



## Freedom of Information

Author	E. Cruse	Source	Policy Review
Approved By	Trust Board	Status	Statutory
Last Review	July 2024	Next Review	July 2027

### Details of Policy Updates

Date	Details
15/02/2021	Establishment name updated
09/06/2024	Reviewed to current ICO Model Publication Scheme

## **Introduction**

North Star Academy Trust is committed to the Freedom of Information Act 2000 (FOIA) 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.

## **Background**

The Freedom of Information Act 2000 came fully into force on January 1 2005. Under the Act, any person has a legal right to ask for access to information held by the schools. They are entitled to be told whether the school holds the information, and to receive a copy, subject to certain exemptions.

The information the school routinely makes available to the public is included in the Publication Scheme. Requests for other information should be dealt with in accordance with the statutory guidance. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information.

The Act is fully retrospective, so that any past records which the schools holds are covered by the Act. The DfE has issued a Retention Schedule produced by the Records Management Society of Great Britain, to guide schools on how long they should keep school records. It is an offence to willfully conceal, damage or destroy information to avoid responding to an enquiry, so it is important that no records that are the subject of an enquiry are amended or destroyed.

There is a duty to respond to all requests, telling the enquirer whether the information is held and supplying any information held, except where exemptions apply. There is no need to collect data in specific response to a FOIA enquiry. There is a time limit of 20 days excluding school holidays for responding to the request.

## **Scope**

The FOIA joins the Data Protection Act and the Environmental Information Regulations as legislation under which anyone is entitled to request information from the schools.

Requests for personal data are still covered by the Data Protection Act. (DPA). Individuals can request to see what information the academy holds about them. This is known as a Subject Access Request and must be dealt with accordingly (see the Academy's Data Protection Policy).

Requests for information about anything relating to the environment – such as air, water, land, the natural world or the built environment and any factor or measure affecting these – are covered by the Environmental Information Regulations (EIR). They also cover issues relating to Health and Safety. For example, queries about chemicals used in the school or on school land, phone masts, car parks etc. would all be covered by the EIR. 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.

If any element of a request to the schools includes personal or environmental information, these elements must be dealt with under DPA or EIR. Any other information is a request under the FoIA, and must be dealt with accordingly.

### **Obligations and Duties**

The academy recognises its duty to provide advice and assistance to anyone requesting information.

We will respond to straightforward verbal requests for information and will help enquirers to put more complex verbal requests into writing so that they can be handled under the Act.

Tell enquirers whether we hold the information they are requesting (the duty to confirm or deny) and provide access to the information we hold in accordance with the procedures laid down by the local authority.

### **Publication Scheme**

North Star Academy Trust has adopted the Model Publication Scheme for Schools approved by the Information Commissioner.

(see website - <https://ico.org.uk/fororganisations/guide-to-freedom-of-information/publication-scheme/definition-documents>). Where practicable information will be published on our website, otherwise information as listed below will be available on request.

### **Information schools are expected to publish:**

*Who we are and what we do* (organisational structure, location and key contacts):

- Articles of Association
- School prospectus and curriculum
- Governing Body details
- School session times and term dates
- Location and contact details

*What we spend and how we spend it* (financial information about projected and actual income and expenditure, procurement, contracts and financial audit – min 2 years):

- Annual budget plan and financial statements (details of the sources of funding and income, details of items of expenditure over £5000)
- Capital funding Information on major plans for capital expenditure
- Financial audit reports
- Procurement and contracts
- Pay policy
- Staff allowances and expenses
- Staff pay and grading structures
- Governors' allowances

*What our priorities are and how we are doing* (strategies and plans, performance indicators, audits, inspections and reviews – current information):

- Performance data supplied to the government

- Latest Ofsted report
- Performance management information
- The school's future plans
- Safeguarding and child protection

*How we make decisions* (decision-making processes and records of decisions – current and previous 3 years):

- Admissions policy / decisions
- Minutes of meetings of the governing body and its committees

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

- 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

*Lists and registers*

- Curriculum circulars and statutory instruments
- Disclosure logs
- Asset register
- Any information the school is currently legally required to hold in publicly available registers

*The services we offer* (information and may also relate to information covered in other classes).

- Extra-curricular activities
- Out of school clubs
- School publications
- Services for which the school is entitled to recover a fee
- Leaflets, booklets and newsletters

Academies are not expected to routinely publish all information; for example,

- Where they do not hold the information
- The information is exempt under one of the FOIA exemptions or Environmental Information Regulations 2004 (EIR) exceptions, or its release is prohibited under another statute
- The information is readily and publicly available from an external website; such information may have been provided either by the school or on its behalf.
- The information is archived, out of date or otherwise inaccessible
- It would be impractical or resource-intensive to prepare the material for routine release.

## **Requests for information**

Information held by the school that is not listed in the publication scheme can be requested in writing and will be considered in accordance with the Freedom of Information Act. Please mark all such requests clearly with the words Freedom of Information Request.

Please address queries to:

The DFO, North Star Academy Trust, Long Cross, Lawrence Weston, Bristol, BS11 0QA

Or by email to [safeguarding@northstar-academy.co.uk](mailto:safeguarding@northstar-academy.co.uk).

### **Exemptions**

Certain information is subject to either absolute or qualified exemptions. When we wish to apply a qualified exemption to a request, we will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information.

We will maintain a register of requests where we have refused to supply information, and the reasons for the refusal. The register will be retained for 5 years.

### **Public Interest Test**

Unless it is in the public interest to withhold information, it has to be released. We will apply for the Public Interest Test before any qualified exemptions are applied.

### **Charging**

The Freedom of Information Act allows the school to recover its costs for processing some elements of the request, including communication costs, photocopying, printing and postage. If the academy intends to recover such costs a fees notice will be issued to the requestor.

### **Complaints**

Any comments or complaints will be dealt with through the academy's normal complaints procedure.

We will aim to determine all complaints within 10 days of receipt.

If you are not satisfied with the assistance that you receive, or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made, then this should be addressed to the Information Commissioner's Office.

Information Commissioner,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire SK9 5AF

Or Enquiry/Information Line: 0303 123 1113

E Mail: <https://ico.org.uk/global/contact-us> Website: [www.ico.org.uk](http://www.ico.org.uk)

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Please address queries to:

The DFO  
North Star Academy Trust  
North Star 240  
Long Cross  
Lawrence Weston  
Bristol  
BS11 0QA  
or by email to [Safeguarding@Northstar-academy.co.uk](mailto:Safeguarding@Northstar-academy.co.uk)

## **Refusals**

The Freedom of Information Act permits the academy to refuse to provide information where exemptions apply to the information requested. Exemptions include requests that are commercially sensitive, are vexatious or repeated requests. In these circumstances, the academy will outline the reasons for the refusal of information.

## **Fees**

The Freedom of Information Act allows the academy to recover its costs for processing some elements of the request, including communication costs, photocopying, printing and postage. If the academy intends to recover such costs a fees notice will be issued to the requestor.