation referred to below, it will be dealt with under the relevant policy/procedure related to that request.

If the request is ambiguous and/or the UTC requires further information in order to deal with the request, the UTC will request this further information directly from the individual making the request. Please note that the UTC does not have to deal with the request until further information is received. Therefore, the time limit starts from the date that the UTC receives all information required in order to deal with the request.

The requester does not have to mention the Act, nor do they have to say why they want the information. There is a duty to respond to all requests, telling the enquirer whether or not the information is held and supplying any information that is held, except where exemptions apply. There is a time limit of 20 school days (i.e., excluding UTC holidays) for responding to the request.

Requests for information that are not data protection or environmental information requests will be covered by the Freedom of Information Act.

- Data protection enquiries (or Subject Access Requests/SARs) are requests where the enquirer asks to see what personal information the UTC holds about the enquirer. If the enquiry is a data protection request, the UTC's Data Protection Policy should be followed.
- Environmental Information Regulations enquiries are those which relate to air, water, land, natural sites, built environment, flora and fauna, health and any decisions and activities affecting any of these. These could, therefore, include enquiries about recycling, phone masts, UTC playing fields, car parking, etc. If the enquiry is about environmental information, follow the guidance on the Department for Environment, Food and Rural Affairs (DEFRA) website.

6. Responding to Requests for Information

Provided all requirements are met for a valid request to be made, the UTC will provide the information that it holds (unless an exemption applies).

Holding information means information relating to the business of the UTC:

- That the UTC has created; or
- That the UTC has received from another body or person; or
- Held by another body on the UTC's behalf.

Information means both hard copy and digital information, including email.

If the information is held by another public authority (for example, the Local Authority), the UTC will check whether the third party holds the information and, if so, transfer the request to them. If this applies, the UTC will notify the enquirer that they do not hold the information and to whom they have transferred the request. The UTC will continue to answer any parts of the enquiry in respect of information it holds.

When the UTC does not hold the information, it has no duty to create or acquire it just to answer the enquiry; although a reasonable search will be made before confirming whether the UTC has the information requested.

If the information requested is already in the public domain, for instance, through the Publication Scheme or on the UTC's website, the UTC will direct the enquirer to the information and explain how to access it

The requester has the right to be told if the information requested is held by the UTC (subject to any of the exemptions). This obligation is known as the UTC's duty to confirm or deny that it holds the information. However, the UTC does not have to confirm or deny if:

- The exemption is an absolute exemption; or
- In the case of qualified exemptions, confirming or denying would itself disclose exempted information.

7. Exemptions and the Public Interest Test

The presumption of the Freedom of Information Act is that the UTC will disclose information unless the Act provides a specific reason to withhold it. The Act recognises the need to preserve confidentiality and protect sensitive material in certain circumstances.

The UTC may refuse all/part of a request, if one of the following applies: -

- 1) There is an exemption to disclosure within the Act;
- 2) The information sought is not held;
- 3) The request is considered vexatious or repeated; or
- 4) The cost of compliance exceeds the threshold.

A series of exemptions is set out in the Act which allow the withholding of information in relation to an enquiry. Some are specialised in their application (such as national security) and would not usually be relevant to UTCs.

There are two general categories of exemptions:-

- 1) Absolute: where there is no requirement to confirm or deny that the information is held, disclose the information or consider the public interest; and
- 2) Qualified: where, even if an exemption applies, there is a duty to consider the public interest in disclosing information.

Absolute Exemptions

There are eight absolute exemptions set out in the Act. However, the following are the only absolute exemptions which will apply to the UTC: -

- Information accessible to the enquirer by other means (for example, by way of the UTC's Publication Scheme);
- National Security/Court Records;
- Personal information (i.e. information which would be covered by the Data Protection Act);
- Information provided in confidence.

If an absolute exemption exists, it means that disclosure is not required by the Act. However, the Qualified Person may put aside the exemption and release the information, taking into account all the facts of the case if it is felt necessary to do so.

Qualified Exemptions

If one of the below exemptions applies (i.e., a qualified disclosure), there is also a duty to consider the public interest in confirming or denying that the information exists and in disclosing information.

The qualified exemptions under the Act which would be applicable to the UTC are: -

- Information requested is intended for future publication (and it is reasonable in all the circumstances for the requester to wait until such time that the information is actually published);
- Reasons of national security;
- Government/international relations;
- Release of the information is likely to prejudice any actual or potential legal action or formal investigation involving the UTC;
- Law enforcement (i.e., if disclosure would prejudice the prevention or detection of crime, the prosecution of offenders or the administration of justice);

- Release of the information would prejudice the ability of the UTC to carry out an effective audit of its accounts, resources and functions;
- For health and safety purposes;
- Information requested is environmental information;
- Information requested is subject to legal professional privilege; and
- For commercial interest reasons.

Where the potential exemption is a qualified exemption, the UTC will consider the public interest test to identify if the public interest in applying the exemption outweighs the public interest in disclosing it.

Where the UTC seeks to withhold information under one of the exemptions, approval from the Qualified Person must be obtained. They will need to ensure that the case has been properly considered and that the reasons for refusal or public interest test refusal are sound.

Refusal

If it is decided to refuse a request, the UTC will send a refusal notice, which must contain:

- The fact that the responsible person cannot provide the information asked for;
- Which exemption(s) apply;
- Why the exemption(s) apply to this enquiry (if it is not self-evident);
- Reasons for refusal; and
- The UTC's complaints procedure.

For monitoring purposes and in case of an appeal against a decision not to release the information or an investigation by the Information Commissioner, the responsible person must keep a record of all enquiries where all or part of the requested information is withheld and exemptions are claimed. The record must include the reasons for the decision to withhold the information.

The UTC will get advice from their Data Protection Officer (DPO) prior to withholding data under an exemption or refusing the request in its entirety.

8. Vexatious Requests

There is no obligation on the UTC to comply with vexatious requests. A vexatious request is one which is designed to cause inconvenience, harassment or expense rather than to obtain information and would require a substantial diversion of resources or would otherwise undermine the work of the UTC. However, this does not provide an excuse for bad records management. In addition, the UTC does not have to comply with repeated identical or substantially similar requests from the same applicant unless a reasonable interval has elapsed between requests.

9. Appeals

The requester has the right to ask for an internal review if they are dissatisfied with the handling of a request.

Internal review requests should be made within 40 working days of the initial response. This deadline should be communicated to the requester in the response. The UTC is not obliged to provide a review if it is requested after more than 40 working days.

Requests for internal review must make clear why they are dissatisfied with the original decision, detailing why they feel that the UTC has not complied with the Freedom of Information Law.

Any written (including email) expression of dissatisfaction should be handled through the UTC's existing complaints procedure. Wherever practicable, the review should be handled by someone not involved in the original decision. Any such appeal will be considered, and a response sent to the requester, within 20 school days of the request being made.

If the outcome is that the UTC's original decision or action is upheld, then the enquirer can appeal to the Information Commissioner. The appeal can be made via their website or in writing to:

Customer Contact
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

10. Time Limits

Compliance with a request must be prompt and within the time limit of 20 school days (this does not include the UTC holidays or weekends) or 60 working days if this is shorter. 'UTC' days are defined by the ICO as any day on which there is a session, and the pupils are in attendance. Failure to comply could result in a complaint by the requester to the ICO. The response time starts counting as the first day from the next working day after the request is received (so if a request was received on Monday, 6th October, the time limit would start from the next working day, the 7th October). Where the UTC has asked the enquirer for more information to enable it to answer, the 20 school days start time begins when this further information has been received.

If some information is exempt, this will be detailed in the UTC's response.

If a qualified exemption applies and the UTC needs more time to consider the public interest test, the UTC will reply within 20 school days stating that an exemption applies, but include an estimate of the date by which a decision on the public interest test will be made. This should be within a "reasonable" time. Where the UTC has notified the enquirer that a charge is to be made, the time period stops until payment is received.

11. Record Keeping

Records will be entered into a "Freedom of Information Requests Log" kept by the PA to the Principal.

They will be collated annually by the Trust's Clerk. Such records will remain on file for a period of six years and will be disposed of at a set time in a calendar year.

The log will include details of:

- The party making the request for information;
- The date upon which the request was received and to whom it was addressed;
- If relevant, the date upon which the request was subsequently referred (internal/external);
- The nature of the information requested;
- The name of the relevant reporting member of senior staff if not the CFOO / Principal;
- The outcome of deliberations, including summary reasons for a refusal (in whole or in part) to meet the information request;
- The response made to the party requesting the information, including the person nominated to implement the response, the date and format of the response and the details of the information provided.
- Any subsequent appeal made by the enquirer
- The outcome of internal review, including summary reasons for a refusal (in whole or in part) to meet the information request;
- The response made by the UTC to the party making the appeal, including the person nominated to implement the response, the date and format of the response and the details of the information provided.

12. Third Party Information

Consultation of third parties may be required if their interests could be affected by the release of the information requested, and any such consultation may influence the decision.

Consultation will be necessary where:

- Disclosure of information may affect the legal rights of a third party, such as the right to have certain information treated in confidence or rights under Article 8 of the European Convention on Human Rights;
- The views of the third party may assist the UTC to determine if information is exempt from disclosure; or
- The views of the third party may assist the UTC in determining the public interest test.

Personal information requested by third parties is also exempt under this policy where the release of that information would breach the Data Protection Act. If a request is made for a document (e.g., Governing Body minutes) which 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 as set out in the redaction procedure.

13. Fees

The UTC may charge the requester a fee for providing the requested information. This will be dependent on whether the staffing costs in complying with the request exceed the threshold. The threshold is currently £450 with staff costs calculated at a fixed rate of £25 per hour (therefore, 18 hours' work is required before the threshold is reached).

If a request would cost less than the threshold, then the UTC can only charge for the cost of informing the applicant whether the information is held and communicating the information to the applicant (e.g., photocopying, printing and postage costs).

When calculating costs/threshold, the UTC can take into account the staff costs/time in determining whether the information is held by the UTC, locating and retrieving the information and extracting the information from other documents. The UTC will not take into account the costs involved with considering whether information is exempt under the Act.

If a request would cost more than the appropriate limit (£450), the UTC can turn the request down, answer and charge a fee or answer and waive the fee.

If the UTC is going to charge, they will send the enquirer a "fees notice". The UTC does not have to comply with the request until the fee has been paid. More details on fees can be found on the Information Commissioner's Office (ICO) website.

If the plan is to turn down a request for cost reasons or charge a high fee, you should contact the applicant in advance to discuss whether they would prefer the scope of the request to be modified so that, for example, it would cost less than the appropriate limit.

Where two or more requests are made to the UTC by different people who appear to be acting together or as part of a campaign, the estimated cost of complying with any of the requests may be taken to be the estimated total cost of complying with them all.

Appendix 1: Publication Scheme

Categories of information published

This publication scheme follows a model approved by the Information Commissioner's Office.

This scheme is not a list of individual publications but rather a description of the classes of types of information that we are committed to publishing. This list is not an exhaustive list of all of the types of information that we publish. We try to proactively publish as much information as we can where the information would have a wider public interest.

This scheme does not include information that we consider to be sensitive, such as personal information, information prevented from disclosure by law or information about security matters.

Classes of information

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

What do we spend, and how do we spend it? Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What are our priorities, and how are we doing? Strategy and performance information, plans, assessments, inspections and reviews.

How do 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 authority.

The services we offer. Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

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.

Making Information Available

LDE UTC's website contains information which is available free-of-charge and may be downloaded, copied and/or printed without breaking any copyright laws, unless otherwise stated.

The website can be found at the following web address: <https://www.ldeutc.co.uk/>

On the website, the UTC has a number of hyperlinks to other specific areas providing detailed information about specific UTC services.

If you require further explanation or additional information about the Publication Scheme, please contact the CEO/Principal's Personal Assistant (PA) on admin@ldeutc.co.uk

A copy of the Publication Scheme has been produced in paper form and as an electronic document. Website electronic copies of the Publication Scheme can be located on the UTC's website as an Annex to the Freedom of Information Policy at the following address: <https://www.ldeutc.co.uk/parents/policies.aspx>.

Paper copies of the Freedom of Information Policy can be viewed at the UTC's Reception. If you request a copy of the scheme via postal mail, the UTC will endeavour to send the free copy to you within 20 working days of the receipt of your request. To help us process your request quickly, please mark any correspondence (in capitals) "PUBLICATION SCHEME REQUEST".

Alternatively, an email copy can be sent to your email address on request. Please send an email requesting a free copy of the UTC's Publication Scheme to the following email address. Please put "FOI Publication Scheme" in the subject heading: admin@ldeutc.co.uk

Free copies of the Publication Scheme will be provided on a "one copy per request" basis. Repeated requests for copies of the Publication Scheme will be assessed by the finance office, and if requests are judged to be vexatious, the request may be refused.

In some 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.

Information will be provided in the language in which it is held or in such other language that is legally required. Where we are legally required to translate any information, we shall do so.

How to Request Information

If you require a paper version of any of the documents within the scheme, please contact the UTC using the contact details below.

Telephone: 0203 0197333

Email: admin@ldeutc.co.uk

Address: London Design & Engineering UTC, 15 University Way, London, E16 2RD

Please mark all correspondence Publication Scheme Request in order to help us process your request quickly. If the information you are looking for isn't available via the scheme, you can still contact the UTC to ask if we have this information.

Charges for Information Published Under This Scheme

The UTC may charge individuals for information published under this scheme. The purpose of this scheme is to make the maximum amount of information readily available at the minimum inconvenience and cost to the public. Charges made by the UTC for routinely published material will be justified, transparent and kept to a minimum.

Material which is published and accessed on the website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by law.

Charges will be made to cover:

- Photocopying;
- Postage and packaging; and
- The costs directly incurred as a result of viewing information.

Single copies of information requested which are covered by the publication scheme will be provided free unless otherwise stated within the scheme. If the request involved a large amount of photocopying, printing or postage, then this may incur a cost. If this is the case, we will let you know as well as let you know the cost before fulfilling your request.

The Publication Scheme

Who We Are and What We Do	Description
Information relating to the Board of Directors (i.e. the Governing Body)	<p>Information contained in official governing body documents, including the governor's annual report:-</p> <ul style="list-style-type: none"> • Who is who • Basis of the Directors (Governors) appointment • The manner in which the governing body is constituted • Category of the college • A statement on progress in implementing the action plan drawn up following any inspection • Agreed minutes from Board of Directors, Committee or governance meetings • A financial statement – including gifts made to the UTC and amounts paid to the governors for expenses

Who We Are and What We Do	Description
	<ul style="list-style-type: none"> • Information about the implementation of the governing body's policy on pupils with special educational needs and any changes to the policy during the last year • A description of arrangements for the admission of pupils with disabilities, including details of the steps to prevent disabled learners from being treated less favourably than other learners, details of existing facilities to assist access to the UTC by learners with disabilities, and the accessibility plan covering future policies for increasing access by those with disabilities to the UTC • A statement of policy on whole staff development identifying how teachers' professional development impacts on teaching and learning. • Number of pupils on roll and rates of pupils authorised and unauthorised absence • National curriculum assessment results for appropriate key stages with national summary figures • Instruments of government, including the date it takes effect • The term of office of each category of governor if it lasts less than 4 years, and the name of anybody entitled to appoint any category of governor.
College prospectus	<ul style="list-style-type: none"> • The name, address, website and telephone number of the UTC and the type of college • The name of the Principal • The UTC's staffing structure • Information about the UTC's policy on providing for pupils with special educational needs • Statement on the UTC's aims and values • Information on the UTC's policy on admissions • College term dates, times and attendance • Uniform • Number of learners on roll and rates of learner absence

Who We Are and What We Do	Description
Annual report and accounts	<ul style="list-style-type: none"> • Attainment data for lower and upper college on an annual basis • Destination data for UTC leavers • A statement of going concern
Financial statement for the current and previous financial year	Relating to projected and actual income and expenditure, procurement, contracts and financial audit. Includes financial statements and financial audit reports. These are published by 31 January each year in respect of the previous academic year, once audited.
Related parties	A list of related parties, and amounts paid to those parties in each academic year.
Pay policy	A copy of the pay policy that the UTC uses to govern staff pay, and a table of higher remuneration. Non-executive Directors are not paid remuneration.
Allowances	Details of allowances and expenses that can be incurred by staff and governors.
Pupil Premium	How the UTC uses pupil premium.

Policies

Learners & Curriculum Policies - This section gives access to information about policies that relate to learners and the UTC curriculum.

- **Home-College Agreement** - Statement of the UTC's aims and values, the UTC's responsibilities, the parental responsibilities and the UTC's expectations of its learners, e.g. 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 UTC
- **Sex Education Policy** -Statement of policy with regard to sex and relationship education
- **Special Educational Needs Policy** - Information about the UTC's policy on providing for learners with special educational needs
- **Accessibility Policy** - Policy for increasing participation of disabled learners in the UTC's curriculum, improving the accessibility of the physical environment and improving the delivery of information to disabled learners
- **Equalities Policy** - Statement of policy for promoting equality

- **Behaviour for Learning Policy** - Statement of general principles on behaviour and discipline and of measures taken by the Principal to prevent bullying (also set out in UTC's "Anti-Bullying Policy").
- **Discipline Policy (includes Anti-Bullying Policy)** - Status of disciplinary policies that are held by the UTC and are available on request

Other Policies and other information related to the UTC

- **Published reports of OFSTED referring expressly to the UTC** - Published report of the last inspection of the UTC and the summary of the report
- **Post OFSTED inspection Action Plan** - A plan setting out the actions required following the last OFSTED inspection
- **Admissions Policy** – details of how and when to apply to the UTC to be able to study at the LDE UTC.
- **UTC session times and term dates** - Details of UTC sessions and dates of UTC terms and holidays, as published in the UTC Prospectus
- **Health & 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.
- **Complaints Procedure** - Statement of procedures for dealing with complaints
- **Staff Conduct, Discipline and Grievance** - The Directors of LDE UTC have policies on Staff Conduct, Discipline and Grievance
- **Curriculum circulars and statutory instruments** - Any statutory instruments, departmental circulars and administrative memoranda sent by the Department of Education to the Principal or Board of Directors relating to the curriculum are available for inspection upon request.
- **Charging & Remissions** - A statement of the UTC's policy with respect to charges and remissions for any optional extra or board and lodging, for which charges are permitted, for example, UTC publications, music tuition, trips

Documents held by the UTC and available by request

- Attendance Targets - Details of UTC session and dates of UTC terms and holidays, as published in the UTC Prospectus
- Nutritional Standards - Statement of general policy with respect to the nutritional value of college meals.
- Minutes of Meeting of the Board of Directors and its committees - Agreed minutes of the Board of Directors and its committees (current and last full academic year).
- Other policies and documents relating to the operation of the UTC.