



# Freedom of Information Policy

If you require this document in an alternative format please contact  
[office@tssmat.staffs.sch.uk](mailto:office@tssmat.staffs.sch.uk) or 01543 472245

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|-------------------------|------------------------------|
| <b>Last review date</b> | September 2019               |
| <b>Next Review date</b> | September 2022               |
| <b>Review Cycle</b>     | 3 years                      |
| <b>Statutory Policy</b> | Yes                          |
| <b>Publication</b>      | Website. SharePoint/Policies |

## Freedom of Information Policy

### 1. Introduction

The Freedom of Information Act 2000 (FOIA) was introduced to promote greater openness and accountability across the public sector and requires all maintained schools and Academies to be clear and proactive about the information they will make public.

As a result, we at The Small Schools Multi Academy Trust have produced a publication scheme, setting out:

- The classes of information which we publish or intend to publish;
- The manner in which the information will be published; and
- Whether the information is available free of charge or on payment.

The scheme covers information already published and information which is to be published in the future. All information in our publication scheme is available in paper form, some is available electronically on our website for you to download and print.

Some information which we hold may not be made public, for example, personal information.

This publication scheme conforms to the model scheme for schools approved by the Information Commissioner's Office (ICO).

- 1 The Trust will comply with:
  - 1.1 The terms of the Freedom of Information Act 2000 and any other relevant legislation to ensure requests for access to information held by the Trust are treated in a manner that is fair and lawful.
  - 1.2 Staffordshire County Council advice and guidance.
  - 1.3 Information and guidance displayed on the Information Commissioner's website: <https://ico.org.uk/>
- 2 This policy should be used in conjunction with the Trust's **Acceptable Use Policy** and **Data Protection Policy**.
- 3 Data Gathering and Storage
  - 3.1 Information will only be gathered and stored for specified purposes.
  - 3.2 In order to be able to respond to requests for information the Trust will implement effective records management policies to enable staff to identify whether data is held and, if it is, locate it quickly and easily.
  - 3.3 The Trust's retention policies will be based on the guidance in the Information and Records Management Society's Records Management toolkit for Trusts and will be reviewed regularly in line with any updates to this toolkit.
  - 3.4 Information held by the Trust will be regularly reviewed with a view to archiving or destruction, where appropriate.

## 4 Publication Scheme

- 4.1 The Trust will adopt and publish the appropriate model publication scheme, as recommended by the DfE, Information Commissioner and Staffordshire County Council, and approved by Trust Directors.

## 5. Publication Scheme - Categories of Information Published

5.1 The publication scheme guides you to information which we currently publish or which we will publish in the future. This is split into categories of information known as 'classes'.

5.2 The classes of information that we undertake to make available are organised into the following areas:

- **School Prospectus** – information published in the school prospectus
- **Directors' Documents** - information published in governing body documents.
- **Pupils & Curriculum** – information about policies that relate to pupils and the school curriculum.
- **Trust Policies and other information related to the Trust** - information about policies that relate to the Trust in general.

## 6. How to Request Information

6.1 If you require a paper version of any of the documents within the scheme, the request must be made in writing by email, fax or letter giving clear details of the information requested.

6.2 Written notice of any fee will be provided to the enquirer before any information is supplied. Contact details are set out below:

**Address:** Crawley Lane, Kings Bromley, Burton on Trent, DE13 7JE

**Telephone:** 01543 472 245

**E-mail:** [office@tssmat.staffs.sch.uk](mailto:office@tssmat.staffs.sch.uk)

**Web:** [www.tssmat.staffs.sch.uk](http://www.tssmat.staffs.sch.uk)

6.3 To help us process your request quickly, please clearly mark any correspondence "PUBLICATION SCHEME REQUEST" (in CAPITALS please).

## Freedom of Information

### 7 Dealing with Requests for Information

- 7.1 Theoretically any request for information is a request under the Freedom of Information Act, however this Trust has taken the decision that it will not consider any request that forms part of the normal pattern of work to be a Freedom of Information request. Only those requests which are considered to be outside the normal remit of the service provided will be recorded as Freedom of Information requests.
- 7.2 The Trust will assist applicants in making their request to have access to information held by the Trust.
- 7.3 Assistance will be given to applicants whose requests need to be transferred to another public authority (e.g. Trust, council, hospital).

- 7.4 The Trust will exercise its duty to confirm or deny the existence of requested data, subject to any exemptions that may apply.
- 7.5 The Trust will supply data requested within 20 working days (or in line with the Information Commissioner's current policy during Trust holidays), subject to any exemptions that may apply, and the estimated cost of complying with the request falling within the current defined charge limit. All requests for information will still be dealt with in compliance with the 20 working day deadline, whether they are recorded as Freedom of Information requests or not.
- 7.6 If a response will take longer than 10 working days to respond an acknowledgement will be sent to the person making the request, informing them when the information will be supplied. We recognise this does allow the Trust to exceed the overall 20 working day deadline.
- 7.7 The charge limit is currently £450, calculated at 18 hours work at a flat rate of £25 per hour, as set by government statute. If the estimated cost of complying with the request does not exceed this amount the Trust is not entitled to make a charge for fulfilling the request.
- 7.8 A designated member of staff will be responsible for ensuring requests are fulfilled within the stipulated deadline and recording details of the request on the Trust's tracking database.
- 7.9 Persons requesting data will be supplied with a copy of our complaints procedure upon request. Any complaints regarding Freedom of Information requests must firstly be addressed by the Trust. If, once we have had opportunity to reconsider our decision, we believe the initial response was correct the applicant shall be entitled to take the matter to the Information Commissioner's Office and, ultimately, to an Information Tribunal.
- 7.10 Copies of data supplied will be retained for two years from the date it was put into the public domain.

## 8 Applying Exemptions

- 8.1 A full list of exemptions can be found at the Information Commissioner's website. There are two types of exemption – absolute and qualified. In practice there are very few which are likely to be applied by the education sector.
- 8.2 The decision to apply absolute exemptions will not be taken by individual members of staff but by a constituted group of at least three of the following: Chair of Directors, other Directors, CEO, Headteacher.
- 8.3 The decision to apply qualified exemptions will not be taken by individual members of staff but by a constituted group of at least three of the following: Chair of Directors, other Directors, CEO, Headteacher. Even if the group decides information should not be disclosed, a public interest test will be carried out when applying qualified exemptions, to decide whether the public interest in disclosure outweighs the objection to disclosure. If it does the information must be disclosed.

8.4 Advice will be sought from Staffordshire County Council's Information Governance Team or Legal Services if there is any doubt as to whether information should be disclosed.

## 9 Logging Requests Received

9.1 The Trust will keep a record of all requests received for monitoring purposes (Appendix 1), noting:

- a) the date the request was received,
- b) name and contact details of the person or organisation making the request,
- c) the date the request was fulfilled or refused,
- d) the reason for any exemption being applied,
- e) the reason for any failure to meet the 20 day deadline.

