



APPROVED BY: TRUST BOARD

POLICY OWNER: DATA PROTECTION OFFICER

DATE: March 2023

NEXT REVIEW DATE DUE BY: March 2025

# **FREEDOM OF INFORMATION POLICY and PUBLICATION SCHEME**

## 1. STATEMENT OF INTENT

As an educational establishment, the St Thomas Catholic Academies Trust ('the Trust') has an obligation to publish a freedom of information statement, outlining how the Trust will meet their duties under the Freedom of Information Act 2000 and associated regulations. This policy outlines:

- how the Trust will respond to requests from individuals for access to information;
- the Trust's policy and procedures for release and publication of private data and public records; and
- the Trust's policy and procedures for providing applicants with advice and assistance throughout the duration of their requests.

It also clarifies the Trust's position with regard to appropriate limit to the costs incurred by the Trust in obtaining any requested information, and on charging fees for its provision.

## 2. LEGAL FRAMEWORK

2.1 This policy has due regard to the following legislation:

- UK General Data Protection Regulation
- Data Protection Act 2018
- Freedom of Information Act 2000
- Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulation 2004.

2.2 This policy also has due regard to guidance, including, but not limited to, the following:

- ICO 'Model Publication Scheme'
- ICO 'Duty to provide advice and assistance (section 16)'

2.3 This policy should be viewed in conjunction with the Trust's Data Protection Policy.

## 3. ACCEPTING REQUESTS FOR INFORMATION

3.1 The Trust will only accept a request for information which meets all of the following criteria:

- It is in writing
- It states the name of the applicant and an address for correspondence
- It describes the information requested

3.2 A request will be treated as made in writing if it meets all of the following requirements:

- It is transmitted by electronic means
- It is received in legible form
- It is capable of being used for subsequent reference

3.3 Requests under the Freedom of Information Act should be sent to:

Maxine Gilmartin, Data Protection Officer

Email: [admin@stcat.co.uk](mailto:admin@stcat.co.uk)

Postal address: St Thomas Catholic Academies Trust, c/o St Martin de Porres Catholic Primary School, Pastures Way, Luton, LU4 0PF

## **4. GENERAL RIGHT OF ACCESS TO INFORMATION HELD BY THE SCHOOL**

- 4.1 Provided that the request complies with section 3 of this policy, the Trust will, no later than 20 school days from receipt of the request, comply with its duty to:
- Confirm or deny to any person making a request for information to the Trust, whether it holds information of the description specified in the request.
  - Provide the documentation, if the Trust confirms that it holds the requested information.
- 4.2 The Trust will not comply with section 4.1 of this policy where:
- The Trust reasonably requires further information to meet a freedom of information request, has informed the applicant of this requirement, but was not subsequently supplied with that further information.
  - The information 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.
  - A request for information is exempt under section 2 of the Freedom of Information Act 2000.
  - The cost of providing the information exceeds the appropriate limit.
  - The request is vexatious.
  - The request is a repeated request from the same person made within three months of the initial one.
  - A fee notice was not honoured.
- 4.3 Where information is, or is thought to be, exempt, the Trust will, within 20 school days, give notice to the applicant which:
- states the fact; and
  - specifies the exemption in question.
- 4.4 The information provided to the applicant will be in the format that they have requested, where possible.
- 4.5 Where it is not possible to provide the information in the requested format the Trust will assist the applicant by discussing alternative formats in which it can be provided.
- 4.6 If, under relevant disability and discrimination legislations, the Trust is legally obliged to provide the information in other forms and formats, it will do so.

## **5. APPROPRIATE LIMIT AND CHARGING FEES**

- 5.1 Most information will be freely available through the Trust's or each school's websites. Enquirers will be directed to the relevant website if the information they request is available there.
- 5.2 The Trust reserves the right to charge a fee for complying with requests for information under Freedom of Information Act, other than information available through its websites. The fees are according to Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 and the applicant will be asked for payment of the charge before the information is supplied.
- 5.3 Under section 12 of the Freedom of Information Act, the Trust does not have to comply with a request for information if the estimated cost of compliance exceeds £450.
- 5.4 When determining whether the cost of complying with a freedom of information request is within the appropriate limit, the Trust will take account only of the costs we reasonably expect to incur in relation to:
- Determining whether it holds the information.
  - Locating the information, or a document which may contain the information.
  - Retrieving the information, or a document which may contain the information.

- Extracting the information from a document containing it.
- Costs relating to the time spent by any person undertaking any of the activities outlined in this section will be charged as detailed in the Schedule of Charges.

5.5 Where multiple requests for information are made to the Trust within three months of each other, either by a single person or by different persons who appear to be acting in concert, the estimated cost of complying with any of the requests is to be taken to be the total costs to the Trust of complying with all of them.

## 6. MEANS BY WHICH COMMUNICATION IS TO BE MADE

Where, on making a request for information, the applicant expresses a preference for communication by any one of the following means, the Trust will, as far as is practicable, give effect to that preference:

- The provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant.
- The provision to the applicant of a reasonable opportunity to inspect a record containing the information.
- The provision to the applicant of a digest, or summary of the information, in permanent form or in another form acceptable to the applicant.

## 7. PUBLICATION SCHEME

The Trust has created a Publication Scheme derived from the Model Publication Scheme for Academies approved by the Information Commissioner. This is included at Appendix A.

## 8. MONITORING AND REVIEW

This Policy will be reviewed every 2 years and in the interim if there are any regulatory changes.

## 9. EQUALITIES MONITORING

<p>T</p> <p>To what extent does this policy have any implications for people of relevant protected characteristics (RPC) as outlined below?</p> <ul style="list-style-type: none"> <li>• Age</li> <li>• Disability</li> <li>• Gender reassignment</li> <li>• Marriage and civil partnership</li> <li>• Pregnancy and maternity</li> <li>• Religion or belief</li> <li>• Sex</li> <li>• Sexual orientation</li> </ul> <p>(Equality Act, 2010)</p>	<p><b>Assessment:</b></p> <p>None. Any member of the public is entitled to submit a freedom of information request, as per the Freedom of Information Act 2000.</p>
<p>Will this policy advantage or disadvantage any particular group?</p>	<p>No</p>

<p>How will this policy, if relevant, promote equality of opportunity across our Trust?</p>	<p>This policy is intended to support everyone, irrespective of any protected characteristics, in submitting a request for freedom of information.</p>
<p>Success criteria and monitoring</p>	<p><b>Success criteria:</b>  There are no complaints to the Trust relating to provision of freedom of information, in line with the Freedom of Information Act 2000.</p> <p><b>Monitoring:</b>  Directors will receive an annual update in relation to freedom of information and data protection.</p>

## APPENDIX A - PUBLICATION SCHEME

### 1. Introduction

This publication scheme commits the Trust to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the Trust.

The scheme commits the Trust 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.
- Specify the information which is held by the Trust and falls within the classifications below.
- Proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- 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.
- Review and update on a regular basis the information the Trust makes available under this scheme.
- Produce a schedule of any fees charged for access to information which is made proactively available.
- Make this publication scheme available to the public.
- 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 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 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 the Act.

### 2. Classes of information

- 2.1 Who we are and what we do: organisational information, locations and contacts, constitutional and legal governance.
- 2.2 What we spend and how we spend it: financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
- 2.3 What our priorities are and how we are doing: strategy and performance information, plans, assessments, inspections and reviews.
- 2.4 How we make decisions: policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.
- 2.5 Our policies and procedures: current written protocols for delivering our functions and responsibilities.
- 2.6 Lists and registers: information held in registers required by law and other lists and registers relating to the functions of the Trust.
- 2.7 The services we offer: advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.
- 2.8 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. The method by which information published under this scheme will be made available**

- 3.1 The Trust will indicate clearly to the public what information is covered by this scheme and how it can be obtained.
- 3.2 Where it is within the capability of the Trust, 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, the Trust will indicate how information can be obtained by other means and provide it by those means.
- 3.3 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.
- 3.4 Information will be provided in the language in which it is held or in such other language that is legally required. Where the Trust is legally required to translate any information, it will do so.
- 3.5 Obligations under disability and discrimination legislation and any other legislation to provide information in other forms or formats will be adhered to when providing information in accordance with this scheme.

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

- 4.1 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.
- 4.2 Material which is published and accessed on a website will be provided free of charge.
- 4.3 Charges may be made for information subject to a charging regime specified by Parliament.
- 4.4 Charges may be made for actual disbursements incurred such as:
  - photocopying
  - postage and packaging
  - the costs directly incurred as a result of viewing information
- 4.5 Charges may also be made for 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 schedules of fees which is readily available to the public.
- 4.6 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 section 11B of the Freedom of Information Act, or with other statutory powers of the public authority.
- 4.7 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.

## Guide to information available from the Trust under the Publication Scheme

Information to be published	How the information can be obtained	Cost
<b>Class 1 - Who we are and what we do</b>		
Members of the Trust Board and their appointments	Trust website	No charge
Instrument of Government	DfE website - <a href="http://www.dfe.gov.uk">www.dfe.gov.uk</a>	No charge
Contact details of the Trust	Trust website	No charge
Corporate details: registered office, directors, members	Companies House website - <a href="http://www.companieshouse.gov.uk">www.companieshouse.gov.uk</a>	Companies House charges
Academy profiles	Academy websites	No charge
Contact details for academies	Academy websites	No charge
<b>Class 2 - What we spend and how we spend it</b>		
Statutory accounts	Trust website	No charge
Pay Policy	Hard copy	Schedule of charges
PE & Sports Premium for Primaries	Academy websites	No charge
Year 7 Literacy and Numeracy Catch up Premium Report	Academy websites	No charge
Pupil Premium Report	Academy websites	No charge
<b>Class 3 - What are our priorities and how are we doing</b>		
Objectives	Trust website	No charge
Plans for future development	Trust website	No charge
Curriculum plan	Academy websites	No charge
Careers programme	Academy websites	No charge
Performance tables and achievements	Academy websites	No charge
Exam results	Academy websites	No charge
Special Educational Needs and Disabilities (SEND) Report	Academy websites	No charge
Latest OFSTED reports	Academy websites	No charge
Newsletters	Academy websites	No charge
<b>Class 4 - How we make decisions</b>		
Scheme of delegation	Trust website	No charge
Admissions procedures	Academy websites	No charge
<b>Class 5 - Our policies and procedures</b>		
Data Protection Policy	Trust website	No charge
Privacy Notices	Trust website	No charge
Behaviour Policy	Academy websites	No charge
Charging and Remissions Policy including Finance Policy	Trust website	No charge
Safeguarding policies and procedures	Trust/Academy websites	No charge
Health and Safety Policy	Academy websites	No charge
Complaints Procedure	Trust website	No charge
Equality and Diversity policies	Academy websites	No charge
Home Academy Agreement	Academy websites	No charge
Health and Sex Education Policies	Academy websites	No charge
<b>Class 6 - List and Registers</b>		
Any lists and registers that the Trust is required to keep	Hard copy	Schedule of charges
<b>Class 7 - The services we offer</b>		
Prospectuses	Academy websites	No charge
Out of hours clubs	Academy websites	No charge
Extra-curricular activities	Academy websites	No charge



### Schedule of Charges

In accordance with the Freedom of Information and Data Protection (appropriate Limits and Fees) Regulations 2004, the Trust is not obliged to respond to a written request for information, where it estimates the cost of complying with the request would be in excess of £450 (which equates to 18 hours of work at £25 per hour).

- Staff costs (£25 per hour) involved in determining whether the Trust holds the information.
- Staff costs (£25 per hour) of locating, retrieving and extracting the information.
- Disbursement and staff costs (£25 per hour) incurred in informing the applicant that the information is held.
- Disbursement and staff costs (£25 per hour) incurred in communicating the information to the applicant.
- In all cases the costs must be 'reasonable'.

If the Trust does choose to comply with a request where the estimated cost exceeds the threshold, the charge will be calculated as follows:

- 10% of the prescribed costs for the first £450.
- The prescribed costs over £450.

