Freedom of Information Policy

ST CLARE
Catholic Multi Academy Trust

St Wilfrid's Primary School Mission Statement:

Everybody Matters

Adopted by St Clare Trust Board; June 2022

Next review by St Clare Trust Board; December 2026

St Clare Catholic Multi Academy Trust – Freedom of Information Policy

1. Introduction

1.1 Schools are committed to the Freedom of Information Act 2000 and to the principles of accountability and the general right of access to information, subject to legal exemptions. This policy outlines our response to the Act and a framework for managing requests.

1.2 This policy applies to everyone who is authorised by the trust to process any paper based or electronic system containing information provided for, owned, controlled or administered by the schools or centrally by the trust.

1.3 This policy applies to all information processed by, and on behalf of, the schools regardless of form. Requests under FOI can be addressed to anyone in the schools or in the trust central team, so all staff need to be aware of the person within school or in the central team who is responsible for responding to requests.

Please note that for schools, the timescales for responding to a valid request is 20 school days, or 60 working days if this is shorter.

2. Background

2.1 The information which the school routinely makes available to the public is included in the Publication Scheme. Requests for other information should be dealt with in accordance with the statutory guidance. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information.

2.2 The Act is fully retrospective, so that any past records which the school holds are covered by the Act. The trust has a Retention Schedule as part of its Data Protection Policy that states the period of time different documents are retained for before being destroyed. It is an offence to willfully conceal, damage or destroy information in order to avoid responding to an enquiry, so it is important that no records that are the subject of an enquiry are amended or destroyed.

2.3 Requests under FoI can be addressed to anyone in the schools or in the trust central team; so all staff need to be aware of who to pass the request on to. Requests must be made in writing, (including fax, email, Facebook, Twitter or other social media used by the schools), and should include the enquirers name and correspondence address, and state what information they require.
They do not have to mention the Act, nor do they have to say why they want the information. There is a duty to respond to all requests, telling the enquirer whether or not the information is held, and supplying any information that is held, except where exemptions apply. There is no need to collect data in specific response to a FoI enquiry. There is a time limit of 20 school days excluding school holidays, or 60 working days if this is shorter, for responding to the request.

3. Scope

3.1 The FoI Act joins the Data Protection Act and the Environmental Information Regulations as legislation under which anyone is entitled to request information from the school.

3.2 Requests for personal data are still covered by the Data Protection Act. (DPA). Individuals can request to see what information the school holds about them. This is known as a Subject Access Request, and must be dealt with accordingly.

3.3 Requests for information about anything relating to the environment – such as air, water, land, the natural world or the built environment and any factor or measure affecting these – are covered by the Environmental Information Regulations (EIR). They also cover issues relating to Health and Safety. For example queries about chemicals used in the school or on school land, phone masts, car parks etc. would all be covered by the EIR. Requests under EIR are dealt with in the same way as those under FoIA, but unlike FoIA requests, they do not need to be written and can be verbal.

3.4 If any element of a request to the school includes personal or environmental information, these elements must be dealt with under DPA or EIR. Any other information is a request under FoIA, and must be dealt with accordingly.

4. Obligations and Duties

4.1 The trust acknowledges that as well as responding to requests for information, it is good practice to publish information proactively. This will be achieved through the schools' adoption of the Model Publication Scheme for schools which has been approved by the Information Commissioners Office. A guide to the information available from each school under the Model Publication Scheme can be found in Appendix 1 below.

4.2 The trust recognises their duty to provide advice and assistance to anyone requesting information. School or central trust staff will respond to straightforward verbal requests for information, and will help enquirers to put more complex verbal requests into writing so that they can be handled under the Act.

4.3 School or central trust staff will tell enquirers whether or not they hold the information being requested (the duty to confirm or deny), and provide access to the information in accordance with the law.

5. Publication Scheme

5.1 The Publication Scheme and the materials it covers will be available both in hard copy and on the trust and school websites.

6. Dealing with Requests

6.1 We will respond to all requests in accordance with the law.

7. Exemptions

7.1 Certain information is subject to either absolute or qualified exemptions as per current legislation.

7.2 When we wish to apply a qualified exemption to a request, we will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information.

7.3 We will maintain a register of requests where we have refused to supply information, and the reasons for the refusal. The register will be retained for 5 years.

7.4 Further information on the Public Interest Test and the circumstances under which absolute or qualified exemptions may be applied can be found at www.ico.org.uk

8. Charging

8.1 We reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450

8.2 In some cases we may need to pass on the direct cost of providing the information as a fee. In this case the fees will be calculated according to FoI regulations, and the person notified of the charge before information is supplied.

9. Responsibilities

9.1 The Chief Financial Officer is the nominated member of staff to coordinate enquiries for the trust and be a point of reference for advice and training. Enquiries at school are coordinated by Mrs Evans, Headteacher.

10. Complaints

10.1 Any written (including email) expression of dissatisfaction about how the trust or the school has responded to a FoI request will be handled through the trust's existing complaints procedure which is available on the trust and school websites and will be shared upon request.

10.1.1 The review will be handled by someone not involved in the original decision if possible.

10.1.2 The Information Commissioner's Office recommends that public authorities carry out internal reviews within 20 working days. Under Environmental Regulations Information there is a legal requirement that internal reviews must be carried out as soon as possible and within 40 working days. The trust cannot charge for carrying out an internal review.

If the complaint requires that the original request and response be reviewed, based on the outcome the trust will:

10.1.3 If the outcome is that the information should be disclosed the trust will do this as soon as practicable.

10.1.4 If the outcome is that procedures within the school have not been properly followed, the trust will ensure that it reviews it's procedures to prevent any recurrence.

10.1.5 If the outcome upholds the school's original decision or action, the applicant should be informed of their right to appeal to the Information Commissioner. More details of this can be found at www.ico.org.uk and complainants will be informed of this.

10.1.6 Appeals should be made in writing to the Information Commissioner's office. They can be contacted at:

FOI/EIR Complaints Resolution
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Appendix 1 – Model Publication Scheme.

Information to be published	How the information can be obtained	Cost
Class 1 - Who we are and what we do (Organisational information, structures, locations and contacts)		
Who's who in the school	Website or School Office	
Who's who on the governing body and the basis of their appointment	Website or School Office	
Instrument of Government	School Office	
Contact details for the Head teacher and for the local academy committee (named contacts where possible with telephone number and email address	Website or School Office	
School prospectus	Website	
Annual Report	Website	
Staffing structure	School Office	
School session times and term dates	Website	

Information to be published	How the information can be obtained	Cost
Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum		
Annual budget plan and financial statements	School Office	
Capitalised funding	School Office	
Additional funding	School Office	
Procurement and projects	School Office	
Pay policy	School Office	
Staffing and grading structure	School Office	
Governors' allowances	School Office	

Information to be published	How the information can be obtained	Cost
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current information as a minimum		
School profile • Government supplied performance data • The latest Ofsted report	Website	
Performance management policy and procedures adopted by the governing body.	School Office	
Schools future plans	School Office	

Information to be published	How the information can be obtained	Cost
Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous three years as a minimum		
Admissions policy/decisions (not individual admission decisions)	Website	
Agendas of meetings of the governing body and (if held) its sub-committees	School Office	
Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meetings.	School Office	

Information to be published	How the information can be obtained	Cost
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only		
School policies including: • Charging and remissions policy • Health and Safety • Complaints procedure • Staff conduct policy • Discipline and grievance policies • Staffing structure implementation plan • Information request handling policy • Equality and diversity (including equal opportunities) policies • Staff recruitment policies	Website Website Website School Office School Office School Office School Office Website School Office	

Pupil and curriculum policies, including: • Home-school agreement • Curriculum • Sex education • Special educational needs • Accessibility • Race equality • Collective worship • Careers education • Pupil discipline	Website Website Website Website Website Website Website Website Website	

Information to be published	How the information can be obtained	Cost
Records management and personal data policies, including: • Information security policies • Data protection (including information sharing policies and Record Retention Schedules)	School Office School Office Website	
Charging regimes and policies. This should include details of any statutory charging regimes. Charging policies should include charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made and how they are calculated.	School Office	

Information to be published	How the information can be obtained	Cost
Class 6 – Lists and Registers Currently maintained lists and registers only		
Curriculum circulars and statutory instruments	Available for inspection at the School Office	
Disclosure logs	Available for inspection at the School Office	
Asset register	Available for inspection at the School Office	
Any information the school is currently legally required to hold in publicly available registers **(THIS DOES NOT INCLUDE THE ATTENDANCE REGISTER)**	Available for inspection at the School Office	

Information to be published	How the information can be obtained	Cost
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only		
Extra-curricular activities	Website	
Out of school clubs	Website	
School publications	Website	
Services for which the school is entitled to recover a fee, together with those fees	Website	
Newsletters	Website	

SCHEDULE OF CHARGES

This describes how the charges will be arrived at.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying/printing @ 5p per sheet (black & white)	Actual cost *
	Photocopying/printing @ 10p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2nd class
Statutory Fee	£25 per hour of staff time in locating, retrieving and communicating information where the total cost of doing so exceeds £450. In this case the full cost of locating, retrieving and communicating information will be charged to the requestee.	In accordance with the relevant legislation - Freedom of Information Act Section 13 (1)-(3)