

# Eastwood Park Academy Trust (EPAT)

EPAT

Believe Succeed Together

## Freedom of Information Policy and Publication Schedule

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## **1.0 Freedom of Information Act 2000**

The Trust is subject to the Freedom of Information Act 2000 (FOI) as a public authority, and as such, must comply with any requests for information in accordance with the principles laid out in the Act.

### **1.1 What is a Request under FOI?**

Any request for any information from the Trust is technically a request under the FOI, whether or not the individual making the request mentions the FOI. However, the ICO has stated that routine requests for information (such as a parent requesting a copy of a policy) can be dealt with outside of the provisions of the Act.

When considering a request under FOI, any release is treated as a release to the general public, and so once it has been released to an individual, anyone can then access it.

All requests should be referred in the first instance to the Principal of the constituent academy.

### **1.2 Time Limit for Compliance**

The Trust must respond as soon as possible, and in any event, within **20** working days of the date of receipt of the request. For an academy, a 'working day' is one in which pupils are in attendance, subject to an absolute maximum of **60** calendar days to respond.

### **1.3 Procedure for Dealing with a Request**

When a request is received that cannot be dealt with by simply providing the information, it should be referred in the first instance to the Principal who may re-allocate to an individual with responsibility for the type of information requested.

The first stage in responding is to determine whether or not the constituent academy 'holds' the information requested. The academy will hold the information if it exists in computer or paper format. Some requests will require the academy to take information from different sources and manipulate it in some way. Where this would take minimal effort, the academy is considered to hold that information, but if the required, manipulation would take a

significant amount of time, the requestor should be contacted to explain that the information is not held in the manner requested, and offered the opportunity to refine their request.

The second stage is to decide whether the information can be released, or whether one of the exemptions set out in the Act applies to the information. Common exemptions that might apply include:

- Section 40 (1) – the request is for the applicant’s personal data. This must be dealt with under the subject access regime in the DPA.
- Section 40 (2) – compliance with the request would involve releasing third party personal data and this would be in breach of the DPA principles.
- Section 41 – information that has been sent to the Academy (but not the Academy’s own information) which is confidential.
- Section 21 – information that is already publicly available, even if payment of a fee is required to access that information.
- *Section 22 – information that the Academy intends to publish at a future date.*
- *Section 43 – information that would prejudice the commercial interests of the academy and / or a third party.*
- *Section 38 – information that could prejudice the physical health, mental health or safety of an individual (this may apply particularly to safeguarding information).*
- *Section 31 – information which may prejudice the effective detection and prevention of crime – such as the location of CCTV cameras.*
- *Section 36 – information which, in the opinion of the Chair of the academy, would prejudice the effective conduct of the academy. There is a special form for this on the ICO’s website to assist with the obtaining of the Chair’s opinion.*

The sections mentioned in italics are qualified exemptions. This means that even if the exemption applies to the information, the Trust also has to carry out a public interest weighting exercise, balancing the public interest in the information being released, as against the public interest in withholding the information.

#### **1.4 Responding to a Request**

When responding to a request where the constituent academy has withheld some or all of the information, the academy must explain why the information has been withheld, quoting the appropriate section number and explaining how the information requested fits within that exemption. If the public interest test has been applied, this also needs to be explained.

The letter should end by explaining to the requestor how they can complain through the Trust’s Complaints Policy and/or by writing to the ICO.

## 2.0 Publication Scheme

### 2.1 What is a Publication Scheme?

The Freedom of Information Act (2000) (FOI) requires all Public Authorities (including schools) to produce a register of the types of information it will routinely make available to the public. This publication scheme follows a template approved by the Information Commissioner.

The scheme commits this Trust to:

- Proactively/ routinely publish information which is held by us falling within the “Classes” below (see section 2) in line with this scheme.
- Specify the information.
- Explain how it will be made available.
- Review and update information on a regular basis.
- Explain any fees to be charged for the information.
- Make this scheme publicly available.
- Publish information held by the school that has been requested (unless not appropriate to do so).
- Publish information in a digital form that is capable of being re-used (under FOI Section 19 and the [Re-use of Public Sector Information Regulations](#) (2015)).
- Make clear if any information is a relevant copyright work (under FOI Section 19(8)) and the school is the only owner.

### 2.2. Classes of information

There are 7 classes of information we hold (see section 6 for details):

- Who we are and what we do.
- What we spend and how we spend it.
- What our priorities are and how we are doing.
- How we make decisions.
- Our policies and procedures.
- Lists and registers.
- The services we offer.

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.

### **2.3 Making Information Available**

Information will be provided on the Trust website ([EPAT - Other](#)) Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, the Trust will indicate how information can be obtained by other means and provide it by those means.

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.

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

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.

### **2.4 Charging**

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

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

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

Charges may be made to cover our costs such as:

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

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all circumstances (including the general principles of the right of access to information held) justified and are in accordance with a published schedule or schedules of fees which is readily available to you.

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 the terms of the [Re-use of Public Sector Information Regulations](#) (2015), where they apply, or with regulations made under FOI Section 11B, or with other statutory powers of the school.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment will be requested prior to provision of the information.

## **2.5 Written requests**

Information held by the Trust 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.

### 3.0 The Scheme

<b>Class 1 - Who we are and what we do:</b> For example: Organisational information, staffing structures, locations and contacts. This will be current information only. This information may be available on our website or in hard copy or both.
Academy/Trust Staff
Governance appointments and Registers of Business Interests
Articles of Association
Annual Report
School session times and term dates
Contact details for the Principal/CEO and Company Secretary
Safeguarding Information

<b>Class 2 – What we spend and how we spend it</b> For example: Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit. Current and previous financial year as a minimum. This information may be available on our website or in hard copy or both.
Funding Agreements
Annual Financial statements
Finance Policies

<b>Class 3 – What our priorities are and how we are doing</b> For example: Strategies and plans, performance indicators, audits, inspections and reviews). Current information as a minimum. This information may be available on our website or in hard copy or both.
Government Performance Data
Latest Ofsted report
Academy Development Plans

<b>Class 4 – How we make decisions</b>
For example: Decision making processes and records of decisions. Current and previous three years as a minimum. This information may be available on our website or in hard copy or both.
Agendas and Minutes (on request).
Meeting Schedules (on request).
Governance Policies.

<b>Class 5 – Our policies and procedures</b>
For example: Current written protocols, policies and procedures for delivering our services and responsibilities. Current information only. This information may be available on our website or in hard copy or both.
Trust Policies Covering the following areas:
<ul style="list-style-type: none"> <li>• Governance.</li> <li>• Joining the Trust.</li> <li>• Safeguarding.</li> <li>• Admissions.</li> <li>• Curriculum.</li> <li>• Personnel.</li> <li>• Data Protection.</li> </ul>

<b>Class 6 – Lists and Registers</b>
For example: Currently maintained lists and registers only. This information may be available on our website or in hard copy or both. Please note some information may only be available by inspection.
Curriculum circulars and statutory instruments.
Disclosure logs.
Asset register.
Any information the school is currently legally required to hold in publicly available registers (This does not include the attendance register).

<p><b>Class 7 – The services we offer</b>  For example: Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses. Current information only. This information may be available on our website or in hard copy or both.  Please note some information may only be available by inspection.</p>
Extra-curricular activities.
Out of school clubs.
School publications.
Services for which the school is entitled to recover a fee, together with those fees.
Leaflets books and newsletters.
<p><b>How to get a copy and Costs</b></p>
<p>Where information is available on our website it is free of charge.  Where information is not available on our website but forms part of our Publication Scheme it is free of charge  Where information is available on our website, but you have requested a hard copy a charge can be made to cover costs, please see Charging Schedule below.</p>

#### 4.0 Schedule of Charges

Type of Charge	Description
'Disbursement' Cost	Photocopying/printing @ 10p per sheet (black and white)
	Photocopying/printing @ 15p per sheet (colour)
	Postage – applied at cost of Royal Mail 2 <sup>nd</sup> Class post.