



## Freedom of Information Policy and Publication Scheme

Discovery is 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.

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V2.0	26.1.2022	Helen Stockill	Template update. Trust name & school list updated. Minor edits for ease of reading. Added information for requests for information under the Environmental Information Regulations 2004

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## 1. Introduction

The Freedom of Information Act (FOI) 2000 provides public access to information held by public authorities including schools. The Trust has two main obligations under the Act:

- to publish certain information proactively – detailed in a publication scheme - see Appendix 1 for more details; and
- to respond to written requests for information within 20 days.

Any person has a legal right to ask for access to information held by the Trust and its schools. They are entitled to be told whether the Trust holds the information and to receive a copy, subject to certain exemptions.

## 2. Scope

The FOI Act and therefore this policy deals with **non-personal** data held by the Trust or constituent schools. Requests for **personal data** are covered by the General Data Protection Regulations and must be dealt with under the GDPR Data Protection Strategy as a Subject Access Request.

This policy also covers requests for information under the Environmental Information Regulations 2004 (EIR). This includes information that relates to air, water, land, natural sites, built environment, flora and fauna, health and any decisions and activities affecting any of these.

## 3. Aims

The aims of this policy are to ensure:

- The Trust complies with its duties under the FOI Act and handle requests in the appropriate manner.
- The Trust has a system in place which will result in the proactive publication of information.
- Trust staff will be able to recognise and respond appropriately to a valid request for information.
- Individuals know how and to whom to make a request for information.

## 4. Publication Scheme

The information which the trust and schools routinely makes available to the public is included in the Freedom of Information Publication Scheme. The Trust has adopted the Model Publication Scheme for Schools approved by the Information Commissioner – see appendix 1. If an individual wants information not listed in the scheme, they can request this.

Where it is within the capability of the Trust and individual schools, information will be provided on the relevant website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information via the website, the scheme indicates how information can be obtained by other means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

## **5. FOI requests**

Any request for information is technically a request under the FOI, whether or not this is specified in the request. However, day to day routine requests for information (such as a parent requesting a copy of a policy) can be dealt with outside the provision of the Act.

The provisions of the Act need to come into force where the requested information cannot be provided straight away; or the requester makes it clear they expect a response under the Act.

To be valid under the FOIA, the request must:

- be in writing. This could be a letter or email;
- include the requester's real name;
- include an address or email address for correspondence;
- describe the information requested.

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.

## **6. Making a request**

Requests under the FOIA should be addressed to the Headteacher of the individual school or where the request concerns the Trust, [Dprep@discoveryschoolstrust.org.uk](mailto:Dprep@discoveryschoolstrust.org.uk). To help the school or the Trust process requests quickly, any correspondence should be clearly marked Freedom of Information Request.

## **7. Dealing with requests**

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.

If the information requested is included in the publication scheme, this will be provided automatically, or a link to where the information can be accessed will be provided. Any other non-routine request for information will be considered in accordance with the provisions of the Freedom of Information Act.

## **8. Time limits for compliance**

The Trust/school must respond to a request without delay, and in any event, 20 working/school days of the date of receipt of the request (counting the first working day after the request is received as the first day).

In the case of a complex or multiple requests from the same person under the EIR a further 20 working/school day time limit may be set.

## **9. Refusing a request**

The Trust reserves the right to refuse a request where:

- It would cost too much or take too much staff time to deal with the request.

- The request is vexatious.
- The request repeats a previous request from the same person.
- The request meets an exemption criteria.

## 10. Exemptions

The decisions on disclosure should be made on a presumption of openness however the trust recognises the need to preserve confidentiality and protect sensitive material in some circumstances. The trust will refer to the exemptions set out in the FOI Act<sup>1</sup> or EIR in determining if an exemption applies. Where this is the case, the Trust will explain clearly which exemption has been applied and why.

## 11. Recording requests

A log of FOI requests will be maintained by the school/Trust and will detail:

- Information requested
- Result – fully disclosed, partially disclosed, exempted, partially exempted, not held
- Response date
- Exemptions

## 12. Charging

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

Material which is published and accessed on a website will be provided free of charge. We reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450 (for a single request or linked series of requests).

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging

<i>Type of charge</i>	<i>Description</i>	<i>Basis of charge</i>
Disbursement cost	Photocopying/printing @ 10p per sheet (black & white)	Actual cost
	Postage	Actual cost of Royal Mail standard 2nd class

## 13. Reviews and complaints

Complaints about the way a FOI request has been handled will be dealt with under the complaints procedure. If, after exhausting the complaints procedure, the complainant is still dissatisfied with the outcome, they may refer the matter to the Information Commissioner.

<sup>1</sup> The exemptions can be found in Part II of the Act, at sections 21 to 44

**Telephone:** 0303 123 1113,

**Website:** [www.ico.org.uk](http://www.ico.org.uk)

#### **14. Review**

This policy will be reviewed every 3 years by the Director of Operations and presented to the Board of Trustees for approval.

## Appendix 1 – Publication Scheme

Information to be published	How the information can be obtained	Cost
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### Class 1 - Who we are and what we do

(Organisational information, locations and contacts, constitutional and legal governance)

Who's who in the school Who's who on the Trust Executive Team	School website Trust website	Free
Who's who on the advisory board and the basis of their appointment Who's who on the trust board and the basis of their appointment – Governance Strategy	School website Trust website	Free
School staffing structure Trust staffing structure	Hard copy on request Hard copy on request	Free
Contact details for the Headteacher and for the advisory board Contact details for the Trust	School website and prospectus Trust website	Free
Address of Trust and contact details Address of Academy and contact details	Trust website On individual academy websites Hard copy on request	Free
School prospectus (if any)	From School Office/ e-mail/Website	Free
School session times and term dates	School website	Free
Articles of Association	Trust website	Free
Trust Annual Report within Audited Accounts	Trust website	Free
Funding Agreement	Trust website	Free

### 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)

Annual accounts – last 2 years	Trust website	Free
Annual budget plan and financial statements	Financial statements on the trust website. Other budget plans by request	Free
Capital funding – details of capital funding allocated to the school along with information on related building projects and other capital projects.	Electronic copy on request from the trust	Free



Additional funding – Income generation schemes and other sources of funding.	Electronic copy on request from the trust	Free
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.	Electronic copy on request from the trust	Free
Staffing and grading structure.	Electronic copy on request from the trust	Free
Pay policy – a statement of the school policy on procedures regarding teachers’ pay.	Electronic copy on request from the trust	Free
Trustees’ allowances policy– Details of allowances and expenses that can be claimed or incurred.	Trust website	Free

### **Class 3 - What our priorities are and how we are doing**

*(Strategies and plans, performance indicators, audits, inspections and reviews)*

Government supplied performance data	Electronic copy on request from the school office	Free
Ofsted Report	School website	Free
School strategic plan	Electronic copy on request from the school office	Free
Trust Strategic plan	Trust website	
Performance management policy and procedures	Electronic copy on request from the trust	Free
Child protection – policies and procedures on safeguarding and promoting the welfare of children.	School website	Free

### **Class 4 - How we make decisions**

*(Decision making processes and records of decisions)*

Admissions policy/decisions (not individual admission decisions)	School & Trust website	Free
Agendas of meetings of the advisory board	Electronic copy on request from the school office	Free
Agendas of meetings of the trust board	Electronic copy on request from the trust	
Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meetings.	Electronic copy on request from the school office Electronic copy on request from the trust	Free
Scheme of Delegation	Trust website	Free

## Class 5 - Our policies and procedures

*(Current written protocols, policies and procedures for delivering our services and responsibilities)*

<b>School policies including:</b> Charging and remissions policy Health and Safety Complaints procedure Staff conduct policy Discipline and grievance policies Equality Information & strategy Home-school agreement Curriculum Relationship & Sex education Special educational needs Accessibility Collective worship Pupil discipline Whistleblowing	A number of policies are on each school's website, otherwise by request	Free
Records management and personal data policies, including: <ul style="list-style-type: none"> <li>• Data Breach Policy and Process</li> <li>• Document Retention Management Policy</li> <li>• GDPR Data Protection Strategy</li> <li>• Freedom of Information &amp; publication scheme</li> </ul>	Trust website	Free

## Class 6 - Lists and Registers

*Currently maintained lists and registers only*

Scheme of Delegation	Trust website	Free
Asset register	Electronic copy on request from the trust	Free
Register of Members & Trustees	Electronic copy on request from the trust	Free
Register of Business Interests	Trust website	Free

## Class 7 – The services we offer

*(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)*

Extra-curricular activities	School website/Prospectus/Newsletters	
Out of school clubs	School website/Prospectus/Newsletters	
Services for which the school is entitled to recover a fee, together with those fees (Charging & Remissions Policy)	School website/Prospectus/Newsletters	
Parent and pupil guidance	School website	
Parent newsletters	School website/social media	

## Appendix 2 – Website links

Braunstone Community Primary School	<a href="https://www.braunstone.leicester.sch.uk/">https://www.braunstone.leicester.sch.uk/</a>
Captains Close Primary School	<a href="http://www.captains-close.leics.sch.uk/">http://www.captains-close.leics.sch.uk/</a>
Danemill Primary School	<a href="https://www.danemill.com/">https://www.danemill.com/</a>
Farndon Fields Primary School	<a href="https://www.farndonfields.org/">https://www.farndonfields.org/</a>
Fossebrook Primary School	<a href="https://fossebrook.org.uk/">https://fossebrook.org.uk/</a>
Greystoke Primary School	<a href="http://www.greystoke.leics.sch.uk/">http://www.greystoke.leics.sch.uk/</a>
Kibworth CofE Primary School	<a href="https://www.kibworthprimary.org.uk/">https://www.kibworthprimary.org.uk/</a>
Keyham Lodge School	<a href="https://www.keyhamlodgeschool.co.uk/">https://www.keyhamlodgeschool.co.uk/</a>
Leighfield Primary School	<a href="https://www.leighfieldschool.co.uk/">https://www.leighfieldschool.co.uk/</a>
Merrydale Junior School	<a href="http://www.merrydalejuniors.com/">http://www.merrydalejuniors.com/</a>
Millgate School	<a href="https://www.millgateschool.co.uk/">https://www.millgateschool.co.uk/</a>
Mowmacre Hill Primary School	<a href="https://www.mowmacrehill.org.uk/">https://www.mowmacrehill.org.uk/</a>
Parklands Primary School	<a href="https://www.parklandprimary.co.uk/">https://www.parklandprimary.co.uk/</a>
Redlands Primary School	<a href="https://www.redlands.leics.sch.uk/">https://www.redlands.leics.sch.uk/</a>
Woolden Hill Primary School	<a href="https://www.wooldenhillprimary.org.uk/">https://www.wooldenhillprimary.org.uk/</a>
Discovery Schools Academy Trust	<a href="https://discoverytrust.org/">https://discoverytrust.org/</a>

## **Appendix 3 – Guidance when making a FOI request**

### **What can I request?**

Under the Freedom of Information Act you have a right to request any recorded information held by a public authority, such as a government department, local council or state school.

- You can ask for any information you think the school or trust may hold.
- You should identify the information you want as clearly as possible.
- Your request can be in the form of a question, rather than a request for specific documents, but the authority does not have to answer your question if this would mean creating new information or giving an opinion or judgment that is not already recorded.
- Some information may not be given to you because it is exempt, for example because it would unfairly reveal personal details about somebody else.

**Before you make a request, it may help to consider the following questions.**

### **Is the information you want already available, for example, on the school or trust website?**

Authorities must make certain information routinely available. You can find out what information is available by checking the publication scheme.

### **Is the information you want your own personal data?**

If your request is for information about yourself, you should make a subject access request under the Data Protection Act.

### **Is the school or trust likely to have the information?**

It may save you time if you check with the school whether it is likely to have the information you want. For example, you may not be sure whether the information you want is held by your school or the trust. Public authorities must give reasonable advice and assistance to anyone asking for information, so you should feel free to ask for help in making your request.

### **Is the information you want suitable for general publication?**

The aim of the Freedom of Information Act is to make information available to the general public. You can only obtain information that would be given to anybody who asked for it, or would be suitable for the general public to see.

### **What are the legal requirements for a request?**

For your request to be dealt with according to the Freedom of Information Act, you must:

- contact the relevant authority directly;
- make the request in writing, for example in a letter or an email;
- give your real name; and
- give an address to which the authority can reply. This can be a postal or email address.

It would help if you clearly state that you are making your request under the Freedom of Information Act.

### **What happens after I make my request?**

You will receive a reply within 20 working days. It may:

- give you the information you've asked for;
- tell you that the information is not held;
- tell you that another authority holds the information or transfer the request on your behalf;
- under the Freedom of Information Act, say that it has the information and offer to provide it for a fee (but there are rules about what can be charged);
- refuse to give you the information, and explain why; or,
- under the Freedom of Information Act, say that more time is needed to consider the public interest in disclosing or withholding the information, and tell you when to expect a response.