



**FREEDOM OF INFORMATION ACT
POLICY AND PUBLICATION SCHEME**

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1. Statement of intent

As an educational provider, our 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. More specifically, this policy outlines:

- Our Trust's policy and procedures for the release and publication of private data and public records.
- Our Trust's policy and procedures for 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 Trust in obtaining any requested information, and on charging fees for its provision.

2. Legal Framework

This policy has due regard to the following legislation and guidance.

Legislation:

- The UK General Data Protection Regulation (UK GDPR)
- The Data Protection Act 2018
- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

Guidance:

- Cabinet Office (2018) 'Freedom of Information Code of Practice'
- ICO (Information Commissioner's Office) (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)'

This policy will be viewed in conjunction with the DDAT and DDAT2 Data Protection Policies.

3. Accepting Request for Information

The Trust will only accept a request for information which meets all of the following criteria:

- It is in writing (this includes requests sent to the school's official social media accounts)
- 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 if 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 Trust is not expected to obtain a translation of the request. For the request to be processed, the Trust will ask the applicant to provide their request in English. The Trust will publish details of its procedures for dealing with requests for information on the website at <https://ddat.org.uk/gdpr/>, which includes:

- A contact address and email address
- A telephone number
- A named individual to assist applicants with their requests

4. General Right of Access to Information held by the Trust

Provided that the request meets the requirements set out in section 3 of this policy, the Trust will comply with its duty to:

- Confirm or deny to any person making a request for information to the Trust whether it holds information of the description specified in the request
- Provide the documentation if the Trust confirms that it holds the requested information.

These 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 Trust has to respond to the request begins from the day the fee is received.

The Trust will not comply with the above where:

- The Trust reasonably requires further information to meet a freedom of information request, and has informed the applicant of this requirement, but has not been 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 that 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
- The requested information is not held by the Trust for the purposes of the Trust's business.

Where information is, or is thought to be, exempt, the Trust will, within 20 working days, give notice to the applicant which:

- States the fact
- Specifies the exemption in question.

If information falls within the scope of a qualified exemption and the Trust needs additional time to consider the public interest test, the Trust may extend the deadline. In most cases, the extension will exceed no more than a further 20 school days. The actual length of the extension will be decided on a case-by-case basis.

Where a public interest test extension is required, or where a deadline has to be further extended, the Trust will write to the applicant to inform them of this, stating the following information:

- Which exemption(s) the extension relies on and why
- A revised deadline for when the applicant will receive their response

Requests for information that are not recorded by the Trust (e.g. requests for explanations, clarification of policy and comments on the Trust or its schools 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 Trust 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 Trust will assist the applicant by discussing alternative formats in which it can be provided. The information provided will also be in the language in which it is held, or another language that is legally required. If the Trust is required to translate any information, it will do so.

If, under relevant disability and discrimination regulations, the Trust 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 Trust with the intention of preventing disclosure following a request.

5. The Appropriate Limit

The Trust 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 Trust will take account only of the costs we reasonably expect to incur in relation to:

- Determining whether it holds the information
- Locating the information, or a document which may contain the information
- Retrieving the information, or a document which may contain the information
- Extracting the information from a document containing it.

Costs related to the time spent by any person undertaking any of the activities outlined above on behalf of the Trust, are to be estimated at a rate of £25 per person per hour. The Trust is not required to search for information in scope of a request until it is within the cost limit. If responding to one part of a request would exceed the cost limit, the Trust does not have to respond to any other parts of the request.

Where multiple requests for information are made to the Trust 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 Trust of complying with all of them.

6. Charging fees

The Trust may, within 20 working days, give an applicant who has requested information from the Trust, a written notice stating that a fee is to be charged for the Trust's compliance. Charges may be made for disbursements, such as:

- Production expenses, e.g. printing and photocopying
- Transmission costs e.g. postage and packaging
- Complying with the applicant's preferences about the format in which they would like to receive the information, e.g. scanning to a CD

Fees charged will not exceed the total cost to the Trust of:

- Informing the person making the request whether we hold the information
- Communicating the information to the person making the request.

Where a fee is to be charged, the Trust will not comply with section 4 of this policy unless the requested fee is paid within a period of three months, beginning with the day on which the fees notice is given to the applicant. Where a fee is paid by cheque, the Trust has the right to wait until the cheque is cleared before commencing work. Once a fee is received, the Trust will inform the applicant of the revised response deadline, i.e. an additional 20 school days (or 60 working days). Where the Trust has underestimated the cost to be charged to an applicant, a second fees notice will not be issued; instead, the Trust will bear the additional costs. The Trust will not take into account any costs which are attributable to the time spent by persons undertaking any of these activities.

When calculating the 20th working day in which to respond to a freedom of information request, the period beginning the day on which the fee notice is given to the applicant and ending with the day on which the fee is received, will be disregarded.

7. Means of Communication

Where, on making a request for information, the applicant expresses a preference for communication by any one of the following means, the Trust will, as far as is practicable, give effect to that preference:

- The provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant
- The provision to the applicant of a reasonable opportunity to inspect a record containing the information
- The provision to the applicant of a digest, or summary of the information, in permanent form or in another form acceptable to the applicant.

Where a preference is not stated by the applicant, the Trust will communicate by any means which are reasonable under the circumstances. For example, where an applicant uses Twitter to make a request, the Trust may respond via an alternative medium as Twitter restricts the length of a response.

8. Providing Advice and Assistance

The Trust will meet its duty to provide advice and assistance, as far as is reasonable, to any person who proposes to make, or has made, requests for information to the Trust. The Trust may offer advice and assistance in the following circumstances:

- If an individual requests to know what types of information the Trust holds and the format in which it is available, as well as information on the fees regulations and charging procedures
- If a request has been made, but the Trust is unable to regard it as a valid request due to insufficient information, leading to an inability to identify and locate the information
- If a request has been refused, e.g. due to an excessive cost, and it is necessary for the Trust to assist the individual who has submitted the request.

The Trust will provide assistance for each individual on a case-by-case basis; examples of how the Trust will provide assistance include the following:

- Informing an applicant of their rights under the Freedom of Information Act 2000
- Assisting an individual in the focus of their request, e.g. by advising of the types of information available within the requested category
- Advising an applicant if information is available elsewhere and how to access this information
- Keeping an applicant informed on the progress of their request.

Where the Trust wishes to ask a different public authority to deal with a request by transferring it to them, this will only be done with the agreement of the applicant. In order to provide assistance as outlined above, the Trust will engage in the following good practice procedures:

- Make early contact with an individual and keep them informed of the process of their request
- Accurately record and document all correspondence concerning the clarification and handling of any request
- Give consideration to the most appropriate means of contacting the applicant, taking into account their individual circumstances
- Discuss with the applicant whether they would prefer to receive the information in an alternative format, in cases where it is not possible to provide the information requested in the manner originally specified
- Remain prepared to assist an applicant who has had their request denied due to an exemption.

The Trust will give particular consideration to what level of assistance is required for an applicant who has difficulty submitting a written request. In circumstances where an applicant has difficulty submitting a written request, the Trust will:

- Make a note of the application over the telephone and then send the note to the applicant to confirm and return – the statutory time limit for a reply would begin here.
- Direct the individual to a different agency that may be able to assist with framing their request.

This list is not exhaustive, and the Trust may decide to take additional assistance measures that are appropriate to the case. Where an applicant's request has been refused either because the information is accessible by other means, or the information is intended for future publication or research, the Trust, as a matter of good practice, will provide advice and assistance.

The Trust will advise the applicant how and where information can be obtained if it is accessible by other means. Where there is an intention to publish the information in the future, the Trust will advise the applicant of when this publication is expected.

If the request is not clear, the Trust will ask for more detail from the applicant in order to identify and locate the relevant information, before providing further advice and assistance. If the Trust believes the applicant has not provided their real name, the Trust will inform the applicant that the request will not be responded to until further information is received from the applicant. If the Trust is able to clearly identify the elements of a request, it will respond following usual procedures and will provide advice and assistance for the remainder of the request. If any additional clarification is needed for the remainder of a request, the Trust will ensure there is no delay in asking for further information.

Applicants are given two months to provide any requested clarification. If an applicant decides not to follow the Trust's advice and assistance and fails to provide clarification, the

Trust is under no obligation to contact the applicant again. If the Trust is under any doubt that the applicant did not receive the advice and assistance, the Trust will re-issue it.

The Trust is not required to provide assistance where an applicant's request is vexatious or repeated, as defined under section 14 of the Freedom of Information Act 2000. Where the Trust has already sent a refusal request in relation to a previous vexatious request, the Trust is not obliged to send another notice for future vexatious requests. An ongoing evidence log is kept, recording relevant correspondence or behaviour that has been taken into account when a request has been classed as vexatious.

The Trust is not required to provide information where the cost of complying with a request exceeds the limit outlined in the Freedom of Information Act 2000. In such cases, the Trust will firstly provide the applicant with advice and assistance to help them reframe or refocus their request with a view of bringing it within the cost limit. Then the Trust will consider whether any information can be provided free of charge if the applicant refuses to pay the fee.

If a request is refined, it will be treated as a new request. A record will be kept by the DDAT Data Protection Officer and, if applicable, by the DDAT School Business Manager, of all the advice and assistance provided.

9. Consultation with Third Parties

The Trust may need to consult third parties about information held in scope of a request to consider whether it would be suitable to disclose the information. Situations where third parties may need to be consulted include the following:

- When requests relate to persons or bodies who are not the applicant and/or the Trust
- When the disclosure of information is likely to affect the interests of persons or bodies who are not the applicant or the Trust

The Trust will consider if a third party needs to be directly consulted about a request, particularly if there are contractual obligations that require consultation before information is disclosed. Third parties will also be consulted where the Trust is proposing to disclose information relating to them or information that is likely to affect their business or private interests.

The views of third parties will be given appropriate weighting when deciding how to respond to a request. For example, if the third party created or provided the information, they may have a better understanding of its sensitivity. It is ultimately the Trust's decision as to whether information in scope of a request will be released following any relevant consultation.

Where the Trust decides to release information following consultation with a third party, the third party will be informed in advance that the information is going to be disclosed. Where the Trust intends to release information that relates to a large number of third parties, the Trust will consider whether it would be more appropriate to contact a representative organisation who can express views on behalf of the third parties, rather than contacting each

party individually. If no representative organisation exists, the Trust may also consider only notifying or consulting a sample of the third parties relating to the disclosure. These decisions will be made on a case-by-case basis.

10. Internal Reviews

When responding to requests for information, the details of the Trust's internal review process will be set out, including information about how applicants can request an internal review. Applicants will also be informed of their right to complain to the ICO if they are still dissatisfied following the outcome of the Trust's internal review. Requests for an internal review should be made in writing to the Trust.

For a request for an internal review to be accepted, it must be made within 40 school days from the date the Trust issued an initial response to the request. Upon receipt of an application, the Trust will acknowledge the application and inform the applicant of the intended response date. Responses will usually be delivered within 20 school days of receipt of the application.

If an internal review is complex, requires consultation with third parties or the relevant information is of high volume, the Trust may need to extend the usual response timeframe. In these cases, the Trust will inform the applicant and provide an alternative response date. 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.

Where clarification is needed from an applicant regarding the review, the normal response period will not begin until clarification is received. Wherever possible, the review will be undertaken by a different member of staff than the person who took the original decision.

During a review, the Trust will evaluate the handling of the request; particular attention will be paid to concerns raised by the applicant. The applicant will be informed of the outcome of the review and a record will be kept of such reviews and the final decision that is made. If the outcome of the review is to disclose information that was previously withheld, the information will be provided to the applicant at the same time they are informed of the response to the review, where possible. If this is not possible, the applicant will be informed of when the information will be provided. Within the response to a review, the applicant will be informed again of their right to complain to the ICO. The ICO is a wholly independent regulator established in order to enforce data protection law and can be contacted using the details below:

ICO Concerns website: www.ico.org.uk/concerns
ICO Helpline: 0303 123 1113
ICO Email: casework@ico.org.uk
ICO Postal Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

11. 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 Trust website, and whether the information will be

available free of charge or on payment. The publication scheme will be reviewed and, where necessary, updated on an annual basis.

12. Contracts and Outsourced Services

The Trust will make clear what information is held by third party contractors on behalf of the Trust. Where a contractor holds information relating to a contract held with the Trust on behalf of the Trust, this information is considered in the same way as information held by a public authority and so is subject to the Freedom of Information Act 2000.

When entering into a contract, the Trust and contractor will agree what information the Trust will consider to be held by the contractor on behalf of the Trust, this will be indicated in the contract. Appropriate arrangements will be put in place for the Trust to gain access to information held by the contractor on the Trust's behalf, in the event that a freedom of information request is made. These arrangements will be set out in a contract, and will cover areas including the following:

- How and when the contractor should be approached for information and who the points of contact are
- How quickly information should be provided to the Trust
- How any disagreement about disclosure between the Trust and contractor will be addressed
- How requests for internal reviews and appeals to the ICO will be managed
- The contractor's responsibility for maintaining record keeping systems in relation to the information they hold on behalf of the Trust
- The circumstances under which the Trust must consult with the contractor about disclosure and the process for doing so
- The types of information which should not be disclosed and the reasons for this confidentiality, where appropriate.

In some situations, the Trust may offer or accept confidentiality arrangements that are not set out within a contract with a third party. The Trust and the third party will both be aware of the legal limits placed on the enforceability of expectations of confidentiality and the public interest in transparency. Such expectations will only be created where it is appropriate to do so.

Contractors must comply with requests from the Trust for access to information they hold on behalf of the Trust. Requests for information held by a contractor on behalf of the Trust will be responded to by the Trust. If a contractor receives a request, this will be passed onto the Trust for consideration.

13. Monitoring and Review

This policy will be reviewed on an annual basis, or in light of any changes to relevant legislation. The next scheduled review date for this policy is September 2023.

14. Model Publication Scheme

This scheme follows the model approved by the ICO and sets out the classes of information which we publish or intend to publish; the format in which the information will be made available and whether the information is available free of charge or on payment. 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.
- Publish any dataset held by the school that has been requested, and any updated versions it holds, unless the school is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the school is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms section 19 of the Freedom of Information Act 2000. The terms 'dataset' and 'relevant copyright work' are defined in sections 11(5) and 19(8) of the Freedom of Information Act 2000 respectively.

1. 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 are our priorities 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 Trust
- 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, 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.

2. How information published under this scheme will be made available

Information covered by this scheme will, as far as possible, be published on the Trust website and the websites of its schools. Where this is impracticable, or you do not wish to access the information via the internet, information covered by this scheme can also be obtained by contacting our DPO at ddatadmin@ddat.org.uk.

Requested information under this scheme will be delivered electronically, but paper copies can also be provided. Information will be provided in the language in which it is held or in such other language(s) that is legally required. Where we are legally required to translate any information, we will do so. Information can be translated into accessible formats where possible. To enable us to process your request quickly, please mark all correspondence "PUBLICATION SCHEME INFORMATION REQUEST".

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.

3. 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".

4. 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 DDAT for routinely published material will be justified, transparent and kept to a minimum. Material which is published and accessed on a website will be provided free of charge. Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- Photocopying
- Postage and packaging
- Costs directly incurred as a result of viewing information

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 public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If 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. Single paper copies are also available free of charge to parents and prospective parents of the school.

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 Trust.

5. Feedback

We welcome any comments or suggestions you may have regarding this scheme. Please contact the Trust's Data Protection Officer at ddatadmin@ddat.org.uk or c/o The Data Protection Officer, DDAT, Top Floor, Unit 3 Endcliffe Mount, Deepdale Business Park, Ashford Road, Bakewell, DE45 1GT.

15. Freedom of Information Guide to Information

Information to be published	How the information can be obtained	Charge
Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only	(hard copy and/ or website)	
Academy Funding Agreement – a link to the document on the Department for Education’s website	Website	
Academy Order	Website	
School/academy staff and structure – names of key personnel	Website	
Local Governing Body – names and contact details of the governors and the basis of their appointment	Website	
School/academy session times, term dates and holidays	Website	
Location and contact information – address, telephone number and website	Website	
Contact details for the Principal and the Governing Body	Website	
School/academy Prospectus	Website	
School/academy Session times and term dates	Website	
KS2 results – a link to the data on the Department for Education’s website	Website	
What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit).	(hard copy and/ or website)	
Annual financial statements	Website	
Capital funding – details of capital funding allocated to the school/academy along with information on related building projects and other capital projects	Hard copy	
Additional funding – Income generation schemes and other sources of funding.	Website	
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.	Website	
Staffing, pay and grading structure	Hardcopy	
Pay policy – a statement of the Academy’s policy on procedures regarding teachers’ pay.	Website	
Governors’ allowances – Details of allowances and expenses that can be claimed or incurred.	Website	

Information to be published	How the information can be obtained	Charge
<p>What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current information should be published.</p>	(hard copy and/ or website)	
<p>School/academy profile</p> <ul style="list-style-type: none"> • Government supplied performance data • OFSTED report – summary and full report 	Website	
<p>Performance management information</p>	Website	
<p>School/academy’s future plans – any major proposals on safeguarding and promoting the welfare of children.</p>	Website	
<p>Child protection – policies and procedures on safeguarding and promoting the welfare of children.</p>	Website	
<p>How we make decisions Decision making processes and records of decisions Current and previous three years as a minimum</p>	(hard copy and/ or website)	
<p>Admissions policy - arrangements and procedures and right of appeal – include information on application numbers and number of successful applicants by each oversubscription criteria.</p>	Website	
<p>Governing body meeting agendas, papers and minutes – information that is properly considered to be private should be excluded.</p>	Website	
<p>Equality and diversity (Policies, schemes, statements, procedures and guidelines relating to equal opportunities) Policies and procedures for the recruitment of staff</p>	Website	

Information to be published	How the information can be obtained	Charge
<p>Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only</p>	(hard copy and/ or website)	
<p>School/academy policies including:</p> <ul style="list-style-type: none"> • Charging and remissions policy • Health and Safety and risk assessment • Complaints procedure • Staff conduct policy • Discipline and grievance policies • Staffing structure implementation plan • Information request handling policy • Staff recruitment policies 	Website	
<p>Pupil and curriculum policies, including:</p> <ul style="list-style-type: none"> • Home-school/academy agreement • Curriculum • Sex education • Special education needs • Accessibility • Race equality • Collective worship • Careers education • Pupil discipline • Early years foundation stage (EYFS) policy and procedures 	Website	
<p>Records management and personal data policies</p> <ul style="list-style-type: none"> • Information security • Records retention • Destruction and archive policies • Data Protection Policy 	Website	
Charging regimes and policies	Website	

Information to be published	How the information can be obtained	Charge
<p>Lists and Registers</p> <p>Currently maintained lists and registers only</p>	<p>(hard copy and/ or website; some information may only be available for inspection)</p>	
<p>Curriculum circulars and statutory instruments</p>	<p>Website</p>	
<p>Disclosure logs</p>	<p>Hardcopy</p>	
<p>Asset register</p>	<p>Hardcopy</p>	
<p>Any information the school/academy is currently legally required to hold in publicly available registers</p>	<p>Hardcopy</p>	
<p>The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only</p>	<p>(hard copy and/ or website; some information may only be available for inspection)</p>	
<p>Extra-curricular activities</p>	<p>Website</p>	
<p>Out of school/academy clubs</p>	<p>Website</p>	
<p>School/academy publications</p>	<p>Website</p>	
<p>Services for which the Academy is entitled to recover a fee, together with those fees</p>	<p>Website</p>	
<p>Leaflets, booklets and newsletters</p>	<p>Hardcopy and Website</p>	

16. Procedure for dealing with FOI Requests

1. What Is a Request Under the Freedom of Information Act?

Any request for any information from the Trust or one of its schools is technically a request under the FOI, whether or not the individual making the request mentions the FOI (as distinct from 'Personal Data' which is a Subject Access Request (SAR) under data protection legislation).

2. Time Limit for Compliance

Details on time limits are set out in section 4 of this policy. The School / Trust must respond as soon as possible, and in any event, no later than 20 school days, or 60 working days if this is shorter, from receipt of the request.

3. Process

The 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.

If a request is not routine and cannot be dealt with outside of the Act, and the request is simple, then the individual who received the request can release the information but must ensure that this is done within the timescale set out below. The individual should check with the school's Headteacher, School Business Manager (SBM) or the Trust DPO that the information can be released. A copy of the request and response should be sent to the Trust DPO at ddatadmin@ddat.org.uk and the school's Headteacher or School Business Manager (SBM).

All other requests should be referred in the first instance to the school's Headteacher or School Business Manager (SBM) and they should contact the Trust DPO. This must be done promptly, and in any event within 3 working days of receiving the request. When considering a request under FOI, you must bear in mind that a release under FOI is treated as release to the general public, and so once it has been released to an individual, anyone can then access it, and you cannot restrict access when releasing by marking the information "confidential" or "restricted".

The first stage in responding is to determine whether or not the School or the Trust "holds" the information requested. The School or the Trust will hold the information if it exists in computer or paper format. Some requests will require the School or Trust to take information from different sources and manipulate it in some way. Where this would take minimal effort, the School or 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 School to add up totals in a spreadsheet and release the total figures, this would be information "held" by the School. If the School would have to go through a number of spread sheets and identify individual figures and provide a total, this is likely not to be information "held" by the School, depending on the time involved in extracting the information.

The second stage is to decide, in conjunction with guidance from the Trust DPO, 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 are listed below. If an exemption applies to the information, a public interest weighting exercise will need to be carried out, balancing the public interest in the information being released, as against the public interest in withholding the information. The Trust DPO can provide advice on this aspect of the Act.

- Section 40 (1) – the request is for the applicant’s personal data. This must be dealt with under the Trust’s Data Protection Policy and is a Subject Access Request (SAR) under the UK GDPR and Data Protection Act 2018.
- Section 40 (2) – compliance with the request would involve releasing third party personal data, and this would be in breach of the data protection principles as set out in the Trust’s Data Protection Policy.
- Section 41 – information that has been sent to the School or the Trust (but not the School or 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 School or Trust intends to publish at a future date.
- Section 43 – information that would prejudice the commercial interests of the Trust or the School 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 Trust. There is a special form for this on the ICO’s website to assist with the obtaining of the chair’s opinion.

When responding to a request where the School or Trust has withheld some or all of the information, the Trust or the School 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 also needs to be explained.

The letter should end by explaining to the requestor how they can complain, either by reference to an internal review or by writing to the ICO. The Trust DPO can advise and help to write this letter.