



East Midlands
Education Trust

Freedom of Information Policy & FOI Publication Scheme

Spring 2022

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Mid-Reviews (<i>statutory</i>):			
Document No:	POL-OPS-004	The information contained on this document is considered proprietary to East Midlands Education Trust in that these items and processes were developed at private expense. This information shall not be released, disclosed, or duplicated.	

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1 Introduction

- 1.1 This policy applies to all schools within the East Midlands Education Trust and, along with all other public authorities, we must all comply with the Freedom of Information Act (November 2000). The Act obliges organisations to publish certain information about their activities and to make any other information available upon request, with some statutory exceptions, in order to increase openness and transparency.
- 1.2 As required, all our schools are registered with the Information Commissioner's Office (ICO).
- 1.2 In line with Section 19 of the Freedom of Information Act, EMET has produced a publication scheme which makes it clear to the public what information the trust and/or its school will make public when required to respond to requests for information under this legislation. EMET use the ICO model template for the Publication Scheme.
- 1.3 The publication scheme sets out:
 - The classes of information which will be published or which the trust/school intends to publish either on their website or in hard copy version
 - The manner in which the information will be published
 - Whether the information is available to download from the website free or a cost will be incurred.

2 Scope

- 2.1 This Publication Scheme makes clear to the public what information we publish when a request for information is received and/or information that is available via the organisation's website or prospectus.
- 2.2 The **Freedom of Information Policy** is intended to cover all records created in the course of the business of EMET. This includes email messages and other electronic records and applies to all trust employees including temporary, casual or agency staff and contractors, consultants and suppliers working for or on behalf of EMET.
- 2.3 The Freedom of Information Act requires every public authority to have a **FOI Publication Scheme**, which is approved by the ICO, and to publish information covered by the scheme. The scheme sets out our commitment to make certain classes of information routinely available, such as policies and procedures, minutes of meetings, annual reports and financial information.
- 2.4 Under this scheme, we regularly review the information published on our websites. We also aim to make new information available promptly – this will be done via schools' *newsletters and websites*.

- 2.5 As an organisation, we agree to update old information. This is carried out regularly as a matter of course, often through national channels such as the Ofsted website or the DfE academy performance tables.
- 2.6 Information about each school is available through the government's official register of educational establishments in England and Wales - Get Information About Schools (GIAS). GIAS is also the national database of academy trustees/governors <https://get-information-academys.service.gov.uk/>

3 Requesting information

- 3.1 The Freedom of Information Act 2000 provides public access to information held by public authorities. It does this in two ways:
 - 3.1.1 Public authorities are obliged to publish certain information about their activities; and
 - 3.1.2 Members of the public are entitled to require information from public authorities.
- 3.2 Under the second provision of the Act, the right to request information, anyone may make a request in writing for recorded information held by EMET or its schools. A request for information not already published must be made in writing to:

<u>Name</u>	East Midlands Education Trust
<u>Email Address</u>	adminoffice@emet.uk.com
<u>Postal Address</u>	c/o West Bridgford School, Loughborough Road, West Bridgford, Nottingham NG2 7FA

- 3.3 Requests for information will be met within 20 working days of receipt. Requests for information that require EMET to complete a public interest test will be met within 40 working days of receipt.
- 3.4 **Subject Access Requests** – please refer to our Data Protection Policy.

4 Exemptions

- 4.1 The FOI Act contains a number of exemptions whereby information can be withheld. EMET or its schools may choose to withhold information if it falls within the scope of one or more of these exemptions. Where a request is made for information that includes exemptions, the Trust or the school will apply a public interest test before deciding whether to disclose the information.
- 4.2 Where the information is withheld under an exemption, EMET or the school in question will, in most cases, inform the requestor as to why the information is being withheld, citing the exception e.g. Section 43(2) of the FOIA provides an exemption from disclosing commercially

sensitive information, where disclosure would, or would be likely to, prejudice the commercial interests of any person, i.e. disclosure would likely harm the commercial interests of the Trust, a third party, or both.

4.3 We will endeavour to make information available unless:

- We do not hold the information;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations 2004 (ER) exceptions, or its release is prohibited under another statute;
- the information is readily and publicly available from an external website; such information may be provided by the school or from a direct link to the Trust website.
- The information can be viewed upon request.
- the information is archived, out of date or otherwise inaccessible; or
- it would be impractical or resource-intensive to prepare the material for routine release – further details can be found in Section 8.2

5 Vexatious requests

5.1 The FOI Act allows us to refuse any requests that have the potential to cause a disproportionate or unjustified level of disruption, irritation or distress. Decisions on whether a request is vexatious will be taken by the Chief Executive Officer, with the assistance of legal advice where necessary.

6 Record keeping

6.1 All FOI requests will be logged and tracked. This will aid identification of repeat, similar or vexatious requests.

7 Complaints

7.1 Applicants dissatisfied with either the Trust or School response including appeals against decisions to withhold information, may complain through the Trust's Complaints Procedure.

7.2 If, after exhausting our Complaints Procedure, you are still dissatisfied with the outcome, you may refer the matter to the Information Commissioner:

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

8 Information charges

8.1 Where information is readily available via the trust or EMET website, we would encourage enquirers locate and access the information electronically, where possible. Where information is not available on the website, either because it is not in electronic format or is too unwieldy to be transferred in such a format, we will make it available to be viewed at a school or trust HQ. In the first instance, you should contact trust office to arrange a viewing.

8.2 A schedule of charges for photocopied information can be found below:

A4 black and white, single-sided	10p per sheet
A4 black and white, double-sided	20p per sheet
A3 black and white, single-sided	20p per sheet
A3 black and white, double-sided	40p 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 packing	At cost
Photographs, maps, plans etc	At cost

Cost limits (Section 12 FOIA)

- 8.3 The Trust may refuse to comply with a request (or may alternatively charge the requestor for complying with the request) where compliance would exceed a statutory ceiling threshold (known as the appropriate limit) (section 12 FOIA). The appropriate limit is currently set at £450 for most public authorities, including academy trusts. This means that if it would cost the Trust more than £450 to comply with the FOIA requests, we can refuse to comply with the requests or charge the requestor. Please note, the Trust would still confirm or deny if it held the information requested unless the cost of complying with that obligation would, by itself, exceed the appropriate limit.
- 8.4 In estimating the cost for compliance, the Trust may take account of time taken by staff, at a flat rate of £25 per hour. This would mean a total limit of 18 staff hours working to comply with the request. Within this, the Trust would only consider the time and money it would take to **determine** whether the information is held, **locating**, **retrieving** the information or a document which may contain the information, **extracting** the information from a document containing it and **communicating** the information to the requester (including postage costs), and costs for physically redacting exempt information. Time spent considering whether exemptions apply or seeking legal advice will not be included in the estimate of costs.
- 8.5 Before the Trust or any of its schools refuse a request on the basis that it would exceed the appropriate limit, the Trust/School would have regard to its statutory duty to advise and assist requestors under the FOIA. This includes attempting to assist a requestor reframe their request so as to bring it below the appropriate limit.

9 Reference documents

EMET Data Protection Policy

EMET Retention Schedule

Information Commissioner's definition document for state funded schools

<https://ico.org.uk/media/for-organisations/documents/1235/definition-document-academys-in-england.pdf>

10 FOI Publication Scheme

Class 1 - Who we are and what we do (current information only)	How the information can be obtained	Cost
Who's who on the Board of Trustees and Members Including the basis of their appointment and term of office	Trust website	Free
Articles of Association	Trust website	Free
Master Funding, Supplemental Funding Agreements and Schemes of Delegation	Trust website	Free
Address, contact details and email address	School / Trust website	Free
School term dates	School website	Free
Who's who on the local governing bodies	School website	Free
Class 2 – What we spend and how we spend it (current and previous year as a minimum)		
Annual budget plan and financial statements: Pupil Premium, Sports Premium, Catch Up Numeracy and Literacy Funds Annual Accounts, Gender Pay Gap	School website Trust website	Free Free
Capital funding	Hard copy	Actual
Financial audit reports	Hard copy	Actual
Details of expenditure items over £2000	Hard copy	Actual

Class 2 - What we spend and how we spend it (continued.....) (current and previous year as a minimum)	How the information can be obtained	Cost
Staff allowances and expenses than can be incurred or claimed, with totals paid to individual senior staff members (Senior Leadership Team or equivalent, whose basic actual salary is at least £60,000 per annum) by reference to categories	Hard copy	Actual
Staffing, pay and grading structure. As a minimum of pay information should include salaries for senior staff (Senior Leadership Team or equivalent as above) in bands of £10,000; for more junior posts, by salary range	Hard copy	Actual
Trustees / Governors allowances that can be incurred or claimed and a record of total payments made to individual governors or trustees	Hard copy	Actual
Class 3 – What our priorities are and how we are doing (current information as a minimum)		
School profile (including school performance data supplied to the DfE or a direct link to the data)	School website	Free
Latest Ofsted report (or a direct link to the data)	School Website	Free
Appraisal Policy	Hard Copy	Actual
The Trust/School future plans e.g. proposals for and any consultation on the future of the school, such as a change in status	Trust / School website	Free

Class 4 – How we make decisions (current and 3 years as a maximum)	How the information can be obtained	Cost
Admissions Policy	School website	Free
Trust Board and Local Governing Bodies Agendas and Minutes (this will exclude information that is properly regarded as private to the meetings)	To be viewed in person	
Class 5 – Our Policies and Procedures (current information only)		
Records management and personal data policies, including: Retention Schedule (Records Management) Data Protection Policy	Hard copy Hard copy	Actual Actual
Charging & Remissions policy	School website	Free
All relevant statutory policies required to be published (Appendix 1)	Trust/School websites	Free
Class 6 – Lists and Registers (currently maintained lists and registers only – this does not include attendance register)		
Curriculum circulars and statutory instruments	School website	Free
Any information the school is currently legally required to hold in publicly available registers	Hard copy	Actual
Class 7 – The services we offer (current information only)		
Extra-curricular activities / Out of school clubs	School website	Free
Services for which the school is entitled to recover a fee, together with those fees	School website	Free
School publications, leaflets, books and newsletters	School website or hard copy	Free Actual

Other information (current information only)	How the information can be obtained	Cost
SEND offer Gender Pay Gap Report Apprentice Report (as applicable)	School website Trust website Trust website	Free Free Free

1 Appendix 1 - Statutory publications

Information schools publish on their website (Where information is readily available via the trust or school website, we would encourage enquirers to locate and access the information electronically, where possible).	
School contact details	name, telephone number and postal address name of the member of staff who deals with queries from parents and other members of the public name of the head teacher or principal name and address of the chair of the governing body name and contact details of your special educational needs co-ordinator (SENCO) name and registered details of the trust
Admission and Appeals arrangements	Admissions policy for the whole of the offer year the school year in which offers for places are made and in compliance with the School Admissions Code and School Admission Appeals Code.
Ofsted report	The most recent Ofsted inspection report (full copy) or a link to the report on the Ofsted website.
Exams and assessment results	Schools are not required to publish their exam and assessment results from the 2019 to 2020 academic year but instead we continue to display their 2018 to 2019 performance measures until new performance measures are published. Key Stage 2 results <ul style="list-style-type: none"> • progress scores in reading, writing and maths • percentage of pupils who achieved at least the expected standard in reading, writing and maths • percentage of pupils who achieved at a higher standard in reading, writing and maths • average 'scaled scores' in reading and maths

	<p>Key Stage 4 results</p> <ul style="list-style-type: none"> • Progress 8 score • Percentage of pupils entering the English Baccalaureate (EBacc) • Pupil destinations - percentage of students staying in education or employment after key stage 4 • Attainment in English and maths - percentage of pupils achieving a grade 5 or above in GCSE English and maths • Attainment 8 score <p>Key Stage 5 results</p> <ul style="list-style-type: none"> • progress • attainment • English and mathematics progress • retention • destinations
Curriculum	Curriculum policy outlining the approach each school takes in the delivery of the curriculum.
Behaviour policy	School behaviour policy including an anti-bullying strategy.
Pupil premium	<p>Schools pupil premium strategy for the current academic year, including:</p> <ul style="list-style-type: none"> • school's pupil premium grant allocation amount • a summary of the main barriers to educational achievement faced by eligible pupils at the school • how each school will spend the pupil premium to overcome those barriers and the reasons for that approach • how schools will measure the effect of the pupil premium <p>For the previous academic year, schools will include:</p> <ul style="list-style-type: none"> • how the school spent the pupil premium allocation. • the effect of the expenditure on pupils

<p>Covid Catch-up premium</p>	<p>If your school gets the coronavirus (COVID-19) catch-up premium grant in academic year 2020 to 2021, you should publish details of:</p> <ul style="list-style-type: none"> • how it is intended that the grant will be spent • how the effect of this expenditure on the educational attainment of those pupils at the school will be assessed.
<p>PE and sport premium for primary schools</p>	<p>If a school receives PE and sport premium funding, the school will publish :</p> <ul style="list-style-type: none"> • the amount of premium received • an overview of how it has been spent • the impact the school has seen on pupils' PE and sport participation and attainment
<p>Equality Objectives</p>	<ul style="list-style-type: none"> • details of how a school complies with the public sector equality duty – is updated every year • a school's equality objectives are updated every 4 years
<p>SEND (Special educational needs and disabilities)</p>	<p>Schools update their SEND information report annually and action any changes occurring during the year as soon as possible.</p> <p>The report contains:</p> <ul style="list-style-type: none"> • the 'SEN Information' specified in Schedule 1 to the Special Educational Needs and Disability Regulations 2014. (Statutory guidance on this is contained in section 6.79 to 6.82 of the Special educational needs and disability code of practice: 0 to 25 years); • information as to: <ul style="list-style-type: none"> • the arrangements for the admission of disabled pupils • the steps you have taken to prevent disabled pupils from being treated less favourably than other pupils • the facilities a school provide to help disabled pupils to access the school

Careers programme information	<p>The school's published guidance relates to year 8 to 13 pupils (12 to 18 year olds) and include:</p> <ul style="list-style-type: none"> • the school or college's Careers Leader's name, email address and telephone number • an outline of the careers programme, including details of how pupils, parents, teachers and employers may access information about the careers programme • how the school or college measures and assesses the impact of the careers programme on pupils • the date of the school or college's next review of the information published
Complaints policy	Each school publishes and follows the trust's complaints policy.
Annual reports and accounts	<p>These are published on the trust website and include:</p> <ul style="list-style-type: none"> • annual audited accounts (including executive pay) • memorandum of association • articles of association • names of charity trustees and members • funding agreement
Trustees' information and duties	This information is published on the trust website.
Charging and remissions policy	This is a trust policy and is published on our school's website.
Values and ethos	All schools publish their statement.