



Freedom of Information Policy & Publication Scheme

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Approved by Trustees: 12 December 2022

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Freedom Of Information Policy

Elston Hall Learning 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:

- How the Trust will respond to requests from individuals for access to information held about them.
- Our procedures for the release and publication of private data and public records.
- Our 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.

1. Legal framework

This policy has due regard to the following legislation:

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

This policy also has due regard to guidance, including, but not limited to, the following:

- ICO 'Model publication scheme' 2022
- ICO 'Duty to provide advice and assistance (section 16)' 2022

This policy will be viewed in conjunction with the following other Trust policies:

- Data Protection Policy

2. Classes of information

Information that is available under this scheme includes:

- Who we are and what we do
- What we spend and how we spend it
- What are our priorities are and how we are doing
- How we make decisions
- Our policies and procedures
- Lists and registers
- The services we offer

Information is readily available on the Elston Hall Learning Trust and school websites. If for any reason information detailed in our publication scheme is not available, you may contact us using the details in Section 10 of this policy.

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.
- 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.

3. Accepting requests for information

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

- It is in writing.
- It states the name of the applicant and an address for correspondence.
- It describes the information requested.

A request will be treated as 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.

The Trust will publish details of its procedures for dealing with requests for information on the website, 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 complies with section 3 of this policy, the Trust or relevant school will, no later than 20 working days from receipt of the request, 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.

The Trust will not comply with section 3 of this policy where:

- The school reasonably requires further information to meet a freedom of information request, has informed the applicant of this requirement, but was not 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 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.

5. Exemptions

Where information is, or is thought to be, exempt as defined in Part II of the FOI Act, the Trust will, within 20 working days, give notice to the applicant which:

- States that an exemption applies.
- Specifies the exemption in question.

6. Format

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 school 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.

7. 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 in section 4 of this policy on behalf of the Trust, are to be estimated at a rate of £25 per person per hour.

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.

8. How to request information

Freedom Of Information requests must be made in writing, this includes email.

Postal addresses and email contact details are published on all of our school websites under the “Contact Us” section.

Alternatively, requests can be emailed to the Data Protection Officer:
dataprotection@ehlt.org.uk

When submitting a request, please ensure that the envelope, or subject line of an email is clearly marked “FREEDOM OF INFORMATION REQUEST.”

Documents can be translated under disability legislation into accessible formats where possible.

9. Charges

Some documents published in accordance with this scheme are free to view on the relevant school website. Single paper copies are also available on request, but a charge may be applied where requests require multiple copies of documents or, where information is available in an electronic form.

The Trust may, within 20 working days, give an applicant who has requested information from the school, a written notice stating that a fee is to be charged for the school’s compliance.

Charges may be made for disbursements, such as the following:

- Photocopying.
- Postage and packaging.
- Costs directly incurred as a result of viewing information.
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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 3 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.

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.

10. Your right to review

If you feel that your request has not been handled appropriately, you have the right to request an internal review following the issue of a final decision.

A request for review should be made in writing to the Trust Data Protection Officer at dataprotection@ehlt.org.uk and submitted within 20 days of receipt of a decision.

11. Feedback

We welcome any comments or suggestions you may have regarding this scheme. Please contact us:

dataprotection@ehlt.org.uk or by writing to Elston Hall Learning Trust, Stafford Road, Fordhouses, Wolverhampton, WV10 6NN

Please address letters: **For the attention of the Data Protection Officer**

12. Publication Scheme

Information published	How the information can be obtained
<p>School session times and term dates</p> <p>Details of school session times and dates of school terms and holidays.</p>	Website/ Electronic or Hardcopy
<p>Location and contact information</p> <p>The address, telephone number, email address and website for the Trust / school together with the names of key personnel.</p>	Website/ Electronic or Hardcopy
<p>School prospectus and curriculum</p> <ul style="list-style-type: none"> • The contents of the school prospectus • An outline of the school curriculum 	Website/ Electronic or Hardcopy
<p>Articles of Association</p> <p>The Articles of Association sets out the charitable purpose of the trust and its governance structure</p>	Website/ Electronic or Hardcopy
<p>What we spend and how we spend it</p> <p>Financial information about projected and actual income and expenditure, procurement, contracts and financial audit.</p> <ul style="list-style-type: none"> • Financial statements • Capital funding (obtained via DFE) • Financial audit reports 	Website/ Electronic or Hardcopy
<p>Procurement and contracts</p> <p>Details of procedures used for the acquisition of goods and services. Summary details of contracts that have gone through a formal tendering process</p>	Website/Electronic or Hardcopy
<p>Pay policy</p> <p>The statement of the Trust's policy and procedures regarding teachers' pay.</p>	Electronic or Hardcopy
<p>Staff expenses</p> <p>Details of the allowances and expenses that can be incurred or claimed.</p>	available upon request

<ul style="list-style-type: none"> • Staff pay and grading structures (national pay scales applied) • Trustees/Governors' allowances <p>Details of expenses that can be incurred or claimed, and a record of total payments made to individual governors/trustees.</p>	
<p>What our priorities are and how we are doing</p> <p>Strategies and plans, performance indicators, audits, inspections and reviews.</p> <ul style="list-style-type: none"> • Performance data supplied to the government • Latest Ofsted report <p>Performance management information</p> <ul style="list-style-type: none"> • Performance management policy and procedures adopted by the Trust Board • The school's future plans • Safeguarding and child protection 	<p>MAT and School websites /Electronic or Hardcopy</p>
<p>How we make decisions</p> <p>Decision-making processes and records of decisions.</p> <ul style="list-style-type: none"> • Admissions policy / decisions • Minutes of meetings of the Trust Board 	<p>Website / Electronic or Hardcopy</p>
<p>Our policies and procedures</p> <p>Current written protocols, policies and procedures for delivering our services and responsibilities.</p> <ul style="list-style-type: none"> • School policies and other documents • Records management and personal data policies • Equality and diversity • Policies and procedures for the recruitment of staff • Charging regimes and policies 	<p>Website / Electronic or Hardcopy</p>
<p>Lists and registers</p> <ul style="list-style-type: none"> • Curriculum circulars and statutory instruments • Asset register • Any information the school is currently legally required to hold in publicly available registers 	<p>Hardcopy/Website</p>
<p>The services we offer</p> <p>Information about the services the school provides including leaflets, guidance and newsletters.</p>	<p>Website/Hardcopy</p>