

# **Freedom of Information Policy and Publication Scheme**

## **OUR TRUST PRAYER**

Heavenly Father,  
Let peace, friendship and love grow in our schools.  
Send the Holy Spirit to give  
excellence to our learning,  
love to our actions and  
joy to our worship.  
Guide us to help others,  
so that we may all  
Learn, Love and Achieve, Together with Jesus.  
Amen

The Liverpool Diocesan Schools Trust (LDST) 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.

## **1. What is a request under FOI?**

- 1.1 Any request for any information from LDST, other than requests for personal information which would be managed as a subject access request, 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.
- 1.2 In all non-routine cases, if the request is simple (eg policy not already publicly available on the website) 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 school's Headteacher.
- 1.3 All other requests should be referred in the first instance to the school's Headteacher 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.
- 1.4 When considering a request under FOI, we 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 we cannot restrict access when releasing by marking the information "confidential" or "restricted".

## **2. Time limit for compliance**

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

## **3. Procedure for dealing with a request**

- 3.1 When a request is received that cannot be dealt with by simply providing the information, it should be referred in the first instance to the school's Headteacher and the Trust Data Protection Officer, who may reallocate to an individual with responsibility for the type of information requested.
- 3.2 The first stage in responding is to determine whether or not LDST "holds" the information requested. LDST will hold the information if it exists in computer or paper format.

Some requests will require LDST to take information from different sources and manipulate it in some way. Where this would take minimal effort, LDST is considered to “hold” that information.

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.

Examples:

“Held” by LDST: if a request required us to add up totals in a spreadsheet and release the total figures, this would be information “held” by LDST.

“Not Held” by LDST: if a request requires us to go through a number of spreadsheets and identify individual figures and provide a total, this is likely to be information “not held” by LDST (depending also on the time involved in extracting the information).

- 3.3 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.

**Absolute:** where there is no requirement to confirm or deny that the information is held, disclose the information or consider the public interest.

**Qualified:** where, even if an exemption applies, there is a duty to consider the public interest in disclosing information.

Common <sup>1</sup>exemptions that might apply include:

### **ABSOLUTE EXEMPTIONS:**

**Section 21** : information that is already publicly available

**Section 40 (1)** : the request is for the applicant’s personal data

**Section 40 (2)** : compliance with the request would involve releasing third party personal data

**Section 41** : information that has been sent to the school (but not the school’s own information) which is confidential

*If an absolute exemption applies the decision-maker does not need to consider the public interest in releasing the information.*

### **QUALIFIED EXEMPTIONS:**

**Section 22** : information that the school intends to publish at a future date

**Section 31** : information which may prejudice the effective detection and prevention of crime – such as the location of CCTV cameras

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<sup>1</sup> The common exemptions listed (for both absolute and qualified exemptions) contain hyperlinks to the Freedom of Information Act, Part II – Exempt Information. Any changes that may be brought into force at a future date will be captured.

**Section 36** : information which would prejudice the effective conduct of the school/Trust ([ICO – Record of the Qualified Person’s Opinion \[section 36\]](#))

**Section 38** : information that could prejudice the physical health, mental health or safety of an individual (this may apply particularly to safeguarding information).

**Section 43** : information that would prejudice the commercial interests of the school and / or a third party.

*If a qualified exemption applies we 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.*

## 4. Responding to a request

- 4.1 When responding to a request where LDST has withheld some or all of the information, LDST 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.
- 4.2 The letter should end by explaining to the requestor how they can complain – either by reference to an internal review by a governor, the Board of Directors, the Data Protection Officer or by writing to the ICO.

## 5. Refusing a request

- 5.1 A requester may ask for any information that is held by a public authority. However, this does not mean LDST is always obliged to provide the information. In some cases, there will be a good reason why we should not make public some or all of the information requested.
- 5.2 LDST can refuse an entire request under the following circumstances:
  - It would cost too much or take too much staff time to deal with the request.
  - The request is vexatious.
  - The request repeats a previous request from the same person.
- 5.3 If LDST is refusing all or any part of a request, a written refusal notice must be sent to the requester. A refusal notice will be issued if we are either refusing to say whether we hold information at all, or confirming that information is held but refusing to release it.

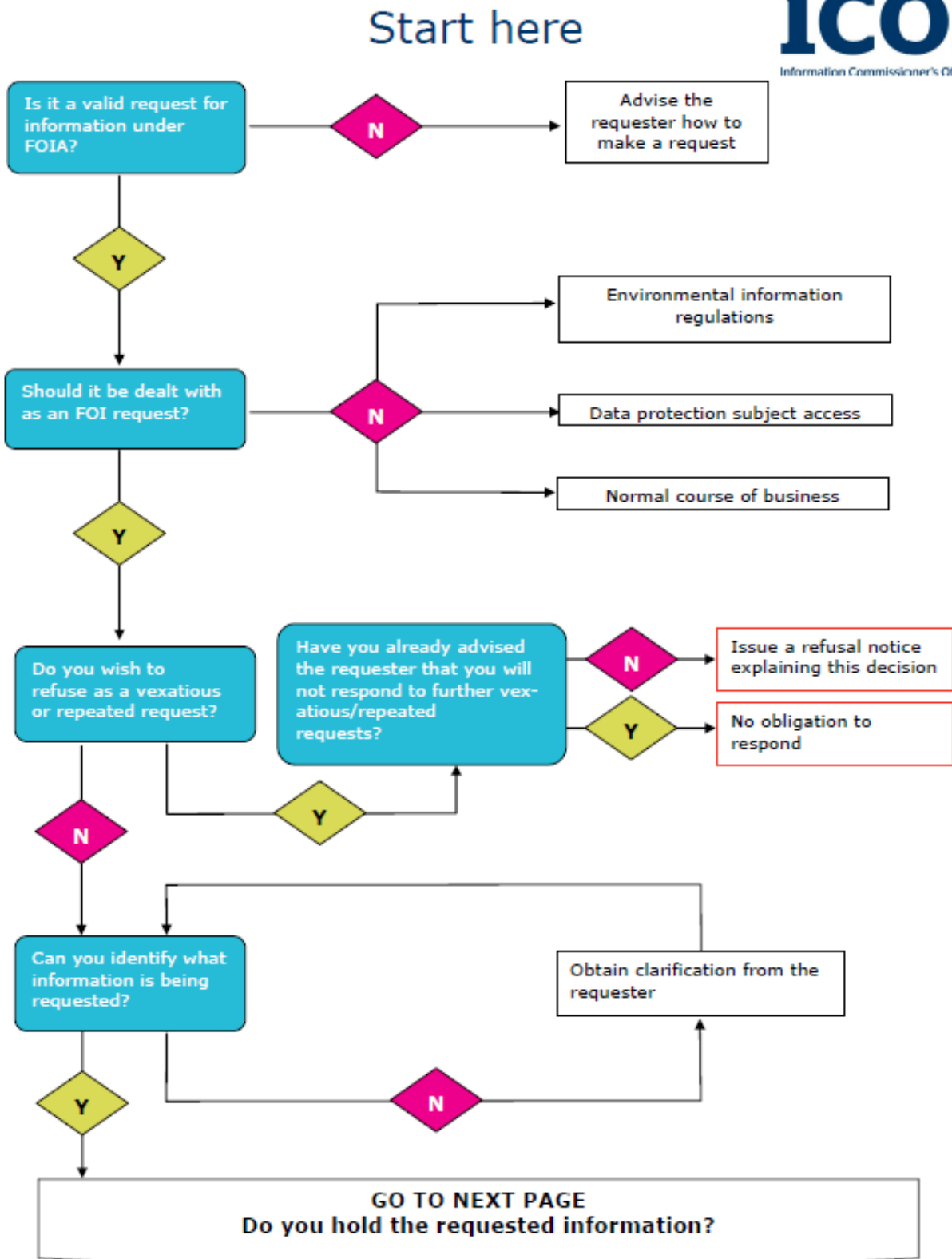
## 6. Contact

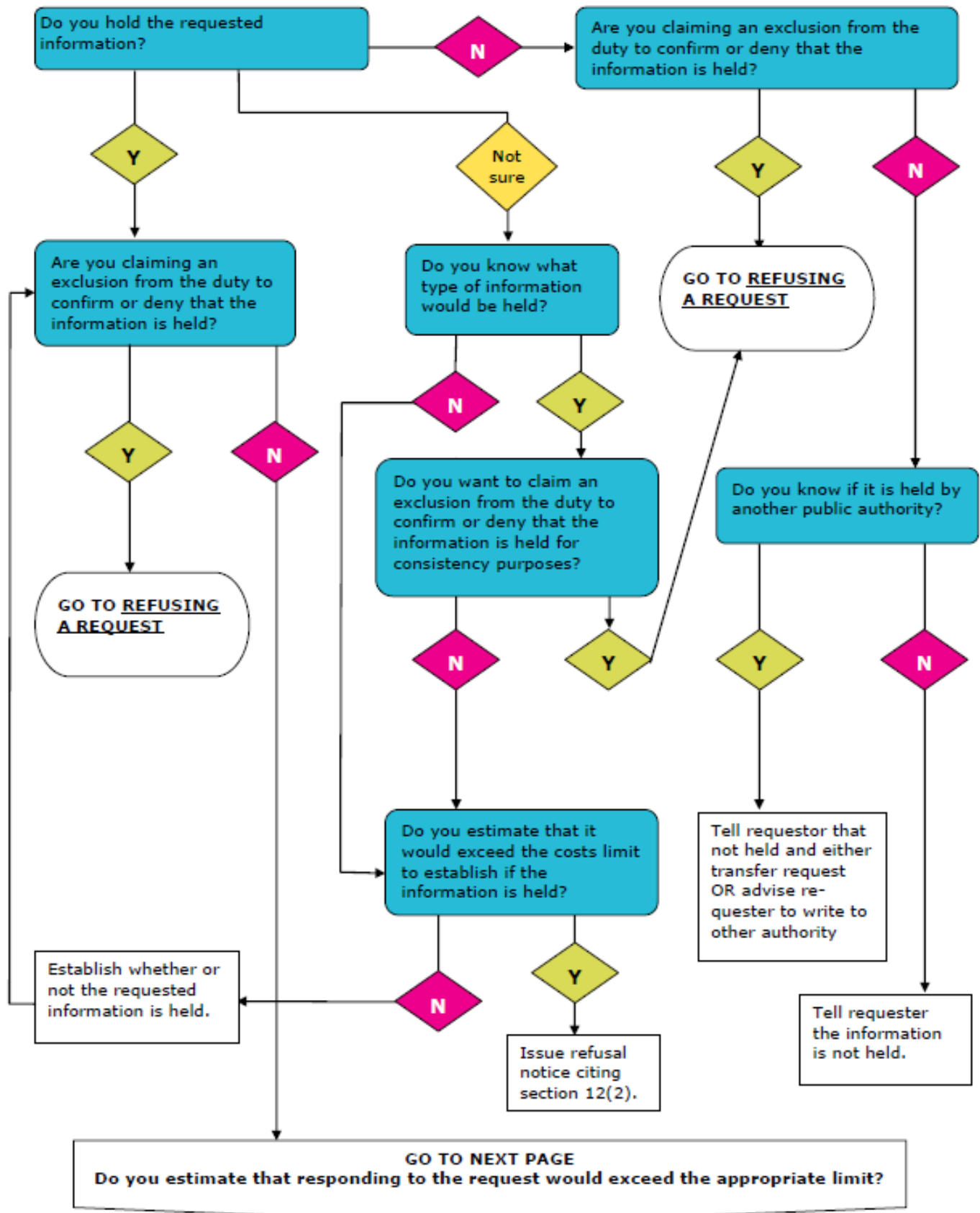
- 6.1 Any questions about this policy should be directed in the first instance to the Headteacher of the school. You can also seek advice from the Trust Data Protection Officer, Alison Tennant (Email: [dataprotection@ldst.org.uk](mailto:dataprotection@ldst.org.uk)).



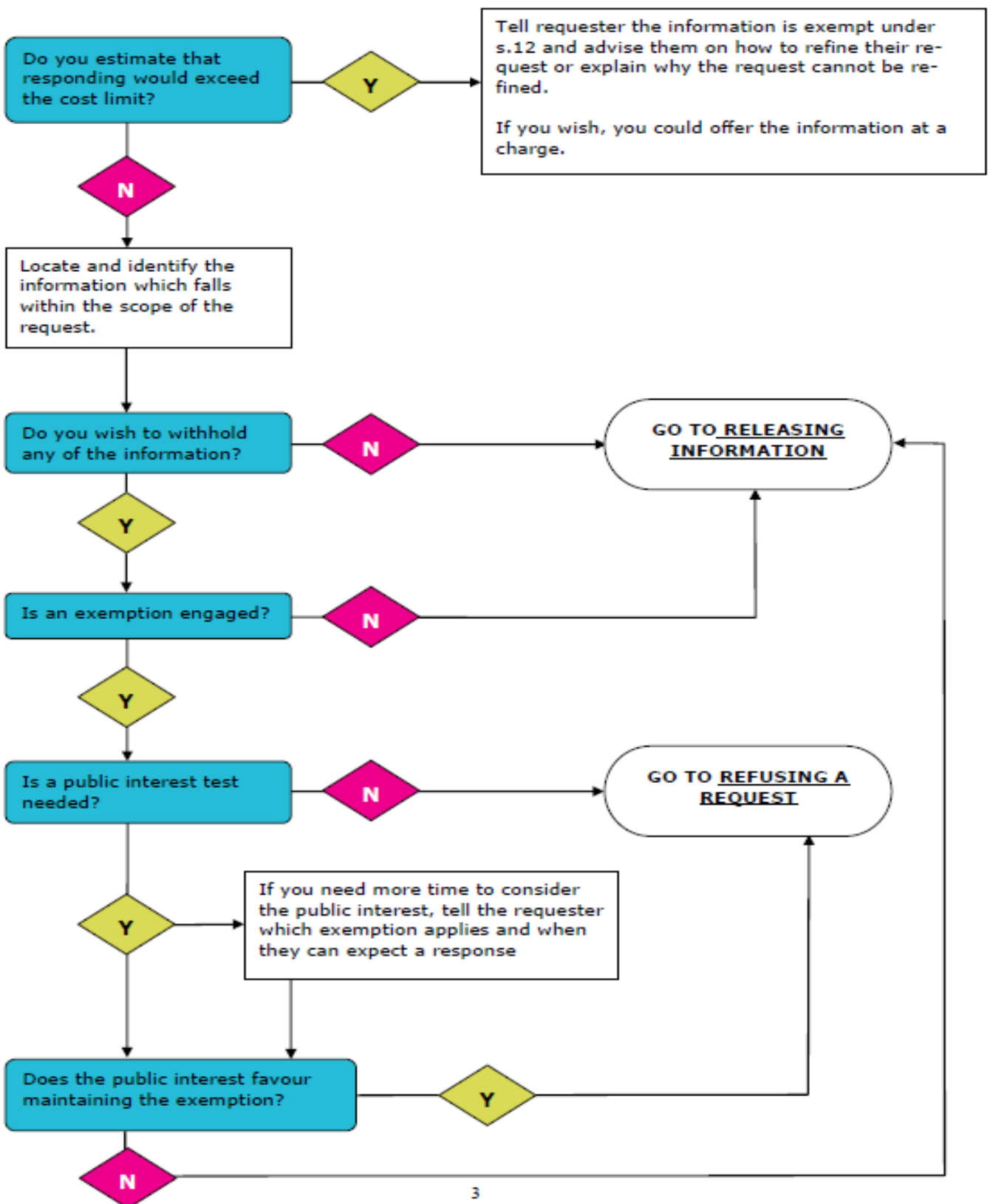
# APPENDIX 1

## ICO FREEDOM OF INFORMATION FLOW CHART

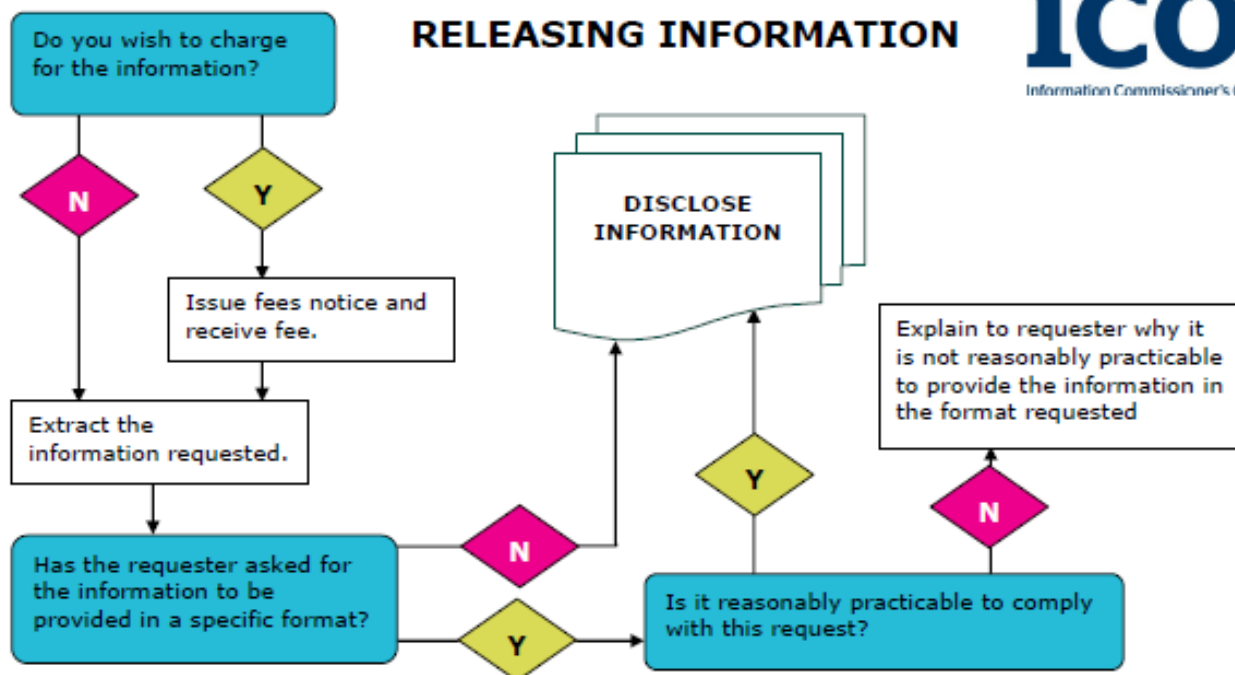




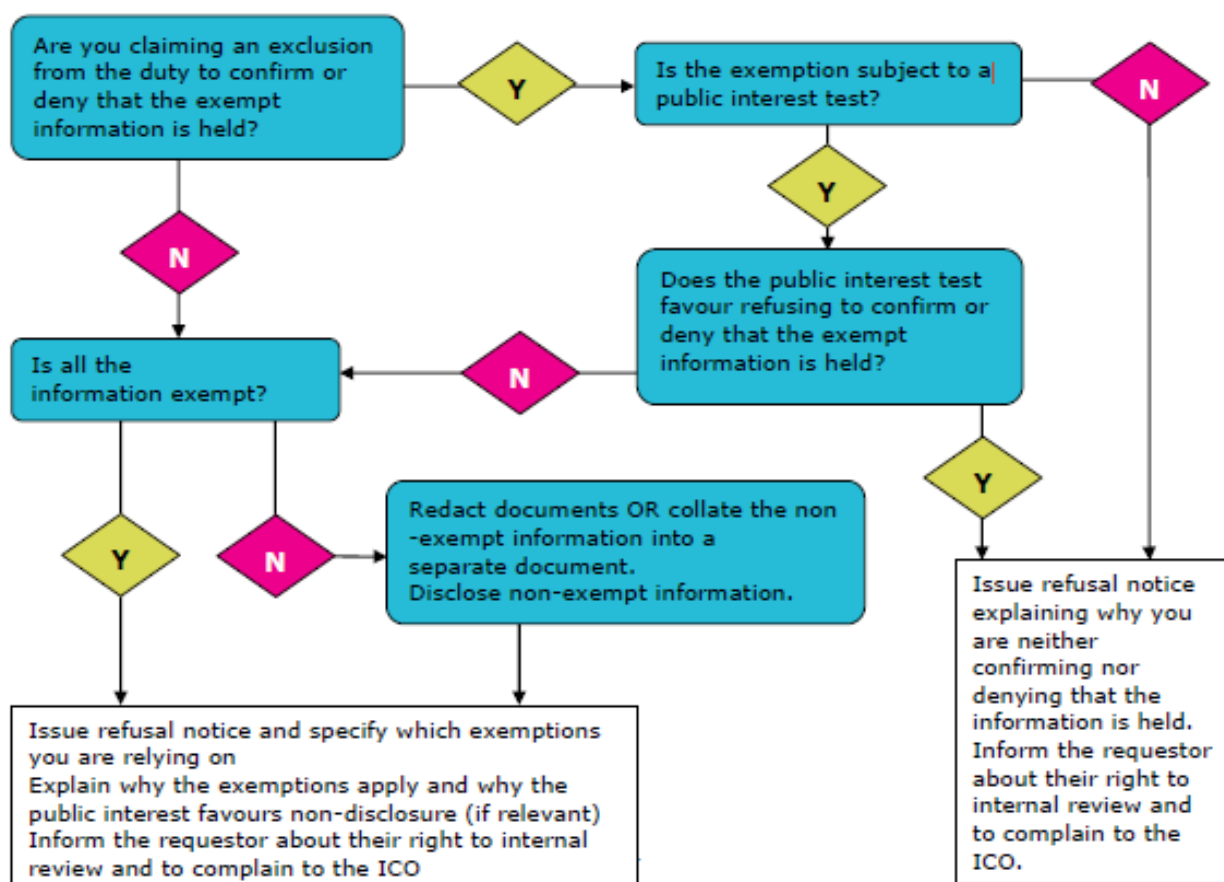




## RELEASING INFORMATION



## REFUSING A REQUEST



## APPENDIX 2

### FOI PUBLICATION SCHEME

This publication scheme commits Liverpool Diocesan Schools Trust (LDST) to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by LDST.

The scheme commits LDST:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by us and falls within the classifications below.
- To specify the information which is held by us and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information we make available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.
- To publish any dataset held by us that has been requested, and any updated versions we hold, unless we are satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under the terms of the [Re-use of Public Sector Information Regulations 2015](#), if they apply, and otherwise under the terms of the Freedom of Information Act [section 19](#).
- The term 'dataset' is defined in [section 11\(5\)](#) of the Freedom of Information Act. The term 'relevant copyright work' is defined in [section 19\(8\)](#) of that Act.

#### Classes of information

**Who we are and what we do:** Organisational information, structures, locations and contacts (current information only).

**What we spend and how we spend it:** Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

**What our priorities are and how we are doing:** Strategies and plans, performance indicators, audits, inspections and reviews (current information as a minimum).

**How we make decisions:** Decision making processes, internal criteria and procedures, consultations.

**Our policies and procedures:** Current written protocols, policies and procedures for delivering our functions and responsibilities.

**Lists and registers:** Currently maintained lists and registers only.

**The services we offer:** Information about the services we offer, including leaflets, guidance and newsletters provided for the public and businesses (current information only)

The classes of information will not generally include:

- 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.

### **The method by which information published under this scheme will be made available**

- LDST will indicate clearly to the public what information is covered by this scheme and how it can be obtained.
- Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority 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, 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 an authority is legally required to translate any 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.

## **Charges which may be made for information published under this scheme**

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with the terms of the [Re-use of Public Sector Information Regulations 2015](#), where they apply, or with regulations made under [section 11B of the Freedom of Information Act](#), or with other statutory powers of the public authority.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

## **Written requests**

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

<b>CLASS 1 - WHO WE ARE AND WHAT WE DO</b>	<b>Available from</b>	<b>Charge</b>
Multi-Academy Trust Funding Agreement & Deed of Variation	Trust website	Free
School supplement funding agreement	School website	Free
Memorandum and Articles of Association of Trust	Trust website	Free
Details of the Directors of the Trust and their experience.	Trust website	Free
The name of the Chair of the Board of Directors and contact details.	Trust website	Free
Names of key personnel in our Trust, including the Chief Executive	Trust website	Free
The name of the Chair of the Local Governing Body of each school and their contact details.	School websites	Free
A list of Governors on each school's Local Governing Body	School websites	Free
Names of key personnel in each school	School websites	Free
Values and Vision	Trust website and school websites	Free
School session times, term dates and holidays	School websites	Free
Locations, contact information, addresses, telephone numbers and email addresses	Trust & school websites	Free
School Prospectus (note - some schools do not produce a prospectus as such but will provide the same information on the website)	School websites	Free
Performance Results – including Ofsted and SIAMS	School websites	Free
The remit and terms of reference of the Board and its committees (Scheme of Delegation)	Trust website	Free
A list of governors that have served on Local Governing Bodies and Directors that have served on the Board in the last academic year and their declared interests	Trust website & school websites	Free
The attendance records of Directors at Board meetings in the last academic year	Trust website and in the Annual Report & Financial Statements	Free
The attendance records of Governors at Local Governing Body meetings in the last academic year	School websites	Free

<b>CLASS 2 – WHAT WE SPEND AND HOW WE SPEND IT</b>	<b>Available from</b>	<b>Charge</b>
Trust Annual Report and Financial Statements – containing details of various funding and income streams, expenditure types and audit reports	Trust website	Free
Executive Pay	Trust website	Free
Gender Pay Gap Report	Trust website	Free
The amount of pupil premium our Trust receives for each school and how it is spent	School websites	Free
The amount of Year 7 Literacy and Numeracy Catch-up our Trust receives for each secondary school	School websites	Free
The amount of Primary PE/Sport funding our Trust receives for each primary school	School websites	Free
Our Trusts' employees pay policy	Upon request	Charge

<b>CLASS 3 – WHAT OUR PRIORITIES ARE AND HOW WE ARE DOING</b>	<b>Available from</b>	<b>Charge</b>
School profile Government supplied performance data. OFSTED report – summary and full report.	Links from school websites	Free
Performance management policy and procedures	Upon request	Charge
Any major proposals on safeguarding and promoting the welfare of children	Upon request	Charge
Child protection – policies and procedures on safeguarding and promoting the welfare of children	Trust and school websites	Free

<b>CLASS 4 – HOW WE MAKE DECISIONS</b>	<b>Available from</b>	<b>Charge</b>
Admissions policy - arrangements and procedures and right of appeal	School websites	Free
Details of the number of applications, number of places offered and appeals for places at each school	Upon request	Charge
Trust Board of Directors meeting agendas, papers and minutes – information that is properly considered to be private will be excluded	Upon request	Free
School Local Governing Body meeting agendas, papers and minutes – information that is properly considered to be private will be excluded	Upon request	Free

<b>CLASS 5 – OUR POLICIES AND PROCEDURES – CURRENT INFORMATION ONLY</b>	<b>Available from</b>	<b>Charge</b>
Please see our Trust website and each school’s website for a full list of all current policies (some policies have to be uploaded to the website). If you cannot find a policy please contact the school office or our Trust’s central administrative team [see contact information]).	Trust and school websites (or via the school office/central team)	Free

<b>CLASS 6 – LISTS AND REGISTERS - CURRENT INFORMATION ONLY</b>	<b>Available from</b>	<b>Charge</b>
Curriculum circulars and statutory instruments	Upon request	Charge
Any information our Trust is legally required to hold in publicly available registers.	For inspection upon request	Free

<b>CLASS 7 – THE SERVICES WE OFFER</b>	<b>Available from</b>	<b>Charge</b>
Extra-curricular activities.	School websites	Free
Out of school clubs.	School websites	Free
School publications and newsletters.	School websites	Free
School leaflets, booklets and magazines.	School websites	Free
Services for which the academy is entitled to recover a fee, together with those fees e.g. hiring of academy facilities.	School websites	Free

## **SCHOOLS IN OUR TRUST:**

<https://www.ldst.org.uk/schools-in-our-trust/>



## APPENDIX 3

### SCHEDULE OF CHARGES

We are entitled to charge for the cost of photocopying, printing and postage if we need to send information to you. This includes information we send to you in reply to a Freedom of Information request and information that we confirm to make readily available through LDST's Publication Scheme.

Where the total cost of photocopying, printing and postage is £10 or lower, no charge will be made.

All charges are payable in advance of your request being processed.

A4 black and white, single-sided	15p per sheet
A4 black and white, double-sided	30p per sheet
A3 black and white, single-sided	25p per sheet
A3 black and white, double-sided	50p per sheet
A4 colour, single-sided	£1.00 per sheet
A4 colour, double-sided	£2.00 per sheet
A3 colour, single-sided	£1.50 per sheet
A3 colour, double-sided	£3.00 per sheet
Postage and packaging	At Cost
Photographs, maps, plans etc	At Cost
Administration fee (where applicable)	£25.00 per hour (see explanation below)

**Administration fee:** charges can, in accordance with the relevant legislation, legally be made for administration where a request will take a significant amount of staff time. Such charges are calculated at £25 per hour with a maximum limit of £450. We are within our statutory rights to refuse to comply with a request where the cost to provide it will exceed 18 hours. Guidance will be given to the requester on how they could refine their request to make it less onerous. Alternatively, we may comply with the request for an extra charge which will be advised prior to starting the work. The fee will be payable in full before supplying the information.

These charges will be reviewed when the policy is reviewed.