

September 2024

Next Review date: September 2026

Freedom of Information Policy

This policy applies to all academies managed by Wootton Academy Trust (WAT).



**Wootton
Academy Trust**

Person responsible: Chief Finance and Operating Officer

Reviewed by: Executive Headteacher

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1. Rationale and aim.

The Freedom of Information Act (FOIA) 2000 came into effect on 30 November 2000 and gives a general right of access to recorded information held by a public authority, including Academies and Trusts, subject to certain exemptions. Wootton Academy Trust (the Trust) is committed to complying with the provisions of FOIA.

2. Definitions.

- Wootton Academy Trust mean both the Trust and all its legal entities.
- Appropriate limit means the limit set by the Freedom of Information and Data Protection Regulations 2004.
- Fee notice means the amount the requester will need to pay in order for the Trust to comply with the request for information.
- Publication scheme means a list of information that will be routinely published via the Trust’s website.
- GDPR means General Data Protection Regulation (and the Data Protection Act 2018).
- School/ College day is any day on which there is a school/ college session.
- Working day is any other than a Saturday, Sunday, Christmas Day, Good Friday, Easter Monday or a day which is on a bank holiday.

3. Procedures for making a request.

The Trust requires requests for information pursuant to the provisions of FOIA to be made in writing, by post or email. Requests for information held by the Trust should be sent to the contacts found in Appendix C.

A request for information made to the Trust should provide the name of the requester and an address for correspondence and should clearly set out the information being requested.

4. Duty to assist.

There may be circumstances where it is unclear what information is being requested or where the request for information is such that responding will cause the Trust to exceed the appropriate limit.

In these 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 this is not possible.

5. Time limit for responding.

The Trust will seek to respond to a request for information promptly and in any event no later than 20 school days or 60 working days from the date of the request, whichever occurs first.

Where a fee is payable for responding to the request, the Trust will disregard any day between a Fee Notice being sent to the requester and the correct fee being received by the Trust when calculating the time limit for responding. In the event that the Trust is unable to respond within the periods set out above, the Trust will write to the requester advising it will be unable to comply and provide a new time scale for responding to the request.

6. Fees.

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

The appropriate cost limit set out in the Act for public authorities is £450 [and the nominal hourly rate at which such work can be calculated is £25 per hour]. Aggregate requests can also be considered in estimating the cost to the public authority in locating the relevant information and responding to the FOIA request. After work reaches the limit of this amount, public authorities are entitled to refuse to deal with a FOIA request.

7. Exemptions.

The right to be provided with information requested may be limited by the application of an exemption. Some exemptions are absolute and others are qualified. Where an exemption applies to information requested, the

Trust may also be exempt from having to confirm or deny that the information exists, as well as from disclosing the requested information.

Where a qualified exemption applies to information requested, the Trust will consider whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The absolute exemptions most relevant to the Trust are those that relate to:

- Information accessible by other means;
- Personal Information;
- Confidential Information;
- Prohibitions on Disclosure.

The qualified exemptions most relevant to the Trust are those that relate to:

- Information intended for future publication;
- Prejudice to the Effective Conduct of Public Affairs;
- Health and Safety;
- Legal Professional Privilege;
- Commercial Interests.

Where the Trust relies on an exemption in not complying with a request for information, the Trust will write to the requester setting out the exemption relied on explaining the reason(s) the Trust considers that the exemption applies to the information requested and, where appropriate, why it has decided that the public interest in withholding the information outweighs the public interest in disclosing it.

8. Request for personal data.

A request by an individual for their own personal data made subject to the provisions of FOIA will be treated as a subject access request.

A request for the personal data of a third party will be refused where the provision of that information will contravene any of the principles of the GDPR, pursuant to Section 40(2) of FOIA.

For further detail please refer to the Trust's Data Protection Policy on Subject Access Requests.

9. 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, school/ college, staff, trustees or governors. The Trust will also consider the burden on the Trust or school/ college and any possible distress to its staff, trustees of governors 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.

10. Complaints.

Appeals against any decision not to supply information which the Trust consider exempt should be made to the Data Protection Officer, or if the appeal is against a decision not to supply information by the Trust, the appeal should be directed to the CEO/Executive Headteacher who will review the original decision.

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

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Tel: 01625 545 700.

11. Monitoring and review.

This policy will be reviewed by the Executive Headteacher, under the guidance of DPO every 2 years, or earlier if required and may be subject to change.

Appendix A – DfE Guidelines on Public Interest Test

Having established that a qualified exemption(s) definitely applies to a particular case, you must then carry out a public interest test to identify if the public interest in applying the exemption outweighs the public interest in disclosing it. Therefore, unless it is in the public interest to withhold the information, it has to be released. Although precedent and a developed case law will play a part, individual circumstances will vary and each case will need to be considered on its own merits.

Carrying out the test

It is worth noting that what is in the public interest is not necessarily the same as that which may be of interest to the public. It may be irrelevant that a matter may be the subject of public curiosity. In most cases it will be relatively straightforward to decide where the balance of the public interest in disclosure lies. However, there will inevitably be cases where the decision is a difficult one. Applying such a test depends to a high degree on objective judgement and a basic knowledge of the subject matter and its wider impact on the Academy and possibly wider. Factors that might be taken into account when weighing the public interest include:

For Disclosure	Against Disclosure
Is disclosure likely to increase access to information held by the Academy?	Is disclosure likely to distort public reporting or be misleading because it is incomplete?
Is disclosure likely to give the reasons for a decision or allow individuals to understand decisions affecting their lives or assist them in challenging those decisions? Is disclosure likely to improve the accountability and transparency of the Academy in the use of public funds and help to show that it obtains value for money?	Is premature disclosure likely to prejudice fair scrutiny, or release sensitive issues still on the internal agenda or evolving? Is disclosure likely to cause unnecessary public alarm or confusion?
Is disclosure likely to contribute to public debate and assist the understanding of existing or proposed?	Is disclosure likely to seriously jeopardise the Academy's legal or contractual position?
Is disclosure likely to increase public participation in decision-making?	Is disclosure likely to infringe other legislation e.g. Data Protection Act/General Data Protection Regulations?
Is disclosure likely to increase public participation in political processes in general?	Is disclosure likely to create a controversial precedent on the release of information or impair your ability to obtain information in the future?
Is disclosure likely to bring to light information affecting public safety?	Is disclosure likely to adversely affect the Academy's proper functioning and discourage openness in expressing opinions?

Is disclosure likely to reduce further enquiries on the topic?	If a large amount of information on the topic has already been made available, would further disclosure shed any more light or serve any useful purpose?
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Note also that:

- potential or actual embarrassment to, or loss of confidence in, the Academy, staff or Trustees is NOT a valid factor;
- the fact that the information is technical, complex to understand and may be misunderstood may not of itself be a reason to withhold information;
- the potential harm of releasing information will reduce over time and should be considered at the time the request is made rather than by reference to when the relevant decision was originally taken;
- the balance of the public interest in disclosure cannot always be decided on the basis of whether the disclosure of particular information would cause harm, but on certain higher order considerations such as the need to preserve confidentiality of internal discussions;
- a decision not to release information may be perverse i.e. would a decision to withhold information because it is not in the public interest to release it, itself result in harm to public safety, the environment or a third party.

You will need to record the answers to these questions and the reasons for those answers. Deciding on the public interest is not simply a matter of adding up the number of relevant factors on each side. You need to decide how important each factor is in the circumstances and go on to make an overall assessment.

For Disclosure

Where the balance of the public interest lies in disclosure, the enquiry should be dealt with and the information required should be made available. Where the factors are equally-balanced, the decision should usually favour disclosure (but see 3rd bullet point above).

Against Disclosure

After carrying out the public interest test if it is decided that the exemption should still apply, proceed to reply to the request. There will be occasions when it has been decided that a qualified exemption applies but consideration of the public interest test may take longer. In such a case, you must contact the enquirer within 20 working days stating that a particular exemption applies, but including an estimate of the date by which a decision on the public interest test will be made. This should be within a "reasonable" time – in practice, it is recommended this decision is made and communicated within the 20 days but where not possible it is suggested that no more than 10 working days beyond the 20 days should be allowed.

In the case of Academies, the 'Qualified Person' for section 36 – prejudice to effective conduct of public affairs would be the Chair of the Board of Directors.

Appendix B – Publication Scheme

Introduction & Published Information

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'.

The Trust has adopted the Ico Model Publication Scheme in full. The guide to Information below should be read together with the ICO Model Publication Scheme which can be found at: <https://ico.org.uk/media/for-organisations/documents/1153/model-publication-scheme.pdf>

Information to be published	How you can obtain the information	Cost
Class 1 - Who we are and what we do Information about us; our structures, locations and contacts Current information only	Hard copy and/or website	
Contact details for the practice, postal and email address (if used). Where possible, named contacts with telephone number and email address	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Principal's contact details	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Who's who in the school/academy	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Who's who on the trust board / local cluster board of trustees/governors and selection criteria for appointment	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Trustee who's who	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Articles of Association	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
School/academy prospectus	Hard copy and/or website	Free
School/academy session times and term dates	Hard copy and/or website	Free
Class 2-What we spend and how we spend it Financial information about projected and actual income and expenditure, procurement, contracts and financial audit Current and previous financial year as a minimum	Hard copy and/or website	

Financial statements	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Annual budget	Hard copy	Hard copy – 2p per sheet
Annual accounts	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Capital funding	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Financial Audits reports	Hard copy	Hard copy – 2p per sheet
Details of expenditure items over £5000	Hard copy	Hard copy – 2p per sheet
Staff pay – details of senior staff salaries whose benefits exceed £100k.	Hard copy and/or website for Executive pay bandings	Online – Free Hard copy – 2p per sheet
Trustees' allowances that can be incurred or claimed, and a record of total payments made to individual trustees	Hard copy	Hard copy – 2p per sheet
Governors' allowances that can be incurred or claimed, and a record of total payments made to individual governors	Hard copy	Hard copy – 2p per sheet
Procurement and contracts we have entered into	Hard copy	Hard copy – 2p per sheet
Details of any premiums we receive such as Pupil premium.	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
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	Hard copy and/or website	
School profile (if any) and in all cases: <ul style="list-style-type: none"> Performance data supplied to the English Government, or a direct link to the data The latest Ofsted / Education and Training Inspectorate report - 	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Exam and assessment results	All results will be provided to students free of charge in the normal way.	Any additional copies, the charge is set out by the exam board.
Performance tables	Website	Free
Careers programme information	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
The trust's future plans. Eg. proposals for and any consultation on the future of our school/academy, such as a change in status.	Hard copy	Hard copy – 2p per sheet
Class 4 – How we make decisions Decision making processes and records of decisions	Hard copy and/or website	Online – Free Hard copy – 2p per sheet

Current and previous three years as a minimum		
Admissions policy and, where applicable, admission decisions (<i>eg application numbers/patterns of successful applicants, including criteria on which applications were successful</i>)	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Agendas and minutes of meetings of the trust board and its committees, unless an exemption applies to the information or parts of it.	Hard copy	Hard copy – 2p per sheet
Class 5 – Our policies and procedures Current written protocols, policies and procedures for delivering our services and responsibilities Current information only	Hard copy and/or website	
Trust/school policies and other documents, such as behaviour policy, anti-bullying policy, eSafety, values and ethos etc.	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Safeguarding and child protection, including protecting children’s personal data	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Equality and Diversity (For Northern Ireland, equality scheme / statement in accordance with the Northern Ireland Act 1998)	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Policies and procedures relating to recruitment and human resources	Hard copy	Hard copy – 2p per sheet
Special educational needs	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Complaints policy	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Pay Policy	Hard copy	Hard copy – 2p per sheet
Records management (Information security policies • Records retention, destruction and archive policies) Data protection (including information sharing and CCTV usage policies)	Hard copy	Hard copy – 2p per sheet
Charging and remission policy	Hard copy and/or website	Online – Free Hard copy – 2p per sheet
Class 6 – Lists and Registers Currently maintained lists and registers only (this does not include the attendance register)	(Hard copy or website; some information may only be available by inspection)	
Curriculum circulars and statutory instruments	Hard copy and/or website	Online – Free Hard copy – 2p per sheet

Disclosure logs, ie information provided in response to FOIA/EIR requests	Email and/ or Hard copy	Email – Free Hard copy – 2p per sheet
Asset register	Hard copy or website; some information may only be available by inspection	Email – Free Hard copy – 2p per sheet
Any information we are currently legally required to hold in publicly available registers	Hard copy or website; some information may only be available by inspection	Online – Free Hard copy – 2p per sheet
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	(Hard copy or website; some information may only be available by inspection)	
Extra-curricular activities	Website	Online – Free
Out of school/academy clubs	Website	Online – Free
Services for which we are entitled to recover a fee, together with those fees	Website	Online – Free
School publications, leaflets, books and newsletters	Website	Free

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @2p per sheet (black & white)	Actual cost 2p
	Photocopying @5p per sheet (colour)	Actual cost 5p
	Postage	Actual cost of Royal Mail standard 2 nd class. If recorded delivery is required the actual cost of this will be charged. All payments for postage must be paid before the item is sent.

Please note the above is taken from the ICO website detailing information for Schools and Trusts. Therefore, information can only be provided if created or relevant to the trust or school/ college you are enquiring about.

The following rule will apply for costs; if the document is on our website it is free to download, if a hard copy is requested or further information to that which is not on our website is required a cost of 2p per side of A4 of paper will be charged if printing is required.

How to request information

You can request a copy of the information you want from the contact details in Appendix C. If the information you are looking for is not available via our publication scheme and is not on our website, you may still ask if we have it. Please contact the Trust, or school in writing, by email or letter. Please state that this is a Freedom of Information Request.

Paying for information

Information published on the Trust and school/ college websites are free, (apart from any connection costs payable to your internet service provider). If you do not have Internet access, you can access our website using a local library or an Internet café.

Single printed copies of information covered by this publication are provided free unless stated otherwise. If your request means that we must do a lot of photocopying or printing, or pay a large postage charge, or is for a priced item such as some printed publications we will let you know the cost before fulfilling your request.

Appendix C – Key Contacts

Wootton Academy Trust	
Data Protection Officer	Chris Beeden contact@school-dpo.co.uk
Data Protection Controller	Lois Toogood dc@wootton.beds.sch.uk