



# **Freedom of Information Policy and Publication Scheme**

**Batley Multi Academy Trust**

**Approved by:** Board of Trustees

**Reviewed by:** LBL

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## **Introduction**

Batley Multi Academy Trust ('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.

This means the Trust and its schools must hold and publish a FOI Publication Scheme, to communicate what information the Trust makes readily available to the public and where it can be found. It also means that the Trust and its schools must have procedures in place to respond to FOI requests.

## **Freedom of Information Publication Scheme**

The Freedom of Information Act (2000) requires every public authority to have a publication scheme. The Trust's publication scheme is contained within this policy (see Appendix A) and was developed to ensure all our schools are as transparent as possible when it comes to the publication of information.

Most of the information listed below is published routinely on the Trust website and each school in the Trust's website. Stakeholders are invited to review the publication scheme before submitting a Freedom of Information (FOI) request.

Our publication scheme (see Appendix A) has the following aims:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the Trust and falls within the classifications below.
- To specify the information that is held by the Trust 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 easily be identified and accessed by members of the public.
- To review and update regularly the information the Trust makes available under this scheme.
- To produce a schedule of 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 Trust that has been requested, and any updated versions it holds, unless the Trust is satisfied that it is not appropriate 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 Trust is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19. The term 'dataset' is defined in [section 11\(5\) of the Freedom of Information Act](#). The term 'relevant copyright work' is defined in [section 19\(8\) of that Act](#).

The publication scheme is available on the Trust website and each school in the Trust's website. This scheme conforms to the model scheme for Academies approved by the Information Commissioner's Office (ICO).

### *Method by which information under the Publication Scheme is made available*

The Trust will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of the Trust, information will be provided on its website. Where it is impracticable to make information available on the Trust's website or when an individual does not wish to access the

information by this method, 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, we encourage individuals to contact the Trust (details can be found on the website) and 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 equality 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.

#### *Charges which may be 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 by the Trust 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 Parliament. Charges may be made for actual disbursements incurred 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, 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 schedules of fees which is readily available to the public.

#### **Freedom of Information (FOI) Requests**

Any request for any information from the Trust or its schools is technically a request under the FOI Act, whether or not the individual making the request mentions the Act itself. 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.

For a request to be valid under the Freedom of Information Act it must be in writing and must describe the information requested. In the first instance, all requests should be sent to the relevant school's main office/reception - contact details can be found on each school's website. The office will then direct the request to the relevant individual in school.

#### *Acknowledging the Request*

Acknowledgement of the receipt of the request should be issued as soon as possible. Whilst there is no statutory requirement to acknowledge receipt of a request, it is good practice to do so. Courteous management of requests is important so as to deal with the request in a conciliatory manner.

An appropriate response would be:

Dear [...]

Thank you for your [email/letter].

Your request is being dealt with under the Freedom of Information Act 2000 and you should expect a response from us within twenty (20) working days from [the date of receipt]. Should we be unable to respond within this timeframe as we require further clarification regarding your request we will be in touch.

Please note, depending on the request a fee may be payable and if that is the case, we will let you know.

Yours sincerely,

[ENTER NAME]

#### *Responding to a request*

The first stage when responding to a request is to determine whether or not the school “holds” the information requested. Some requests will require the Trust to take information from different sources and manipulate it in some way. Where this would take minimal effort, the Trust 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. This may also result in the request incurring some financial cost.

When considering a request under the FOI Act, you must bear in mind that release under FOI is treated as release to the general public, and so once it has been released to an individual, anyone can access it, and you cannot restrict access when releasing by marking the information “confidential” or “restricted”.

#### *Exemptions*

If the request is considered sufficiently clear to be easily understood, then the second stage is to consider whether any of the exemptions to disclosure might apply.

Common exemptions include:

- Section 40 (1) – the request is for the applicants personal data. This must be dealt with under the subject access regime in the GDPR, detailed in paragraph 10.
- Section 40 (2) – compliance with the request would involve releasing third party personal data, and this would be in breach of the GDPR principles.
- Section 41 – information that has been sent to the Trust (but is not the school’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 Trust intends to publish at a future date.
- Section 43 – information that would prejudice the commercial interests of the Trust, it’s schools 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 Trustees, would prejudice the effective conduct of the Trust and/or each school.

The sections mentioned above are qualified exemptions. This means that even if the exemption applies to the information, we also have 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.

The ICO has published additional information on why a request can be refused. This can be found [here](#).

When responding to a request where the Trust has withheld some or all of the information, we 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 response should also include how the recipient can complain – either by reference to the Trust’s Data Protection Officer or by writing to the ICO.

#### *Time limit for compliance with FOI requests*

The Trust must respond as soon as possible, and in any event, within 20 working days of the date of receipt of the request. When calculating the 20 working day deadline, a “working day” is a school day (one in which students are in attendance), subject to an absolute maximum of 60 normal working days (not school days) to respond.

#### *Logging requests*

All requests and responses should be shared with the Trust’s Data Protection Officer to monitor the effectiveness of each school’s internal compliance procedures and ensure that time limits are met.

#### **Contact**

If you are unhappy with the response you receive and would like to make a complaint, please see the Trust’s Complaints Procedure. This can be found on the Trust website.

If you remain dissatisfied with our response and you feel that a formal complaint needs to be made then you can contact the ICO via the following ways:

Postal:

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

Telephone: 0303 123 1113

Website: [www.ico.org.uk](http://www.ico.org.uk)

**Appendix A**

<b>Class 1: Who we are and what we do</b> <i>Organisational information, structure, constitutional and legal governance</i>		
<b>Information available</b>	<b>Where to find it</b>	<b>Charge</b>
Meet the Team	The Trust website Each individual school's website	No charge
Board of Trustees	The Trust website	No charge
Local Governing Bodies	Each individual school's website	No charge
Funding Agreement	The Trust website	No charge
Articles of Association	The Trust website	No charge
Schemes of Delegation	Each individual school's website	No charge
School calendar, term dates, contact us details	Each individual school's website	No charge

<b>Class 2: What we spend and how we spend it</b> <i>Financial information</i>		
<b>Information available</b>	<b>Where to find it</b>	<b>Charge</b>
Statutory Accounts	The Trust website Companies House website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Annual Report and Financial Statements	The Trust website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Gender pay gap information	The Trust website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Charging and Remissions Policy	The Trust website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges

<b>Class 3: What our priorities are and how we are doing</b> <i>Data and Outcomes</i>		
<b>Information available</b>	<b>Where to find it</b>	<b>Charge</b>
Latest OFSTED report	Each individual school's website	No charge
Latest exam results	Each individual school's website	No charge
Performance table	Each individual school's website The DfE website	No charge

<b>Class 4: How we make decisions</b> <i>Board Documentation</i>		
<b>Information available</b>	<b>Where to find it</b>	<b>Charge</b>
Trust Meeting Minutes - current year and three years previous <i>(this will exclude information deemed private and confidential as per part B of meetings)</i>	The Trust website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Local Governing Body Meeting Minutes - current year and three years previous <i>(this will exclude information deemed private and confidential as per part B of meetings)</i>	Each individual school's website (where published) Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges

<b>Class 5: Our policies and procedures</b>		
<b>Information available</b>	<b>Where to find it</b>	<b>Charge</b>
Admissions Policy	Each individual school's website The Trust website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Complaints Procedure	Each individual school's website The Trust website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Data Protection Policy	Each individual school's website The Trust website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Health and Safety Policy	Each individual school's website	Website: no charge



	The Trust website Hard copy	Hard copy: subject to printing/ photocopying charges
Safeguarding and Child Protection Policy	Each individual school's website The Trust website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Whistleblowing Policy	Each individual school's website The Trust website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Curriculum Policy	Each individual school's website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Accessibility Policy	Each individual school's website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
SEND Policy and Information Report	Each individual school's website Hard copy	Subject to printing/ photocopying charges depending on quantity
Public Sector Equality Duty	Each individual school's website Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Provider Access Policy	Each individual school's website ( <i>where relevant</i> ) Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges

<b>Class 6: Lists and Registers</b>		
<b>Information available</b>	<b>Where to find it</b>	<b>Charge</b>
Register of Interests <i>Board of Trustees and Local Governing Bodies</i>	The Trust website Each individual school's website	No charge
Members, Trustees and Governors	View on school property only	N/A

<b>Class 7: The services we offer</b>		
<b>Information available</b>	<b>Where to find it</b>	<b>Charge</b>
After school activities	Each individual school's website <i>(where relevant)</i>	No charge
Breakfast club	Each individual school's website <i>(where relevant)</i>	No charge
Prospectus	Each individual school's website <i>(where relevant)</i> Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges
Termly newsletter	Each individual school's website <i>(where relevant)</i> Hard copy	Website: no charge Hard copy: subject to printing/ photocopying charges