

Education Workforce Council

The Freedom of Information Act

Information Guide

(April 2016)

Background to the Council

The Education Workforce Council is the statutory, self-regulating professional body for education practitioners in Wales.

The principal aims of Council are to:

- contribute to improving the standards of teaching and the quality of learning in Wales;
- maintain and improve standards of professional conduct amongst teachers and persons who support teaching and learning in Wales;
- safeguard the interests of learners, parents and the public and maintain public trust and confidence in the education workforce

The Council was established on the 1st April 2015.

The Freedom of Information Act and the Council's Publication Scheme

The Freedom of Information Act

The Freedom of Information Act received Royal Assent on 30 November 2000, and is intended to foster a culture of openness in government. The Act establishes a right of access to all types of "recorded" information held by a range of "public authorities" and imposes obligations on such organisations to disclose information, subject to certain exemptions. The term "public authorities" is defined very widely, and indeed the Council comes under this requirement.

Individuals already have the right to access their own information held on computer, and in some paper files, under the Data Protection Act 1998. However, the Freedom of Information Act extends these rights to allow access to all the types of information they hold, whether personal or non-personal, subject to certain exemptions as set out in the Act.

Publication Scheme - purpose and aim

In keeping with the Act, the Education Workforce Council is required to maintain a Publication Scheme.

The Council has adopted the model publication scheme prepared and approved by the Information Commissioner.

This Information Guide

This document is a complete guide to the information routinely published by the Council and / or information available to the public.

The guide (this document) sets out a number of key matters, including:

- the different classes of information we publish or intend to publish;
- how we intend to publish information within each class;
- the Council's charging arrangements in respect of its information classes;
- the Council's service standards in responding to requests for information and its mechanisms for an individual making an appeal where he / she is not satisfied.

The guide is published on the Council's website and will be marketed widely to ensure that those interested in

obtaining information from the Council are aware of the Council's Freedom of Information Publication Scheme and this guide.

The information made available by the Council

Classes of information

The Council's information has been divided into broad classes as set out in the Model Publication Scheme developed by the Information Commissioner's Office. However, to assist the reader, the following details are also provided:

- a description of each class of information;
- examples of the type of information available within each class;
- how the information in each class is published by the Council;
- details of any exemptions, as provided for under the Act.

Full details of the classes of information are at Annex A.

Exemptions under the Act

The Freedom of Information Act 2000 sets out a series of exemptions to protect confidential or other information where disclosure may prejudice the interests of the State or third parties.

The Council's Publication Scheme endeavors to make as much information available as is legally possible. However, the Council is required to hold a range of personal information, in particular, relating to individual practitioners on its Register of Education Practitioners and as part of its Fitness to Practise responsibilities. Access to this information by the public is restricted under the Data Protection Act 1998 and certain Welsh Assembly Government Regulations. Details are provided in Annex A.

How the Council will make information available

The Council will aim to make information available in a number of ways, in order to provide as much flexibility of access to individual applicants as possible. Information will not necessarily be made available in all the ways, and applicants are encouraged to refer to the individual classes for details.

How to obtain information covered by the scheme and the Council's responses

Information routinely available

Annex A sets out how the information in each class is made routinely available by the Council. Typically this is either on the EWC website or in hard / electronic copy form on request.

Procedures for making requests

If you would like information from the Council, whether this is covered by the scheme or not, and you do not choose to access this via the website, then please contact us using the details set out in this scheme.

When requesting information, please include the following details to assist the Council:

- your name and address;
- the information or documents you would like to access, providing as much detail as possible;
- the media by which you would like the information to be sent to you, for example, by mail, fax or e-mail.

Standards of service / time taken to respond to requests

Where a request is made for a hard or electronic copy of a document covered by this scheme, the Council will respond, whether by telephone, letter, fax or e-mail within 20 working days of receipt. The Council has a statutory Welsh language scheme, and therefore, where written requests are made through the Welsh language, responses will also be provided in Welsh.

In keeping with the Act, the Council will comply with the following:

- the right of the individual to be told whether the information exists;
- the right to receive the information, subject to exemptions.

When it is not possible, due to legislation to provide the information that has been requested, the Council will inform the individual and explain the reasons why.

The Council is also committed to providing advice and assistance to anyone seeking information and is pleased to discuss or clarify matters as appropriate. All requests will be logged and any applicant is welcome to check the progress of their request at any time.

The Council's charging policy

In general, the Council will provide information free of charge, however if a great deal of work is required, then an applicant might be charged. For example, summary statistical information which is not routinely produced and takes over one working day to prepare. If a charge is to be levied, the person making the information request will be notified of the charge prior to the Council preparing the information.

No charges will be made where we refuse a request for information. Nor will there be a charge to appeal against our refusal to supply the information requested or where you appeal against the charges we would make.

The Council reserves the right to impose charges for hard copy publications in certain circumstances, for example, where existing stocks have been discontinued.

The Council's complaints and appeals process

If you are not satisfied with the way the Council has handled your request in any way or the reasons we have given for not providing you with the information requested, you may use the Council's complaints and appeal process.

If the Council does not supply all or part of the information you have asked for, we will write to you explaining the reasons. If you are not satisfied, you may appeal to the Council to review its decision.

As a small organisation, the Council does not propose to have an appeals panel, however all appeals will be considered directly by the Chief Executive of the Council. The Chief Executive will not have been involved in the original decision concerning the release of information, and therefore, the appeal mechanism will be completely independent.

If you wish to appeal or make a complaint, then please write to the Chief Executive, using the details set out in this scheme. Your letter of appeal will be acknowledged within five working days and dealt with within six working weeks, providing full details of the outcome of the review.

If you are dissatisfied after an appeal to the Council, you may seek an independent review from the Information Commissioner. Requests for a review by the Information Commissioner should be made in writing directly to:

The Information Commissioner
Wycliffe House
Walter Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113 (local rate) or 01625 545 745 (national rate)
Fax: 01625 545 510

If the applicant remains dissatisfied, then complaints may be made through a Member of Parliament to the Ombudsman. Complaints will be investigated at the Ombudsman's discretion in accordance with the provisions in the 1967 Act.

Feedback and continuous review

The Council considers it important that this scheme meets the public's needs and is committed to keeping its Publication Scheme under continuous review.

We welcome suggestions for additional classes of information that could be included. We also welcome suggestions as to how the publications themselves may be improved. Any questions or comments may be directed to the scheme co-ordinator.

The Council will review the details of this scheme on an annual basis and re-issue the scheme accordingly. As part of this review, the Council will monitor the number of requests for information not covered by the scheme and aim to introduce such information to the scheme, if it is not exempted.
The Information Commissioner will be notified if the scheme is altered in any way.

Contacts

Who to contact

Responsibility	Who to contact
Requests for information and logging of request	The Office Manager
Senior manager with responsibility for the scheme (scheme co-ordinator)	Deputy Chief Executive (Teachers' Qualifications, Registration & Fitness to Practise)
Complaints and appeals	The Chief Executive

Contact details

The Education Workforce Council
9th Floor
Eastgate House
35-43 Newport Road
Cardiff
CF24 0AB
Telephone: 029 2046 0099
Fax: 029 2047 5850
E-mail: information@ewc.wales
website: www.ewc.wales

ANNEX A

Classes of information

Class 1 – Who are we and what do we do

Description	This class of information concerns the Education Workforce Council and how it operates
Examples	<ul style="list-style-type: none">• Information about the Council and its legislative basis• The system for the appointment of Council members and the Chairperson.*• Standing orders*• Membership of the Council and its Committees*• Code of members' conduct and best practice*• Register of members' interests• Agendas and Minutes of Council meetings*• Staffing structure*• Contact details
Accessibility / exemptions	Fully available
How information will be published	<ul style="list-style-type: none">• On request in hard copy or electronic format from the Council• Some documents are available on the Council's website at www.ewc.wales, including minutes of Council meetings and details of Council members.
Language	<ul style="list-style-type: none">• English, apart from those marked (*), which will be available in English and Welsh

Class 2 – What we spend and how we spend it

Description	This class concerns the key financial information and financial procedures of the Council
Examples	<ul style="list-style-type: none">• Annual financial statements*• Schedule of contracts awarded (over £1000)• Assets Register• Financial procedures• Procurement procedures• Pay and grading structures
Accessibility / exemptions	Fully available
How information will be published	<ul style="list-style-type: none">• On request in hard copy or electronic format from the Council• Some documents are available on the Council's website at www.ewc.wales, including Annual financial statements which form part of the Annual Report
Language	<ul style="list-style-type: none">• English, apart from those marked (*), which will be available in English and Welsh

Class 3 – What our priorities are and how are we doing

Description	This class of information concerns the Council's strategic planning processes
Examples	<ul style="list-style-type: none">• Strategic Plans• Operational Plans• Annual Reports and Accounts• Standards of service
Accessibility / exemptions	Fully available
How information will be published	<ul style="list-style-type: none">• On request in hard copy or electronic format from the Council• On the Council's website www.ewc.wales
Language	<ul style="list-style-type: none">• English and Welsh

Class 4 – How do we make decisions

Description	This class of information concerns the Council's decision making processing and records of decisions
Examples	<ul style="list-style-type: none">• Minutes of Council meetings• Council consultations• Responses to consultations undertaken by the Welsh Government and others• Policy advice documents developed by the Council on behalf of the education workforce• Annual Statistics Digest
Accessibility / exemptions	Fully available
How information will be published	<ul style="list-style-type: none">• On request in hard copy or electronic format from the Council• On the Council's website at www.ewc.wales
Language	<ul style="list-style-type: none">• English and Welsh

Class 5 – What are our policies and procedures

Description	This class of information concerns key internal procedures which have been adopted by the Council for delivering its service and responsibilities
Examples	<ul style="list-style-type: none">• The Strategic Equality Plan*• The Welsh Language Policy*• Recruitment and selection• Standards of service*• Records Management Policy*• Procurement and supplier policies• Health and Safety• The Freedom of Information Act Information Guide*
Accessibility / exemptions	Fully available
How information will be published	<ul style="list-style-type: none">• On request in hard copy or electronic format from the Council• Some documents will be held on the Council's website at www.ewc.wales
Language	<ul style="list-style-type: none">• English, apart from those marked (*), which will be available in English and Welsh

Class 6 – Lists and Registers

Description	This class of information concerns lists and registers maintained by the Council
Examples	<ul style="list-style-type: none">• The Register of Education Practitioners*• Assets Register
Accessibility / exemptions	<ul style="list-style-type: none">• The Data Protection Act 1998 and certain secondary legislation such as The Education Workforce Council (Main Functions) (Wales) Regulations 2015 as amended, determine what the Council is able to make available from the Register of Education Practitioners• Exemptions under this class of information apply. Individual practitioners may have full access to information about themselves on the Register of Education Practitioners. Employers are able to receive a subset of this information. The general public may only be informed whether a practitioner is registered or not
How information will be published	<ul style="list-style-type: none">• On request in hard copy or electronic format from the Council• Some information will be held on the Council's website at www.ewc.wales, for example members of public may check whether or not a practitioner is registered via the website
Language	<ul style="list-style-type: none">• English, apart from those marked (*), which will be available in English and Welsh

Class 7 – The services we offer

Description	This class of information concerns the work of the Council and the services it provides
Examples	<ul style="list-style-type: none">• Application packs to register with the Council and accompanying guidance• Procedures for employers to access information on the Register of Education Practitioners• The Council's Suitability to be a Registered Practitioner – Procedures & Rules• The Council's Disciplinary Procedures and Rules• Notifications of fitness to practice hearings scheduled to take place• The publication of fitness to practise orders following fitness to practice hearings and details of practitioners deemed unsuitable for registration following suitability meetings• The Code of Professional Conduct and Practice• The Council's Guidance and Procedures for the Hearing of Induction Appeals• Information leaflets concerning the Council's fitness to practise work• Funding and Tracking arrangements for Induction• Information about Council meetings, consultation events• Press releases• General information leaflets
Accessibility / exemptions	<p>The Data Protection Act 1998 and certain secondary legislation such as The Education Workforce Council (Main Functions) (Wales) Regulations 2015 as amended determine what the Council is able to make available. Exemptions under this class of information include case papers relating to individual fitness to practise cases cannot be made available to the general public</p>

How information will be published	<ul style="list-style-type: none"> • On request in hard copy or electronic format from the Council • On the Council's website at www.ewc.wales
Language	<ul style="list-style-type: none"> • English and Welsh