

HASMONEAN MULTI-ACADEMY TRUST



# FREEDOM OF INFORMATION POLICY

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## **1. INTRODUCTION**

- 1.1 Hasmonean Multi-Academy 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.

## **2. WHAT IS A REQUEST UNDER FOI**

- 2.1 Any request for any information from the school is technically a request under the FOI, whether or not the individual making the request mentions the FOI. 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.
- 2.2 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 **DPO, Mrs Harris-Ellis, [a.harris-ellis@hasmonean.co.uk](mailto:a.harris-ellis@hasmonean.co.uk)**
- 2.3 All other requests should also be referred in the first instance to and response should then be sent to the **DPO, Mrs Harris-Ellis, [a.harris-ellis@hasmonean.co.uk](mailto:a.harris-ellis@hasmonean.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.
- 2.4 When considering a request under FOI, you must bear in mind that 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".

## **3. TIME LIMIT FOR COMPLIANCE**

- 3.1 The school must respond as soon as possible, and in any event, within 20 working days of the date of receipt of the request. For a school, a "working day" is one in which students are in attendance, subject to an absolute maximum of 60 calendar days to respond.

## **4. PROCEDURE FOR DEALING WITH A REQUEST**

- 4.1 When a request is received that cannot be dealt with by simply providing the information, it should be referred in the first instance to **DPO, Mrs Harris-Ellis, [a.harris-ellis@hasmonean.co.uk](mailto:a.harris-ellis@hasmonean.co.uk)**, who may re-allocate to an individual with responsibility for the type of information requested.
- 4.2 The first stage in responding is to determine whether or not the school "holds" the information requested. The school will hold the information if it exists in computer or paper format. Some requests will require the school to take information from different sources and manipulate it in some way. Where this would take minimal effort, the school 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 spread sheet 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.

- 4.3 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 might apply include:
- 4.3.1 Section 40 (1) – the request is for the applicant’s personal data. This must be dealt with under the subject access regime in the Data Protection Act 1998 (DPA).
  - 4.3.2 Section 40 (2) – compliance with the request would involve releasing third party personal data, and this would be in breach of the DPA principles
  - 4.3.3 Section 41 – information that has been sent to the school (but not the school’s own information) which is confidential;
  - 4.3.4 Section 21 – information that is already publicly available, even if payment of a fee is required to access that information;
  - 4.3.5 *Section 22 – information that the school intends to publish at a future date;*
  - 4.3.6 *Section 43 – information that would prejudice the commercial interests of the school and/or a third party;*
  - 4.3.7 *Section 38 – information that could prejudice the physical health, mental health or safety of an individual (this may apply particularly to safeguarding information);*
  - 4.3.8 *Section 31 – information which may prejudice the effective detection and prevention of crime – such as the location of CCTV cameras;*
  - 4.3.9 *Section 36 – information which, in the opinion of the Chair of Governors of the Local Governing Body, would prejudice the effective conduct of the school. There is a special form for this on the ICO’s website to assist with the obtaining of the chair’s opinion.*
- 4.4 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.

## **5. RESPONDING TO A REQUEST**

- 5.1 When responding to a request where the school has withheld some or all of the information, 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.
- 5.2 The letter should end by explaining to the requestor how they can complain – either by reference to an internal review by a Local Governor, or by writing to the ICO.

## 6. CONTACT

- 6.1 We welcome any comments or suggestions you may have about the policy or the related Freedom of Information Publication Scheme.
- 6.2 If you want to make any comments about this publication scheme or if you require further assistance or need to make a complaint then this should be addressed to the **Headteacher**.
- 6.3 If you are not satisfied with the assistance that you get 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. This is the organisation that ensures compliance with the Freedom of Information Act and deals with formal complaints. They can be contacted at:  
**Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF**

## 7. FREEDOM OF INFORMATION PUBLICATION SCHEME

Information to be published	How the information can be obtained	Cost
<b>Class 1 - Who we are and what we do</b> (Organisational information, structures, locations and contacts)  This will be current information only		
Who's who in the school	Website	No Charge
Who's who on the Local Governing Body and the basis of their appointment	Website	No Charge
Articles of Association	Website	No Charge
Contact details for the Headteacher and for the Local Governing body	Website	No Charge
School prospectus	Website	No Charge
Annual Report	Website	No Charge
Staffing structure	Hard Copy	No Charge
School session times and term dates	Website	No Charge
<b>Class 2 – What we spend and how we spend it</b> (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)  Current and previous financial year as a minimum		
Statutory Accounts	Companies House website – <a href="http://www.companieshouse.gov.uk">www.companieshouse.gov.uk</a>	
Annual budget plan and financial statements	Hard Copy	Charge for Photocopying

Capital funding	Hard Copy	Charge for Photocopying
Additional funding	Hard Copy	Charge for Photocopying
Procurement and projects	Hard Copy	Charge for Photocopying
Pay policy	Website	No Charge
Staffing and grading structure	Hard Copy	Charge for Photocopying
Local Governors' allowances	Hard Copy	Charge for Photocopying
<b>Class 3 – What our priorities are and how we are doing</b> (Strategies and plans, performance indicators, audits, inspections and reviews)  Current information as a minimum	Hard Copy	
School profile <ul style="list-style-type: none"> <li>Government supplied performance data</li> <li>The latest Ofsted report <ul style="list-style-type: none"> <li>- Summary</li> <li>- Full report</li> </ul> </li> </ul>	Website (Ofsted Report) Ofsted Data dashboard: <a href="http://dashboard.ofsted.gov.uk/dash.php?urn=137539">http://dashboard.ofsted.gov.uk/dash.php?urn=137539</a>	No Charge
Performance management policy and procedures adopted by the governing body	Website (see Pay Policy)	No Charge
School's future plans	Hard Copy	Charge for Photocopying
Child protection – policies and procedures on safeguarding and promoting the welfare of children	Website	No Charge
<b>Class 4 – How we make decisions</b> (Decision making processes and records of decisions)  Current and previous three years as a minimum		
Admissions policy/decisions (not individual admission decisions)	Website	No Charge
Agendas of meetings of the Local Governing Body and (if held) its sub-committees	Hard copy	Charge for Photocopying
Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meetings.	Hard copy	Charge for Photocopying
<b>Class 5 – Our policies and procedures</b> (Current written protocols, policies and procedures for delivering our services and responsibilities)  Current information only		
School policies including: <ul style="list-style-type: none"> <li>Student and curriculum policies</li> <li>Admission Arrangement</li> </ul>	Website	No charge

<ul style="list-style-type: none"> <li>• Allergy Policy</li> <li>• Accessibility Plan</li> <li>• Anti Bullying</li> <li>• Attendance policy</li> <li>• Complaints Policy</li> <li>• Data Protection</li> <li>• Exclusion Policy</li> <li>• Health and Safety Policy</li> <li>• Home School Agreement</li> <li>• Premises Management Policy</li> <li>• Student Discipline including Anti-Bullying &amp; Rewards (Currently being reviewed)</li> <li>• Student Register</li> <li>• Sex Education Policy</li> <li>• Special Educational Needs and Disability (SEND) Policy</li> <li>• SEND Policy Summary</li> <li>• Anti bullying policy</li> <li>• Supporting Students with Medical Conditions</li> <li>• LGPS discretions April</li> </ul>		
Financial Policies, including: <ul style="list-style-type: none"> <li>• Anti Fraud Corruption</li> <li>• Charges and Remissions Policy</li> <li>• Whistleblowing</li> <li>• Declaration of Interests</li> <li>• Risk Management</li> <li>• Procurement Tendering</li> <li>• Financial Procedures Manual</li> <li>• Delegated Authority Listing</li> <li>• Conflicts Of Interest And Related Party Transactions</li> </ul>	Website	No Charge
<b>Class 6 – Lists and Registers</b>  Currently maintained lists and registers only		
Any information the school is currently legally required to hold in publicly available registers <b>(THIS DOES NOT INCLUDE THE ATTENDANCE REGISTER)</b>	Hard copy	Charge for Photocopying
<b>Class 7 – The services we offer</b> (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)  Current information only		
Extra-curricular activities	Hard copy	Charge for Photocopying

Out of school clubs	Hard copy	Charge for Photocopying
School publications	Website	No Charge
Services for which the school is entitled to recover a fee, together with those fees	Website	No Charge
Leaflets books and newsletters	Website	No Charge

**Contact details:**

**Mrs A. Harris-Ellis, Office Manager**

**e-mail:** a.harrisellis@hasmonean.co.uk

**Tel: 020 8203 1411 ext. 238**

## **8. SCHEDULE OF CHARGES**

This describes how the charges have been arrived at and should be published as part of the guide.

<b>TYPE OF CHARGE</b>	<b>DESCRIPTION</b>	<b>BASIS OF CHARGE</b>
Disbursement cost	Photocopying/printing (black & white)	Actual cost: 5p per sheet plus £15 per hour administarion charge or (part thereof)
	Photocopying/printing (colour)	Actual cost 17p per sheet 5p per sheet plus £15 per hour administarion charge or (part thereof)
	Postage – dependent on weight	Actual cost of Royal Mail standard 2 <sup>nd</sup> class

**Reviewed by Stone King April 2019**

**Approved by the Trustees April 2019**

**Next Review: April 2024**