

# Freedom of Information Policy



Approved by: Full Governing Body

Date May 2021

Last reviewed on:

Next review due by: May 2022

## **1. Background and Overview**

The Freedom of Information Act (FOIA) was introduced to promote greater openness and accountability across the public sector, and establishes a general right of access to information held by public authorities, including Academies. Along with Human Rights and Data Protection legislation, Freedom of Information (FOI) aims to build a culture of rights and responsibilities for citizens.

This publication scheme has been prepared in accordance with the model approved by the Information Commissioner. It commits us to make information available to the public as part of our normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

Under this scheme we are committed:

- To proactively publish or otherwise make available as a matter of routine information, including environmental information, which is held by the authority and falls within the classifications below
- To specify the information which is held by the authority and falls within the classifications below

- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public
- To review and update on a regular basis the information the authority makes available under this scheme
- To produce a schedule of any fees charged for access to information which is made proactively available
- To make this publication scheme available to the public
- To publish any dataset held by the authority that has been requested and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under a specified licence. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of that Act. Model publication scheme

## **2. Classes of information**

The seven classes of information which are covered by this scheme are set out below:

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

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

What our priorities are and how we are doing - Strategy and performance information, plans, assessments, inspections and reviews, e.g. Ofsted report, SATs results, examination results

How 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 our functions.

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.

### **3. How Information will be published**

A Guide to Information indicates clearly to the public what information is routinely available and how it can be accessed. The guide is attached as Appendix A.

It is the responsibility of the academy's Principal and local governing body to ensure the information covered by this scheme is routinely available as indicated in the guide. The Principal will also ensure that a well-managed records management and information system exists in accordance with the Trust's requirements in order to comply with requests for information under FOI.

Where it is within our capability, information will be provided on our website. 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, we 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 we are legally required to translate any information, we 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.

#### **4. Charges made for information published under this scheme**

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made 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, although you may incur costs from your internet service provider.

Charges may be made for:

- information subject to a charging regime specified by Parliament
- actual disbursements incurred such as: - photocopying; postage and packaging; costs directly incurred as a result of viewing information
- information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedule of fees which is readily available to the public
- making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with either regulations made under section 11B of the Freedom of Information Act or other enactments.

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

## 5. Written requests for information not published under this scheme

Information held by us 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 and advice on FOI published by the Department of Education for Academies and Academy Trusts.

We have a duty to provide advice and assistance to anyone requesting information. Enquirers do not have to say why they want the information and the request does not have to mention FOIA. The enquirer is entitled to be told whether we hold the information (this is known as the duty to confirm or deny) and, if so, to have access to it. Access can include providing extracts of a document or a summary of the information sought, or access to the original document. However, the FOIA recognises the need to preserve confidentiality of sensitive information in some circumstances and sets out a number of exemptions.

There are only four reasons for not complying with a valid request for information under FOI:-

- the information is not held
- the cost threshold is reached (£450)
- the request is considered vexatious or repeated
- one or more of the exemptions apply

**If you would like to make a request under the FOIA**, please make the request in writing (this includes email or fax) stating the enquirer's name and correspondence address (email addresses are allowed) and describing the information requested in sufficient detail that will allow us to identify and locate the information. You do not have to explain why you want the information or state that it is a FOI request, but it may help us to reply to your request more promptly if you let us know that it is a FOI request.

**Written requests should be forwarded to:** - The Principal, The Duston School, Berrywood Road, Duston, Northampton, NN5 6XA.

## **6. Responding to requests for information**

We will do our utmost to reply to any request promptly. In any case, we will meet the legally prescribed limit of 20 working days, excluding non-school days, from the date the request is received. If we need to ask you for more information to enable us to respond to your request, the 20 days timeline will begin when this further information has been received. Where the 20th day to respond to a request falls on a non-school day, we will have up to 60 days to respond.

In the event that a qualified exemption applies and we need more time to consider the public interest test, we will reply within the 20 days stating that an exemption applies and include an estimate of the date by which a decision on the public interest test will be made.

Where we have notified you that a charge is to be made, the timeline will be suspended until payment is received and then continue again once payment has been received.

## **7. Feedback and Complaints**

The school's governors will review this scheme and policy as and when deemed appropriate, or when the Information Commissioner's model publication scheme is revised. All written requests for information will be logged, including refusals and the reasons for refusal, to assist in the review process.

We welcome any comments or suggestions you may have about this publication scheme and access policy. To make a comment please write to: The Principal, The Duston School, Berrywood Road, Duston, Northampton, NN5 6XA.

If you are not satisfied with the assistance that you get or if we have not been able to resolve your request and you feel that a formal complaint needs to be made then this should be addressed to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom of Information Act 2000 and that deals with formal complaints. The complaint should be made in writing to: The Case reception Unit, Customer Service Team, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.