

# **Estuaries Multi Academy Trust**

## **Freedom of Information**

### **Publication Scheme**

**This Policy was adopted by:  
The Trustees of Estuaries Multi Academy Trust  
on 31 March 2021**

## **1. Introduction**

- 1.1. The Freedom of Information (FOI) Act 2000 provides public access to information held by public authorities. It does this in two ways:
  - Public authorities are obliged to publish certain information about their activities.
  - Members of the public are entitled to request information from public authorities. They are entitled to be told whether the Estuaries Multi Academy Trust (the Trust) holds the information, and to receive a copy, subject to certain exemptions.
- 1.2. The Act does not give people access to their own personal data (information about themselves) such as their health records or credit reference file. If a member of the public wants to see information that the Estuaries Multi Academy Trust (the Trust) holds about them, a subject access request under the General Data Protection Regulations should be made.
- 1.3. This Publication Scheme commits the Trust to make information available to the public as part of its normal business activities. It sets out the Framework for how the Trust manages its obligations under the Freedom of Information Act, in terms of responding to written requests from the public and publishing certain information about its activities through the Freedom of Information Act Publication Scheme.

## **2. Scope of the FOI Act**

- 2.1. The Act covers all recorded information held by the Trust. It is not limited to official documents and it covers, for example, emails, notes, recordings of telephone conversations and CCTV recordings. It is also not limited to information that has been created, so it also covers, for example, letters received from members of the public, although there may be a good reason not to release them.
- 2.2. Requests for recorded information about the handling of previous freedom of information requests (meta-requests) should be treated no differently from any other request for recorded information.
- 2.3. The Act does not cover information that is in someone's head. If a member of the public asks for information, information only has to be provided that is already in recorded form. The Trust does not have to create new information or find the answer to a question from staff who may happen to know it.
- 2.4. The Act covers information that is held on behalf of the Trust. For example, certain types of work are outsourced to another provider. Outsourced services undertaken by an external company may hold information on the Trust's behalf. Some of the information held by the external

company may be covered by the Act if a freedom of information request is received. The company does not have to answer any requests for information it receives, but they may forward requests to the Trust.

- 2.5. The Act does not cover information the Trust holds solely on behalf of another person, body or organisation. This means employees' purely private information is not covered, even if it is on a work computer or email account; nor is information stored solely on behalf of a trade union, or an individual Governor or Trustee.

### **3. FOI Publication Scheme**

- 3.1. The Trust has adopted the Model Publication Scheme for Schools approved by the Information Commissioner and is set out in Appendix 1. This publication scheme commits the Trust to making information available to the public as part of its normal business activities. The information covered is included in classes of information, where this information is held by the Trust.

- 3.2 The scheme commits the Trust to:

- Proactively publish or otherwise make available as a matter of routine, information, which is held by the Trust and falls within the classifications.
- Specify the information which is held by the Trust and falls within the classifications.
- Proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- 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.
- Review and update on a regular basis the information the Trust makes available under this scheme.
- Produce a schedule of any fees charged for access to information which is made proactively available.
- Make this publication scheme available to the public.
- Publish any dataset held by the Trust that has been requested, and any updated versions it holds, unless the Trust is 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 Trust 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.

### **4. Classes of information**

- 4.1. The classes of information are:

- **Who we are and what we do** - organisational information, locations and contacts, constitutional and legal governance.
- **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** - strategy and performance information, plans, assessments, inspections and reviews.
- **How we make decisions** - policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.
- **Our policies and procedures** - current written protocols for delivering our functions and responsibilities.
- **Lists and Registers** - information held in registers required by law and other lists and registers relating to the functions of the Trust.
- **The Services we offer** - advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

4.2. 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.

## 5. Responding to Information Requests

5.1. The Trust has a duty to:

- Provide advice and assistance to anyone requesting information. The Trust will respond to straightforward verbal requests for information and will help enquirers to put more complex verbal requests into writing so that they can be handled under the Act.
- Tell enquirers whether or not the Trust holds the information they are requesting and provide access to the information the Trust holds in accordance with procedures.

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

- The Trust 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, the Trust will provide details of where to obtain the information.
- 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.

### 5.3 Managing Information Requests

- The Trust will update its records with the information requests that are received, to enable the Trust to have a complete overview and report on all FOI requests at Trust level. This will include requests that have been refused.
- Requests must be made in writing, (including email), and should include the enquirers name and correspondence address, and state what information they require. They do not have to mention the Act, nor do they have to say why they want the information. However, to help process requests quickly, requests should be marked "Publication Scheme Request." There is a duty to respond to all requests, telling the enquirer whether or not the information is held, and supplying any information that is held, except where exemptions apply.
- FOI requests should either be emailed to [info@estuaries.co.uk](mailto:info@estuaries.co.uk) or by post to: Chief Finance Officer, Estuaries Multi Academy Trust, 28 Old Exeter Road, Newton Abbot, Devon, TQ12 2NF
- There is a time limit of 20 school days for responding to a request. Where required, a reasonable extension of time to consider the public interest can be put in place. An extension beyond an additional 20 school days should be exceptional.
- Certain information is subject to either absolute or qualified exemptions. When applying a qualified exemption to a request, the public interest test procedures need to be invoked to determine if public interest in applying the exemption outweighs the public interest in disclosing the information. Exemptions include:
  - The Trust does not hold the information;
  - The information is exempt under one of the FOIA exemptions or Environmental Information Regulations 2004 (EIR) exceptions, or its release is prohibited under another statute;
  - The information is readily and publicly available from an external website; such information may have been provided either by the Trust or on its behalf. The Trust must provide a direct link to that information;

- 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.
- Unless it is in the public interest to withhold information, it will be released.

## 6. Charging

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 Trust for routinely published material will be justified and transparent and kept to a minimum.
- Charges may be made for information subject to a charging regime specified in the Act.
- Charges may be made for actual disbursements incurred such as: photocopying, postage and packaging, and 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.
- 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.

## 7. Complaints

- 7.1. If a member of the public is unhappy with the service they have received regarding their request and they wish to make a complaint or request a review of the decision, they should put it in writing to:

Chief Finance Officer, Estuaries Multi Academy Trust, 28 Old Exeter Road, Newton Abbot, Devon, TQ12 2NF

[info@estuaries.co.uk](mailto:info@estuaries.co.uk)

This information should be provided in the letter sent out in response to the request.

- 7.2. The Trust will aim to determine all complaints within 10 school days of the date of receipt of the complaint. The complaint will be dealt with by the Chief Executive Officer, if the Chief Finance Officer dealt with the original information request.
- 7.3. Following investigation, if the original decision is upheld, then the Trust has a duty to inform the complainant of their right to appeal to the Information Commissioner's Office, which will be detailed in the response letter. Appeals should be made in writing to the Information Commissioner's office as follows:

## 8. Publication and Review

- 8.1 This Publication Scheme will be published on the Trust's website and included in the Trust's Policy Monitoring Schedule.
- 8.2 The Trustees are responsible for overseeing, reviewing and organising the revision of this Publication Scheme. It will be reviewed every two years or upon change of relevant legislation. The application and outcomes of this policy will be monitored to ensure it is working effectively.

### Appendix 1 Publication Scheme

Information to be published	How the information can be obtained
<b>Class 1 - Who we are and what we do</b>	
<i>organisational information, locations and contacts, constitutional and legal governance</i>	
Estuaries Multi Academy Trust (MAT) Organisational information	Website
Locations and contacts	Website
Governance and structure	Website
Instrument of Government / Articles of Association	Website
School Prospectus and Curriculum	Website
Session Times and Contact Information	Website
<b>Class 2 - What we spend and how we spend it</b>	
<i>Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts</i>	
Annual Accounts for the previous year	Website
Capital Funding (Annual Accounts)	Website
Financial Audit Reports	Hard Copy
Procurement and Contracts	Hard Copy
Pay Policy	Hard Copy
Staff allowances, expenses and salary information	Hard Copy

<b>Class 3 - What our priorities are and how we are doing</b>	
<i>Strategy and performance information, plans, assessments, inspections and reviews</i>	
Estuaries MAT Vision and Strategy statement	Website
Performance Data	Website
Ofsted Reports	Website
Safeguarding and Child Protection	Website
<b>Class 4 - How we make decisions</b>	
<i>Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations</i>	
Admissions Policies	Website
Governance Structure	Website
Minutes of Estuaries MAT Board Meetings	Hard copy
Consultation surveys with students, parents and staff	Hard copy
<b>Class – 5 Our policies and procedures</b>	
<i>current written protocols for delivering our functions and responsibilities</i>	
School Policies and other documents	Website
Equality and diversity	Website
GDPR, Privacy Notices and Records Management	Website
Charging and Remissions Policy	Website
<b>Class 6 - Lists and Registers</b>	
<i>information held in registers required by law and other lists and registers relating to the functions of the Trust</i>	
Curriculum circulars and statutory instruments	Hard Copy
Disclosure Logs	Hard Copy
Asset Register	Hard Copy
<b>Class 7 - The Services we offer</b>	
<i>advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered</i>	
Extra-curricular activities	Website
Out of school clubs	Website
School publications	Website
Services for which the school is entitled to recover a fee, together with those fees	Hard Copy
Leaflets, booklets and newsletters	Hard Copy