



**The de Ferrers Trust**

## **FREEDOM OF INFORMATION POLICY**

Author:	Director of Governance and Compliance
Approval needed by:	Trust Board
Consultation required	Data Protection Officer
Adopted (date):	19 <sup>th</sup> March 2019
Date of next review:	March 2021

## Freedom of Information Policy

The de Ferrers 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 that the trust must hold and publish a FOI Publication Scheme, to communicate what information we hold that is readily available to the public, and where it can be found.

All public authorities must also have processes in place to manage any FOI requests that are made.

## Freedom of Information Publication Scheme

The de Ferrers Trust publication scheme has been developed from the Information Commissioner's Office template documents. It is the trust's aim to ensure that the publication of information is accessible for individuals. Much of the information listed is routinely published on the trust or academy websites and in individual prospectuses.

The publication scheme and the material it covers will be readily available in hard copy from the trust or the individual academy, depending on the source of the information.

Schedule of charges under Freedom of Information Publication Scheme

Type of Charge	Description	Basis of charge
<b>Disbursement cost</b>	Photocopying/Printing @ 10p per sheet - black and white	Actual cost 10p
	Photocopying/Printing @ 50p per sheet - colour	Actual cost 50p
	Postage	Actual cost of Royal Mail standard 2nd class
<b>See our Charging Policy at each academy for more details</b>		

Where the cost of postage, printing or photocopying is below £10.00, we will not make a charge.

Where it is over £10.00, the first £10.00 will be free of charge, after that we will charge the full estimated cost of postage and copying.

Before we produce the information, we shall inform you of the total cost. You may wish to refine the request in order to reduce the cost and we would be happy to discuss this with you.

## Freedom of Information requests

Any request for any information from the trust or our individual academies will be considered to see if it meets the criteria of FOI. This is irrespective of whether or not the individual making the request mentions the FOI.

FOI requests in relation to the trust must be sent to the Director of Governance and Compliance in the first instance. FOI requests in regard to one of our academies should be sent to the Principal of that academy. The Principal or Director of Governance and Compliance may co-ordinate the process with other staff ensuring that this is done within the timescales set out below.

All requests under FOI are treated as if made by any member of the general public. Any information released will be within the public domain and may not be marked restricted or confidential.

### **Time limits for FOI requests**

The trust and/or academy 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 an academy day (one in which students are in attendance), subject to an absolute maximum of 60 normal working days (any day excluding Saturdays, Sundays or bank holidays) to respond.

### **Procedure for dealing with a request**

Upon receipt of the FOI request it will be necessary to determine whether or not the organisation holds the information requested. This might be in hard copy or digital media.

There may be occasions where information is held, but the process of extracting the relevant information would take considerable time. In those instances the requester may be given the opportunity to refine the request based on the information given.

## **Part 1 – Identifying the types of information**

As an organisation we hold different types of information:

- Organisational information, prospectus, locations and contacts, constitutional and legal governance, schemes of delegation, trust and individual academy arrangements.
- Financial information about income and expenditure, financial audit, funding agreements, procurement, tendering and contracts.
- Plans, strategies, aims and objectives, performance indicators, audits, inspections and reviews.
- Decision making processes and records of decisions, internal criteria and procedures
- Policies and procedures –protocols, policies and procedures for delivering services

and compliance with our statutory and regulatory obligations.

- Lists and registers required by law and other key information.
- Details of our curriculum and wider educational offering

## **Part 2 - Considering the nature of the request**

FOI requests will be fully complied with unless an exemption applies. Common exemptions in the Freedom of Information Act 2000 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, see the Data Protection Policy and Privacy Notices;
- Section 40 (2) – compliance with the request would involve releasing third party personal data, and this would be in breach of the GDPR principles as set out in Data Protection Policy
- Section 41 – information that has been sent to the academy or the trust (but not the academy/trust'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 academy/trust intends to publish at a future date;
- Section 43 – information that would prejudice the commercial interests of the academy/trust 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 trust board, would prejudice the effective conduct of the academy/trust. There is a special form for this on the ICO's website to assist with the obtaining of the chair's opinion.

Information within these exemptions must be considered and weighed up about the general principal that information should be disclosed wherever applicable.

## **Part 3 - Responding to a request**

When responding to a request where the trust or an academy has withheld some or all of the information, the trust or academy 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 will be set out. In these circumstances the requester can seek a review from the trust, and correspondence should be addressed in the first instance to the Chief Executive.

If anyone has any concerns, questions or complaints in relation to this policy or the publication scheme contained within it they should follow the trust's Complaints Procedure, a copy of which is available on the trust and academy websites.

If you require a paper version of any information set out under the FOI Publication Scheme, or want to ask whether information is available, contact the trust using the details set out below.

## **Contact**

As outlined above, please contact the Director of Governance and Compliance for trust related FOI requests by emailing [MAToffice@deferrerstrust.com](mailto:MAToffice@deferrerstrust.com). For academy FOI requests please contact the Principal of that academy whose contact details can be located on their website.

You can also visit the trust website [www.deferrerstrust.com](http://www.deferrerstrust.com).

To help us process requests quickly, any correspondence should be clearly marked 'FOI Request'.

## **Complaints**

As stated above, should you have a complaint in relation to this policy or the publication scheme then you should follow the trust's Complaints Procedure available on our website.

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that you would like to escalate this further, then your complaint should be addressed to: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5A, telephone: 0303 123 1113, website: [www.ico.org.uk](http://www.ico.org.uk)

## **Review**

This policy will be reviewed by the trust board every two years or in line with legislative changes.



## The de Ferrers Trust

### The de Ferrers Trust Publication Scheme

This is a list of information that we hold. Not all will be released as part of a Freedom of Information (FOI) request. All requests will be considered in line with our policy and arrangements.

<b>Information available</b>	<b>How the information can be obtained</b>	<b>Charge</b>
<b>Information, structure, location and contacts</b> (Current information only)		
Who's who in the trust or any of our academies	Trust or academy websites	No charge
Details of members, local governors and trustees	Trust or academy websites	No charge
Funding agreements	Trust and academy websites DfE website	No charge
Staffing structures	Trust or academy websites Hard copy	Schedule of charges
Details about the academy day, term dates and holidays	Academy websites	No charge
Location and contact information – address, telephone numbers and website addresses.	Trust or academy websites	No charge

Contact details for the Chief Executive, Principals, Trust Board and Local Governing Body	Trust or academy websites	No charge
School prospectus	Academy website	No charge
<b>Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit</b> (Minimum of current and previous two financial years)		
Annual financial statements, capital funding and income generation for prior years	Trust website	No charge
Statutory accounts	Trust website and Companies House	No charge
Details of capital funding allocated to the trust along with information on related building projects and other capital projects or sources of funding for current year	Hard copy available upon request	Schedule of charges
Procurement and contracts, subject to the commercial/confidential public interest test	Hard copy available upon request	Schedule of charges
Pay policy	Trust website	No charge
Staff grading and structure	Hard copy available upon request	Schedule of charges
Governor allowances – details of allowances/expenses that can be claimed/incurred	Hard copy available upon request	Schedule of charges
<b>Strategies and plans, performance indicators, audits, inspections and reviews</b> (Current information as a minimum)		
Academy profile – Government supplied	DfE Website	No charge

data		
Latest Ofsted report – summary and full report	Ofsted and academy website	No charge
Examination results	Academy website	No charge
Performance management Policy	Trust website	No charge
Future plans	Hard copy available upon request	Schedule of charges
Safeguarding policies and procedures	Academy website	No charge
<b>Decision making processes and records of decisions</b> (Current and previous three years as a minimum)		
Admissions policies and decisions (not individual decisions)	Academy websites	No charge
Trust Board and Local Governing Body meeting agendas and minutes – (this will exclude information that is properly regarded as confidential to the meeting)	Hard copy	Schedule of charges
<b>Current written protocols, policies and procedures for delivery of services and responsibilities</b> (Current information as a minimum)		
Policies including:  Charging and remissions policy Health and Safety Complaints Staff discipline, grievance, pay and conduct Equality Staff recruitment and selection	Trust/academy websites	No charge

Child protection		
Pupil and curriculum policies including:-  Home school agreements Curriculum policy Sex education policy Special Educational Needs policy and SEND report Accessibility policy Behaviour policy	Academy websites	No charge
Record management and personal data policies:-  Record retention policies Data protection policies	Trust and academy websites	No charge
<b>Lists and registers only</b>		
Curriculum circulars and statutory instruments	Hard copy	Schedule of charges
Disclosure logs	Hard copy	Schedule of charges
Asset register	Hard copy	Schedule of charges
Any information the trust are currently legally required to hold in publically available registers	Hard copy	Schedule of charges
<b>Information services</b> (current information only)		

Extra-curricular activities and out of school clubs	Academy website	No charge
Services for which the academy is entitled to recover a fee, together with those fees.	Academy website	No charge
Leaflets, booklets and newsletters	Academy website	No charge

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