



Staploe Education Trust

Freedom of Information Guidance

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1. Aims

Staploe Education Trust is subject to the Freedom of Information Act 2000 (FOIA) as a public authority, and as such, will comply with any requests for information in accordance with the principles laid out in the Act.

2. Definitions

| Term | Definition |
|---------------------------|---|
| The Trust | Staploe Education Trust and all of its schools. |
| DPO | The Data Protection Officer for the Trust |
| Appropriate Limit | The limit set by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 as amended from time to time. At the time of publication of this guidance document the limit stood at £450 and cannot include staff time. |
| Fee Notice | The amount the Requester will need to pay in order for the Trust to comply with the request for information |
| FOIA | The Freedom of Information Act 2000 and amendments. |
| UK GDPR | The UK General Data Protection Regulation, and the Data Protection Act 2018. |
| Publication Scheme | A list of information that will be routinely published via the Trust's and individual school websites as applicable. |
| Requester | The person or organisation making a request for information from the Trust. |

3. Procedure for making a Request for Information

Any request for any information from the Trust is technically a request under the FOIA, whether or not the individual making the request mentions the FOIA. However, the Information Commissioners Office (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.

In all non-routine cases, if the request is simple and the information is to be released, then the individual who received the request can release the information, but will ensure that this is done

within the timescale set out within this document. A copy of the request and response should then be sent to the Data Protection Officer (DPO) of the Trust.

All other requests should be referred in the first instance to the DPO who may then allocate another individual to deal with the request. This will be completed promptly, with an individual being allocated with three working days of receiving the request.

When considering a request under FOIA, the Trust will bear in mind that release under FOIA is a release to the general public, and so once it has been released to an individual, anyone can access it, and access cannot be restricted by marking the information “confidential” or “restricted”.

4. Time limit for compliance

The Trust will seek to respond to a request for information promptly, and in any event, within 20 school days or 60 working days from the date of the request, whichever occurs first.

5. Procedure for dealing with a request

When a request is received that cannot be dealt with by simply providing the information, it should be referred in the first instance to the DPO of the Trust, who may re-allocate to an individual with responsibility for the type of information being requested.

The first stage in responding is to determine whether or not the Trust “holds” the information requested. The Trust will hold the information if it exists in computer or paper format. 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. For example, if a request required the Trust to add up the totals in a spreadsheet and release the total figures, this would be information “held” by the Trust. If the Trust would have to go through a number of spreadsheets and identify individual figures and provide a total, this is likely **not** to be information “held” by the Trust, depending on the time involved extracting the information.

The second stage is for the Trust to decide whether the information can be released, or whether one of the exemptions set out in the Act applies to the information. Common exemptions that might apply include:

- Section 40 (1) – the request is for the applicant’s personal data. This will be dealt with under the Subject Access regime in the Data Protection Act (DPA) as detailed in the Trust’s Data Protection Policy;
- Section 40 (2) – compliance with the request would involve releasing third party personal data, and this would be in breach of the DPA principles as detailed in the Trust’s Data Protection Policy;
- Section 41 – information which has been sent to the Trust (but not the 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 Trust intends to publish at a future date;*
- *Section 43 – information that would prejudice the commercial interests of the 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 that 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 the Trust Board, would prejudice the effective conduct of the Trust. There is a special application form for this on the ICO’s website to assist with obtaining the Chair’s opinion.*

The sections mentioned in italics are qualified exemptions. This means that even if the exemption applies to the information, the Trust will need 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.

6. How to make an FOI request

The Trust requires requests to be made in writing, this can be either by post or email to the DPO. The contact details for the DPO can be found in below.

Requests for information should include:

- Your name
- An address where you can be contacted (including an email address)
- A detailed description, clearly setting out the recorded information being requested from the Trust

If the information you are looking for is not available via our publication scheme and is not on our website. Please contact the school in writing, by email or letter. Please state that this is a Freedom of Information Request.

7. How can you receive the information?

You can ask for the information in the formats listed below:

- Paper
- In an electronic format
- Audio format

Make sure that you check the copyright of the information that you receive if you plan to reproduce it. It is your responsibility to check this and the Trust or any representative shall not be held liable for your failure to check.

8. Responding to a request

There might be circumstances where it is unclear to the Trust which information is being requested or where it appears that the request for information is such that responding will cause the Trust to exceed the Appropriate Limit. In those circumstances the Trust will seek to provide advice and assistance to the requester in order to enable the Trust to provide the requester with the information they are seeking to obtain, or inform the requester as to why it is not possible.

When responding to a request, where the Trust has withheld some or all of the information, the Trust will explain why the information has been withheld, and how the information requested fits within the exemptions. If the public interest test has been applied, this will also be explained.

The letter should end by explaining to the requestor how they can complain, or see the complaints section below.

9. Fees

The Trust will not charge for provision of information which is requested subject to the provisions of the FOIA.

The Trust is not obliged to comply with a request for information if the cumulative time spent on locating, retrieving or, if necessary, extracting the information request is estimated to exceed the Appropriate Limit.

The Trust may decide to provide information requested in excess of the Appropriate Limit without charging a fee where it considers it reasonable and within the public interest to do so.

Where it appears that responding to a request for information will result in the Trust exceeding the Appropriate Limit and the Trust does not waive the fee for complying with the request, the Trust may provide the requester with a Fee Notice. The Trust will also inform the requester as to how it has estimated that the Appropriate Limit will be exceeded, what information it could provide within the Appropriate Limit, and provide the requester with the opportunity to narrow their request.

Where the Trust has issued a Fee Notice and the requester indicates they are not prepared to pay the fee as set out in the Fee Notice or does not pay the fee as set out in the Fee Notice within three months, the Trust is not obliged to comply with the original request. The Trust will however consider any narrowed or amended request.

10. Repeat and Vexatious Requests

The Trust will not comply with a request for information which is considered to be vexatious.

In determining whether a request is vexatious, the Trust will consider whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress to the Trust, staff, members, trustees or advisory body members. The Trust will also consider the burden on the Trust and any possible distress to its staff, members, trustees or advisory body members in responding to the request, the motive of the requester and the seriousness of the request.

The Trust will also not comply with a request for information which is identical or substantially similar to a previous request made by the requester unless a reasonable time has elapsed between the current request and the previous request.

In considering whether a reasonable time has elapsed the Trust will take into account the time that has passed between the current request and the previous request and likelihood that the information requested will differ significantly from the information provided in the response to the previous request.

11. Complaints

Appeals against any decision not to supply information which the Trust considers exempt should be made to the Executive Headteacher of the Trust, who will review the original decision.

A complaint about the Trust's Freedom of Information processes, procedures or how a request for information has been dealt with should be made to the Chair of the Trust Board.

If a requester is unhappy with the outcome of their complaint or the way a request for information has been handled they can make a complaint to the Information Commissioner at:

<https://ico.org.uk/make-a-complaint/>

12. Contact Details

Email: DPO@staploeeducationtrust.org.uk

Telephone: 01353 724100

Address: Staploe Education Trust, Soham Village College, Sand Street, Soham, Cambs,
CB7 5AA

Website: www.staploeeducationtrust.org.uk

13. Appendix 1: Publication Scheme

The Freedom of Information Act 2000 (FOIA) requires all public authorities (including schools) to adopt and maintain a publication scheme. In 2008 the Information Commissioner's Office (ICO) changed the emphasis in the approval and operation of publication schemes to a generic model, with effect from 1 January 2009.

The model commits a public authority to 'produce and publish the method by which the specific information will be available so that it can be easily identified and accessed by members of the public'.

A school will breach the FOIA if it has not adopted the model scheme or is not publishing in accordance with it.

The Staploe Education Trust has adopted the ICO Model Publication Scheme in full, unedited.

The Trustees of the Trust Board are responsible for the maintenance of this scheme and have delegated to their Headteachers the day-to-day responsibility of dealing with FOI requests in line with this guidance.

The Trust Operations Director will oversee all FOI requests across the Trust and provide advice, guidance and interpretation of the information detailed within this document ensuring that records are kept of all requests as a best practice.

The following chart gives further detailed information of the types of information that the Trust produce as a minimum and have available.

| Information to be published. This includes datasets where applicable. | How the information can be obtained. |
|---|---|
| Who we are and what we do (Organisational information, structures, locations and contacts) Only current information will be available. | |
| Who`s who in the school. | Staff List: Website |
| Who`s who on the Trust Board/Advisory Body Members and the basis of their appointment. | Website |
| Articles of Association | Website |
| Contact details for; - Headteacher - Trust Board - Advisory Bodies (named contacts where possible) | Website / Headed Paper / Compliment slips |
| School Prospectus (if any) | Website / Hard Copy from school office |
| School Curriculum (outline) | Website |
| Annual Report (if any) | Website |
| Staffing Structure | Hard Copy |
| School session times and term dates. | Website / Hard Copy / Student Planner |

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| Address of school and contact details, including email addresses. | Website / Letter Headed Paper |
| <p>What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Information from the current and previous two financial years will be made available.</p> | |
| Trust Annual Accounts | Trust Website / Hard Copy |
| Annual Budget Plan and Financial Statements: (Details of sources of funding and income and expenditure together with annual budget plan). | Hard Copy |
| Capital Funding: (Information on major plans for capital expenditure. Details of the funding received together with information on related building projects and other capital projects). | Hard Copy |
| Financial Audit Reports | Hard Copy |
| Details of expenditure items over £5000: (Include costs, supplier and transaction information should be published at least annually but at more frequent quarterly or six-monthly intervals where practical). | Hard Copy |
| Procurement and Contracts: (Details of procedures used for the acquisition of goods and services. Details of contracts that have gone through a formal tendering process). | Hard Copy |
| Pay Policy | Website / Hard Copy |
| Staff allowances and expenses that can be incurred or claimed. (Include the total allowances and expenses paid to individual senior staff by reference to categories. Senior staff means leadership team or equivalent or above whose basic salary is at least £60,000 per annum). | Hard Copy |
| Staffing, pay and grading structure. (Names and positions of all staff of the school and how they can be contacted. As a minimum; pay information should include salaries for senior staff. Senior staff means leadership team or equivalent or above in bands of £10,000; for more junior posts by salary range). | Website / Hard Copy |
| Directors and Advisory Body Members allowances that can be incurred or claimed, | Hard Copy |

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| and a record of total payments made to individuals. | |
| What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current information will be made available. | |
| Latest Ofsted report or a direct link to the document. | Website |
| Performance management policy and procedures adopted by the Trust. | Website / Hard Copy |
| Performance data or a direct link to the information. | Website / Hard Copy |
| The School's future plans (Any major proposals for the future of the school including consultation processes). | Website / Hard Copy |
| Safeguarding and Child Protection policies and procedures. | Website / Hard Copy |
| How we make decisions (Decision making processes and records of decisions) Current and previous three years as a minimum | |
| Admissions policy/decisions (Details of the school's admission arrangements and procedures but not individual admissions decisions) | Website / Hard Copy |
| Agendas and minutes of meetings of the Trust Board and Advisory Bodies and their committees (NB this will exclude information that is properly regarded as private to the meetings) | Website / Hard Copy |
| Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information will be made available only. | |
| School Policies (Must include as a minimum those required by statute or by the funding agreements and those listed on the DfE website) | Website / Hard Copy |
| Equality and Diversity Policy | Website / Hard Copy |
| Recruitment of Staff Policy | Website / Hard Copy |
| Records Management and Personal Data Policies | Website / Hard Copy |
| Charging and Remissions Policy | Website / Hard Copy |
| Lists and Registers (Currently maintained lists and registers will be made available only; this does not include the attendance register). | |

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| Curriculum circulars and statutory instruments (Includes regulations, departmental updates and memorandums). | Website / Hard Copy |
| Disclosure Logs (A record of all FOI requests is good practice). | Inspection |
| Asset Register (if any) | Inspection only |
| Any information the school is currently legally required to hold in publicly available registers (This does not include the attendance register). | Website |
| The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public). Current information will be made available only. | |
| Extra- Curricular Activities | Website / Hard Copy |
| Out of School Clubs | Website / Hard Copy |
| Services for which the school is entitled to recover a fee, together with those fees | Website / Hard Copy |
| School publications, leaflets, books and newsletters | Website / Hard Copy |

Schedule of charges

| Type of charge | Description | Basis of Charge |
|-------------------|---|---|
| Disbursement cost | Photocopying/printing @ p per sheet (black and white) | Actual Cost |
| | Photocopying/printing @ 8p per sheet (colour) | Actual Cost |
| | Postage | Actual cost of Royal Mail standard 2nd class. |
| Other | £2 which includes research for each item. | |