

# Freedom of Information Policy Myton School



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Version 1

# MYTON SCHOOL, WARWICK

## Freedom of Information Policy

### Contents

Introduction .....	3
Freedom of Information Publication Scheme .....	3
Method by which information under the Publication Scheme is made available .....	<b>Error!</b>
<b>Bookmark not defined.</b>	
Freedom of Information Requests .....	4
Time limit for compliance with FOI requests .....	4
Procedure for dealing with a request .....	5
Responding to a Request .....	6
Dealing with vexatious or repeated requests .....	6
Appendix 1 - Community Academies Trust Guide to Information Available Under the Publication Scheme .....	7

## Introduction

Myton School Trust (the “Trust”) is subject to the Freedom of Information Act 2000 (“FOI”) as a public authority, and as such, must comply with any requests for information in accordance with the principles laid out in the Act.

This means that the Trust must hold and publish a FOI publication scheme, to communicate what information we make readily available to the public and where it can be found. It also means that the trust must have procedures in place to publish information and respond to FOI requests.

## Freedom of Information Publication Scheme

All public authorities, including schools, are required under the Freedom of Information Act to adopt a publication scheme that has been approved by the information commissioner.

There is currently one approved model publication scheme, which has been produced by the Information Commissioners Office (ICO). Schools must adopt the ICO’s model scheme and make it publicly available

The ICOs model publication scheme can be found here: [model-publication-scheme.pdf \(ico.org.uk\)](https://ico.org.uk/for-organisations/guide-to-the-information-commissioner/foi/publication-schemes/foi-publication-scheme/)

## Myton School’s Published Guide to Information

Schools should publish a guide to information alongside the publication scheme. This guide should specify

- The documents available
- The format of the documents
- And charges made for the information

Where it is within the capability of the Trust, information will be provided on our website. Where it is impractical to make information available on our website or when an individual does not wish to access the information by this method, the Trust will indicate how information can be obtained by other means and provide it by those means.

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

Information will be provided in the language in which it is held or in such other language that is legally required. Where the Trust is legally required to translate information, it will do so.

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.

Schedule of charges under the Freedom of Information Publication Scheme:

Type of charge	Description	Basis of charge
Disbursement cost	A4 black and white photocopying/printing @5p per sheet	Actual cost 5p
	A4 colour photocopying/printing @10p per sheet	Actual cost 10p
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class

Where the cost of postage, printing or photocopying is below £5.00 the Trust will not make a charge

Where the cost of postage, printing or photocopying is over £5.00, the first £5 will be free of charge. After that we will charge the full estimated cost of postage and copying

Before information is produced, we shall inform the requester of the total cost. The requester may wish to refine the request in order to reduce the cost and we would be happy to discuss this.

If the cost of providing the FOI exceeds £450.00 (where staff time is taken as costing £25 / hour i.e. 18 hours of time) the Trust must liaise with the requester of the FOI to assist in reducing the FOI request to enable it to be fulfilled within a cost less than £450.00

## Freedom of Information Requests

Any request for any information from the Trust is technically a request under the FOI act, whether or not the individual making the requests mentions the FOI act. However, 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.

In all non-routine cases, if the request is simple and the information is to be released, then the individual who received the request can release the information, but must ensure that this is done within the timescale set out below. A copy of the request and response should then be sent to the Trust's administration team via [foi@myton.co.uk](mailto:foi@myton.co.uk)

All other requests should be referred in the first instance to the Trust's administration team via [foi@myton.co.uk](mailto:foi@myton.co.uk) who may allocate another individual to deal with the request. This must be done promptly, and in any event within 3 working days of receiving the request.

When considering a request under FOI, the Trust must bear in mind that release under FOI is treated as a 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'.

## Time limit for compliance with FOI requests

The Trust must respond as soon as possible, and in any event, within 20 working days of the date of receipt of the request. For the Trust when calculating the 20 working day deadline, Freedom of Information Policy v1 September 2023

a 'working day' is a school day (one in which pupils are in attendance), subject to an absolute maximum of 60 normal working days (not school days) to respond.

## Procedure for dealing with a request

When a request is received that cannot be dealt with by simply providing the information, it should be referred in the first instance to the Headteacher who may allocate another individual to deal with the request. If appropriate, the request can be forwarded to the Trust's administration team who will seek further advice from the trust's legal team.

The first stage in responding is to determine whether or not the Trust 'holds' the information requested. The Trust will hold the information if it exists in computer or paper format. Some requests will require the Trust to take information from different sources and manipulate it in some way. Where this would take minimal effort, The Trust is considered to 'hold' the information, but if the required manipulation would take significant amounts of time (greater than 18 hours of work), 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.

The second stage is to decide whether the information can be released, or whether one of the exemptions set out in the Act applies to the information. Common exemptions that may apply include:

- Section 40 (1) - the request is for the applicant's personal data. This must be dealt with under Article 15 of the GDPR
- Section 40 (2) - compliance with the request would involve releasing third party personal data, and this would be in breach of the GDPR principles detailed in the Trust's Data Protection Policy
- Section 41 - information that has been sent to the Trust (but not the school's own information) which is confidential
- Section 21 - information that is already publicly available, even if payment of a fee is required to access the information
- Section 22 - information that the Trust intends to publish in the future
- Section 43 - information that would prejudice the commercial interests of the school and/or a third party
- Section 38 - 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 the 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.

The sections mentioned in *italics* are qualified exemptions. This means that even if the exemption applies to the information, you also have to carry out a public interest weighting exercise, balancing the public interest in the information being released, as against the public interest in withholding the information.

## **Responding to a Request**

When responding to a request where the Trust has withheld some or all of the information, the Trust 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 by a governor, or by writing to the ICO.

## **Dealing with vexatious or repeated requests**

Should an applicant make a vexatious or repeated request for identical or substantially similar information, the Trust will inform the applicant in writing that they will not fulfil the request. When responding in this manner we will offer assistance to the individual by indicating why they consider the request is vexatious or repeated.

## Appendix 1 - Myton School Trust Guide to Information Available Under the Publication Scheme

Information available	How the information can be obtained	Charge
<p><b>Who we are and what we do.</b>  <b>Organisational information, structures, locations and contacts.</b>  <b>Current information only.</b></p>		
Articles of Association	Myton School website. Companies House website.	No charge
School prospectus and curriculum	Myton School website	No charge
Names of governors and the basis on which they have been appointed, along with details of how to contact them via the school.	Myton School website	No charge
School session times and term dates	Myton School website	No charge
Location and contact information	Myton School website	No charge
<p><b>Information available</b>      <b>How the information can be obtained</b>      <b>Charge</b></p>		
<p><b>What we spend and how we spend it.</b>  <b>Financial information about projected and actual income and expenditure, procurement, contracts and financial audit. Current and previous two years as a minimum.</b></p>		
Capital funding	Electronic version available on request to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge Paper copies are chargeable according to the schedule
Financial audit reports	Myton School website	No charge Paper copies are chargeable according to the schedule

Procurement and contracts	Electronic version available on request to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge
Pay policy	Electronic version available on request to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge Paper copies are chargeable according to the schedule
Staff allowances and expenses	Details of expenses paid to individual senior staff members available on request by email to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge Paper copies are chargeable according to the schedule
Staff pay and grading structures	Available on request to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>  Names and positions of staff and how they can be contacted can be found on individual school websites, links to which can be found on the Community Academies Trust website.	No charge. Paper copies are chargeable according to the schedule
Governors' allowances	Myton School website  Details of expenses paid to governors can be obtained by emailing <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge. No charge. No charge. Paper copies are chargeable according to the schedule

Information available	How the information can be obtained	Charge
<b>What our priorities are and how we are doing.</b> <b>Strategies and plans, performance indicators, audits, inspections and reviews. Current information.</b>		
Performance data supplied to the government	Myton School website	No charge.
Latest Ofsted report	Myton School website	No charge.



Performance management information	Available on request to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge. Paper copies are chargeable according to the schedule
The school's future plans	Available on request to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge. Paper copies are chargeable according to the schedule
Safeguarding and child protection	Myton School website	No charge.

Information available	How the information can be obtained	Charge
<b>Decision making processes and records of decisions. Current and previous three years.</b>		
Admissions policy/decisions	Myton School website	No charge.
Minutes of meetings of the governing body and its committees	Electronic copies available on request to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge. Paper copies are chargeable according to the schedule
Information available	How the information can be obtained	Charge
<b>Our policies and procedures</b>		
<b>Current written protocols, policies and procedures for delivering our services and responsibilities. Current information.</b>		
School policies and other documents	Myton School website	No charge.

Records management and personal data policies	Myton School website	No charge.
Equality and diversity	Myton School website	No charge.
Policies and procedures for the recruitment of staff	Electronic copies available on request to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge. Paper copies are chargeable according to the schedule
Charging regimes and policies	Myton School website.	No charge.
Information available	How the information can be obtained	Charge
<b>Lists and registers</b>		
<b>Current information.</b>		
Curriculum circulars and statutory instruments	Myton School website	No charge.
Disclosure logs	Electronic copies available on request to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge. Paper copies are chargeable according to the schedule
Asset register	Electronic copies available on request to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge. Paper copies are chargeable according to the schedule
Any information the school is currently legally required to hold in publicly available registers	Electronic copies available on request to <a href="mailto:foi@myton.co.uk">foi@myton.co.uk</a>	No charge. Paper copies are chargeable according to the schedule
Information available	How the information can be obtained	Charge

<p><b>The services we offer</b></p> <p><b>Information about the services the school provides including leaflets, guidance and newsletters.</b></p>	
<ul style="list-style-type: none"> <li>• Extra-curricular activities</li> <li>• Out of school clubs</li> <li>• School publications</li> <li>• Services for which the school is entitled to recover a fee, together with those fees</li> <li>• Leaflets, booklets and newsletters</li> </ul>	<p>Myton School website.</p> <p>No charge.</p>