



**FAIRCHILDES  
ACADEMY  
COMMUNITY  
TRUST**

# Freedom of Information Policy

## Statement of intent

As an educational provider, Fairchildes Academy Community Trust has an obligation to publish a freedom of information statement, outlining how we will meet our duties under the Freedom of Information Act 2000 and associated regulations. The development and effective implementation of this policy fulfils that requirement.

This policy applies to all academies within the Trust.

More specifically, this policy outlines our school's policy and procedures for:

- The release and publication of private data and public records.
- Providing applicants with advice and assistance throughout the duration of their requests.

It also clarifies our position regarding the appropriate limit to the costs incurred by the school in obtaining any requested information, and on charging fees for its provision.

## Legal framework

This policy has due regard to the following legislation:

- The General Data Protection Regulation
- The Data Protection Act 2018
- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- Cabinet Office (2018) 'Freedom of Information Code of Practice'
- ICO (2013) 'Definition document for the governing bodies of maintained and other state-funded schools in England'
- ICO (2015) 'Model publication scheme'
- ICO (2016) 'Duty to provide advice and assistance (section 16)'
- ICO (2015) 'Time limits for compliance under the Freedom of Information Act (section 10)'

## Accepting requests for information

The school 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 (not a pseudonym) and an address for correspondence
- It adequately describes the information requested

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

- Where a request is submitted in a foreign language, the school is not expected to obtain a translation of the request. For the request to be processed, the school will ask the applicant to provide their request in English.

## **General rights of access to information held by the school**

Provided that the request meets the requirements set out in the above section (**Accepting requests for information**) of this policy, the school will comply with its duty to:

- Confirm or deny to any person making a request for information to the school, whether it holds information of the description specified in the request.
- Provide the documentation, if the school confirms that it holds the requested information.
- The duties will be completed no later than 20 school days, or 60 working days if this is shorter, from receipt of the request.
- Where a fee is charged, the timeframe within which the school has to respond to the request begins from the day the fee is received.

The school will not comply where:

- The school 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 60 consecutive working days of the initial one.
- A fee notice was not honoured.
- requested information is not held by the school for the purposes of the school's business.
- Where information is, or is thought to be, exempt, the school will, within 20 school days, give notice to the applicant which:

States that fact.

Specifies the exemption in question.

- If information falls within scope of a qualified exemption and the school needs additional time to consider the public interest test, the school may extend the deadline. In most cases, the extension will exceed no more than a further 20 school days; however, the actual length of the extension will be decided on a case-by-case basis.
- Requests for information that is not recorded by the school (e.g. requests for explanations, clarification of policy and comments on the school's business) will not be considered valid requests. In these cases, the applicant will be provided with an explanation of why their request will not be treated under the Freedom of Information

Act 2000 and the school will respond to the applicant through other channels as appropriate.

- The information provided to the applicant will be in the format that they have requested, where possible.
- Where it is not possible to provide the information in the requested format, the school will assist the applicant by discussing alternative formats in which it can be provided.
- If, under relevant disability and discrimination regulations, the school is legally obliged to provide the information in other forms and formats, it will do so.
- In some cases, a request may be dealt with under more than one access regime, e.g. if the request involves both information about the school and personal information, it will be dealt with under the Freedom of Information Act 2000 and the Data Protection Act 2018.
- Staff are made aware that it is a criminal offence to alter, deface, block, erase, destroy or conceal any information held by the school with the intention of preventing disclosure following a request.

## **The appropriate limit**

- The school will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450.
- When determining whether the cost of complying with a freedom of information request is within the appropriate limit, the school will take account only of the costs we reasonably expect to incur in relation to:
- Costs related to the time spent by any person are to be estimated at a rate of £25 per person per hour.
- If responding to one part of a request would exceed the cost limit, the school does not have to respond to any other parts of the request.
- Where multiple requests for information are made to the school within 60 consecutive working days 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 school of complying with all of them.

## **Charging fees**

- The school may, within 20 school days, give an applicant who has requested information from the school, a written notice stating that a fee is to be charged for the school's compliance.
- Charges may be made for disbursements, such as the following:
  - Production expenses, e.g. printing and photocopying
  - Transmission costs, e.g. postage
  - Complying with the applicant's preferences about the format in which the would like to receive the information, e.g. scanning to a CD
- Where a fee is paid by cheque, the school has the right to wait until the cheque is cleared before commencing work.
- Once a fee is received, the school will inform the applicant of the revised response deadline, i.e. an additional 20 school days (or 60 working days).

## Publication scheme

The Trust will meet its duty to adopt and maintain a publication scheme which specifies the information which it will publish on the individual school's website, and whether the information will be available free of charge or on payment.

This scheme follows the model approved by the ICO and commits our schools to make information available to the public as part of its normal business activities. We will:

- Proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the school and falls within the classifications below.
- Specify the information which is held by the school 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 school 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.

## Classes of information

Information that is available under this scheme includes:

- **Who we are and what we do:** Organisational information, locations and contacts, information on 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.
- **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 the functions of the school.
- **The services we offer:** Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

Information which **will not** be made available under this scheme includes:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act 2000, or is otherwise properly considered to be protected from disclosure.
- Information in draft form or notes, documents in older versions, emails or other correspondence.
- 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.

### **How information published under this scheme will be made available**

Information covered by this scheme will, as far as possible, be published on the [school website](#). Where this is impracticable, or you do not wish to access the information via the [school website](#), information covered by this scheme can also be obtained by contacting our schools.

Requested information under this scheme will be delivered electronically, but paper copies can also be provided.

To enable us to process your request quickly, please mark correspondence:

**“PUBLICATION SCHEME INFORMATION REQUEST”**

## **2. Freedom of information requests**

Information that is not covered by this scheme can be requested in writing, where its provision will be considered under the Freedom of Information Act 2000.

To enable us to process freedom of information requests within statutory timeframes, please mark all correspondence:

**“FREEDOM OF INFORMATION REQUEST”**

### **Charges**

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 school for routinely published material will be justified and transparent and kept to a minimum.

Material which has been published and accessible on the [school website](#) is available free of charge.

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

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 the school, justified and are in accordance with a published schedule or schedule of fees.

### **[Where charges will be made for disbursements incurred]**

Where paper copies of the information covered by this scheme are requested, a small charge may be made to cover disbursements incurred such as:

- Photocopying. Postage and packaging.

- The costs directly incurred as a result of viewing information.

Where 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.

**[Where you wish to charge for making available any copyrighted datasets for re-use]**

Where a request is made to re-use all, or part, of a copyrighted dataset, a charge may be made – this will be in accordance with the terms of the Re-use of Public Sector Information Regulations 2015, where applicable, with regulations made under section 11B of the Freedom of Information Act 2000, or with any other statutory powers held by the school.

**[Where no charges will be made for some paper copies]**

Single paper copies are also available free of charge to [parents and prospective parents of the school](#).

Complaints Any comments or complaints will be dealt with through the school's normal complaints procedure. We will aim to determine all complaints within 10 days of receipt. We will publish information on our success rate in meeting this target. The school will maintain records of all complaints and their outcome.

If on investigation the school's original decision is upheld, then the school has a duty to inform the complainant of their right to appeal to the Information Commissioner's office.

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 5A

# Appendix- The method by which information published under the scheme will be available

Information to be published	How the information can be obtained	
<b>Class 1: Who we are and what we do</b>		
<b>Our organisational information, structures, locations and contacts</b>	<b>Hard copy or website</b>	
Organisational information	School website	
School staff and structures	School website	
Articles of Association	School website	
Board of trustees	School website	
The school's annual report	School website	
School session times and term dates	School website	
The school's address	School website	
The school's contact details	School website	
The school's email address	School website	
The names of key personnel	School website	
<b>Class 2: What we spend and how we spend it</b>		
Our financial information concerning the school's projected and actual income and expenditure, procurement, contracts and financial audit – including the current and previous financial year	Hard copy or website	
Annual budget plan and financial statements	Hard copy	By request
Capital funding	Hard copy	By request
Financial audit reports	Hard copy	By request
Procurement and contracts the school has entered into, or information relating to information held by an organisation which has entered into procurement or contracts on the school's behalf	Hard copy	By request
The pay policy	Hard copy	By request
The staffing, pay and grading	Hard copy	By request
Governors' allowances that can be incurred or claimed, and a record of total payments made to individual governors	School website	
<b>Class 3: What our priorities are and how we are doing</b>		
Our strategies and plans, performance indicators, audits, inspections and reviews	Hard copy or website	
The school profile		
Performance data supplied to the government		

The latest Ofsted summary	School website	
The latest Ofsted full report	School website	
The latest post-inspection action plan	School website	
The performance management policy and procedures	School website	
The latest performance data	School website	
The safeguarding and child protection policies and procedures	School website	
<b>Class 4: How we make decisions</b>		
Our decision-making processes and records of the decision we have made – including the current year and the previous three years	Hard copy or website	
Admissions policy	School website	
The board and its committees' agendas and meeting	Hard Copy	By request
<b>Class 5: Our policies and procedures</b>		
Our current written protocols, policies and procedures for delivering our services and responsibilities	Hard copy or website	
Charging and remissions policy	School website	
School behaviour policy	School website	
Sex education policy	School website	
Special educational needs (SEN) – SEN information report	School website	
Data protection policy	School website	
Health and safety policy	School website	
Admissions arrangements	School website	
Accessibility plan	School website	
Complaints procedure statement	School website	
Freedom of information procedures	School website	
Equality information and objectives statement for publication	School website	
Child protection policy and procedures	School website	
Charging regimes and policies	School website	
<b>Class 6: Lists and registers</b>		
Our currently maintained lists and registers – this does not include our attendance registers	Hard copy or website (Some information may only be available by inspection)	
Curriculum circulars and statutory instruments	School website	

Disclosure logs		
Asset register	Hard copy	By request
Any information the school is currently legally required to hold in publicly available registers	Hard copy	By request
<b>Class 7: The services we offer</b>		
Information about the services we offer including, leaflets, guidance and newsletters produced for the public and businesses – current information only	Hard copy or website (Some information may only be available by inspection)	
Extra-curricular activities	<b>School website</b>	
Out of school clubs	<b>School website</b>	
Services for which the school is entitled to recover a fee (and details of the fees)	<b>School website</b>	
School publications, leaflets, books and newsletters	<b>School website</b>	