




## PHMAT FREEDOM OF INFORMATION POLICY AND PUBLICATION SCHEME

### Document Control Table

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| <b>Title</b>                 | PHMAT FOI Policy and Publication Scheme   |
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| <b>Signature of Approval</b> |  |
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### Document History

| <b>Date</b> | <b>Author</b> | <b>Note of Revisions</b>  |
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| 13/06/22    | JP S4S        | Document Control Table – calendar dates moved on  |
| 30/06/23    | JP S4S        | 4.1 Insert exemption of maximum staff hours for requests<br>Appendix - Model Publication Scheme updated to reflect<br>format of documents available |
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|             |               |   |
|             |               |   |

## Contents

### Statement of intent

1. [Legal framework](#)
2. [Accepting requests for information](#)
3. [General right of access to information held by the Trust](#)
4. [The appropriate limit](#)
5. [Charging fees](#)
6. [Means by which communication is to be made](#)
7. [Providing advice and assistance](#)
8. [Publication scheme](#)
9. [Monitoring and review](#)

### Appendix

- a) [Model Publication Scheme](#)

## **Statement of intent**

As an educational provider, Perry Hall Multi-Academy Trust and its academies have 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 our Trust and its academies will respond to requests from individuals for access to information held about them.
- Our Trust's policy and procedures for the release and publication of private data and public records.
- Our Trust's policy and 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 or academy in obtaining any requested information, and on charging fees for its provision.

## **1. Legal framework**

1.1. This policy has due regard to the following legislation:

- The Data Protection Act 2018
- The General Data Protection Regulation
- The Freedom of Information Act 2000

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

- Information Commissioner's Office The Freedom of Information Code Of Practice 2018
- Information Commissioner's Office 'Model publication scheme' 2016
- Ministry of Justice 'Lord Chancellor's Code of Practice on the management of records issued under section 46 of the Freedom of Information Act 2000' 2009

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

- Data Protection Policy

## **2. Accepting requests for information**

2.1. The Trust or academy 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
- It describes the academy the request relates to

2.2. 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

2.3. The Trust or Academy 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

### **3. General right of access to information held by the Trust**

3.1. Provided that the request complies with [section 2](#) of this policy, the Trust or academy 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 or academy, whether it holds information of the description specified in the request.
- Provide the documentation, if the Trust or academy confirms that it holds the requested information.

3.2. The Trust will not comply with section 3.1 of this policy where:

- The Trust or academy 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.

3.3. Where information is, or is thought to be, exempt, the Trust or academy will, within 20 working days, give notice to the applicant which:

- States the fact.
- Specifies the exemption in question.

3.4. The information provided to the applicant will be in the format that they have requested, where possible.

3.5. Where it is not possible to provide the information in the requested format, the Trust or academy will assist the applicant by discussing alternative formats in which it can be provided.

3.6. The information provided will also be in the language in which it is held, or another language that is legally required. If the Trust or academy is required to translate any information, it will do so.

3.7. If, under relevant disability and discrimination regulations, the Trust or academy is legally obliged to provide the information in other forms and formats, it will do so.

## **4. The appropriate limit**

- 4.1. The Trust or academy will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450, or 18 hours of staff time.
- 4.2. When determining whether the cost of complying with a freedom of information request is within the appropriate limit, the Trust or academy 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 4.2 of this policy on behalf of the Trust or academy, are to be estimated at a rate of £25 per person per hour.
- 4.3. Where multiple requests for information are made to the Trust or academy 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 or academy of complying with all of them.

## **5. Charging fees**

- 5.1. The Trust or academy may, within 20 working days, give an applicant who has requested information, a written notice stating that a fee is to be charged for compliance.
- 5.2. Charges may be made for disbursements, such as the following:
- Photocopying
  - Postage and packaging
  - Costs directly incurred as a result of viewing information
- 5.3. Fees charged will not exceed the total cost to the Trust or academy of:
- Informing the person making the request whether we hold the information.
  - Communicating the information to the person making the request.
- 5.4. Where a fee is to be charged, the Trust or academy 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.

- 5.5. The Trust or academy will not take into account any costs which are attributable to the time spent by persons undertaking any of the activities mentioned in section 5.3 above.
- 5.6. When calculating the 20<sup>th</sup> 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.

## **6. Means by which communication is to be made**

- 6.1. Where, on making a request for information, the applicant expresses a preference for communication by any one of the following means, the Trust or academy will, as far as is practicable, give effect to that preference:
- The provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant.
  - The provision to the applicant of a reasonable opportunity to inspect a record containing the information.
  - The provision to the applicant of a digest, or summary of the information, in permanent form or in another form acceptable to the applicant.

## **7. Providing advice and assistance**

- 7.1. The Trust will meet its duty to provide advice and assistance, as far as is reasonable, to any person who proposes to make, or has made, requests for information to the Trust or academy.
- 7.2. The Trust or academy may offer advice and assistance in the following circumstances:
- If an individual requests to know what types of information the Trust or academy holds and the format in which it is available, as well as information on the fees regulations and charging procedures.
  - If a request has been made, but the Trust or academy is unable to regard it as a valid request due to insufficient information, leading to an inability to identify and locate the information.
  - If a request has been refused, e.g. due to an excessive cost, and it is necessary for the Trust or academy to assist the individual who has submitted the request.
- 7.3. The Trust or academy will provide assistance for each individual on a case-by-case basis; examples of how the Trust will provide assistance include the following:
- Informing an applicant of their rights under the Freedom of Information Act 2000

- Assisting an individual in the focus of their request, e.g. by advising of the types of information available within the requested category
- Advising an applicant if information is available elsewhere and how to access this information
- Keeping an applicant informed on the progress of their request

7.4. In order to provide assistance as outlined above, the Trust or academy will engage in the following good practice procedures:

- Make early contact with an individual and keep them informed of the process of their request.
- Accurately record and document all correspondence concerning the clarification and handling of any request.
- Give consideration to the most appropriate means of contacting the applicant, taking into account their individual circumstances.
- Discuss with the applicant whether they would prefer to receive the information in an alternative format, in cases where it is not possible to provide the information requested in the manner originally specified.
- Remain prepared to assist an applicant who has had their request denied due to an exemption.

7.5. The Trust or academy will give particular consideration to what level of assistance is required for an applicant who has difficulty submitting a written request.

7.6. In circumstances where an applicant has difficulty submitting a written request, the Trust or academy will:

- Make a note of the application over the telephone and then send the note to the applicant to confirm and return – the statutory time limit for a reply would begin here.
- Direct the individual to a different agency that may be able to assist with framing their request.

**NB.** This list is not exhaustive and the Trust or academy may decide to take additional assistance measures that are appropriate to the case.

7.7. Where an applicant's request has been refused either because the information is accessible by other means, or the information is intended for future publication or research, the Trust or academy, as a matter of good practice, will provide advice and assistance.

7.8. The Trust or academy will advise the applicant how and where information can be obtained, if it is accessible by other means.



- 7.9. Where there is an intention to publish the information in the future, the Trust or academy will advise the applicant of when this publication is expected.
- 7.10. If the request is not clear, the Trust or academy will ask for more detail from the applicant in order to identify and locate the relevant information, before providing further advice and assistance.
- 7.11. If the Trust or academy is able to clearly identify the elements of a request, it will respond following usual procedures and will provide advice and assistance for the remainder of the request.
- 7.12. If any additional clarification is needed for the remainder of a request, the Trust or academy will ensure there is no delay in asking for further information.
- 7.13. If an applicant decides not to follow the Trust's or academy's advice and assistance and fails to provide clarification, the Trust or academy is under no obligation to contact the applicant again.
- 7.14. If the Trust is under any doubt that the applicant did not receive the advice and assistance, the Trust or academy will re-issue it.
- 7.15. The Trust or academy is not required to provide assistance where an applicant's request is vexatious or repeated, as defined under Section 14 of the Freedom of Information Act 2000.
- 7.16. The Trust or academy is also not required to provide information where the cost of complying with a request exceeds the limit outlined in the Freedom of Information Act 2000. In such cases, the Trust will consider whether any information can be provided free of charge if the applicant refuses to pay the fee.
- 7.17. A record will be kept in the MAT Business Team office of all the advice and assistance provided.

## **8. Publication scheme**

- 8.1. The Trust will meet its duty to adopt and maintain a publication scheme which specifies the information which it will publish on the Trust/Academy website(s), and whether the information will be available free of charge or on payment.
- 8.2. The publication scheme will be reviewed and, where necessary, updated on an annual basis.

## **9. Monitoring and review**

- 9.1. This policy will be reviewed on an **annual basis, or in light of any changes to relevant legislation, by the CEO/Company Secretary.**
- 9.2. The next scheduled review date for this policy is July 2024.

## Model Publication Scheme

This scheme follows the model approved by the Information Commissioner's Office and sets out the classes of information which we publish or intend to publish; the format in which the information will be made available and whether the information is available free of charge or on payment.

### 1. 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 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, or notes, documents in older versions, emails or other correspondence.
- 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.

| Information published  | How the information can be obtained  |
|--|--------------------------------------|
| <b>School session times and term dates</b><br>Details of school session times and dates of school terms and holidays.  | Website / electronic copy on request |
| <b>Location and contact information</b><br>The address, telephone number, email address and website for the school together with the names of key personnel.   | Website/Electronic copy on request   |
| <b>School prospectus and curriculum</b> <ul style="list-style-type: none"><li>• The contents of the school prospectus</li><li>• An outline of the school curriculum</li></ul>                              | Website/Electronic copy on request   |
| <b>Trustees, Members and Local Governing Boards</b><br>The names of Members, Trustees and Governors the basis on which they have been appointed, along with details of how to contact them via the school. | Website/Electronic copy on request   |

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| <b>Articles of Association</b><br><br>The Articles of Association set out the charitable purposes of the Trust and its governance structure.   | Website/Electronic copy on request                   |
| <b>What we spend and how we spend it</b><br><br>Financial information about projected and actual income and expenditure, procurement, contracts and financial audit. <ul style="list-style-type: none"> <li>• Annual budget plan and financial statements</li> <li>• Capital funding</li> <li>• Financial audit reports</li> </ul>   | Website/Electronic copy on request                   |
| <b>Procurement and contracts</b><br><br>Details of procedures used for the acquisition of goods and services. Details of contracts that have gone through a formal tendering process.  | Electronic copy on request                           |
| <b>Pay policy</b><br><br>The statement of the Trust's policy and procedures regarding teachers' pay.   | Electronic copy on request                           |
| <b>Staff allowances and expenses</b><br><br>Details of the allowances and expenses that can be incurred or claimed. <ul style="list-style-type: none"> <li>• Staff pay and grading structures</li> <li>• Governors' allowances</li> </ul> Details of allowances and expenses that can be incurred or claimed, and a record of total payments made to individual governors.     | Electronic copy on request                           |
| <b>What our priorities are and how we are doing</b><br><br>Strategies and plans, performance indicators, audits, inspections and reviews. <ul style="list-style-type: none"> <li>• Performance data supplied to the government</li> <li>• Latest Ofsted report</li> <li>• Performance management policy and procedures</li> <li>• Safeguarding and child protection</li> </ul> | Link on website                                      |
| <b>How we make decisions</b><br><br>Decision-making processes and records of decisions. <ul style="list-style-type: none"> <li>• Admissions policy / decisions</li> <li>• Minutes of meetings of the governing body and its committees</li> </ul>  | Website/Electronic copy on request<br><br>On request |
| <b>Our policies and procedures</b><br><br>Current written protocols, policies and procedures for delivering our services and responsibilities. <ul style="list-style-type: none"> <li>• School policies and other documents</li> <li>• Records management and personal data policies</li> </ul>  | Website/Electronic copy on request                   |

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| <ul style="list-style-type: none"> <li>• Equality and diversity</li> <li>• Policies and procedures for the recruitment of staff</li> <li>• Charging regimes and policies</li> </ul>   |                                    |
| <p><b>Lists and registers</b></p> <ul style="list-style-type: none"> <li>• Curriculum circulars and statutory instruments</li> <li>• Disclosure logs</li> <li>• Asset register</li> <li>• Any information the school is currently legally required to hold in publicly available registers</li> </ul> | On request                         |
| <p><b>The services we offer</b></p> <p>Information about the services the school provides including leaflets, guidance and newsletters.</p>   | Website/Electronic copy on request |

## 2. How to request information

Requested documents under this scheme will be delivered electronically where possible, but paper copies can be provided by contacting the Trust using the below contact details:

Perry Hall Multi-Academy Trust Business Team, PO Box 7177, Greenacres Avenue, Wolverhampton, WV10 8NZ. To enable us to process your request quickly, please mark all correspondence: **“FREEDOM OF INFORMATION REQUEST”**

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

## 3. Charges

Documents contained in this scheme are free to view on the Trust website.

Single paper copies are also available free of charge to parents/carers and prospective parents/carers of the Trust.

## 4. Feedback

We welcome any comments or suggestions you may have regarding this scheme. Please contact the Chair of the Trust Board using the following contact details: Perry Hall Multi-Academy Trust Business Team, PO Box 7177, Greenacres Avenue, Wolverhampton, WV1 9DB