



BRIGANTIA
LEARNING TRUST

Creating Excellence Together,
through a culture of care

FREEDOM OF INFORMATION POLICY AND PUBLICATION SCHEME





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1. Introduction

Brigantia Learning 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 FOI.

2. Freedom of Information requests

2.1. What is a request under FOI

Any request for any information from the Trust 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. Procedure

All non-routine FOI requests are to be forwarded to the Trust Central Team for action.

The person responsible for responding to FOI requests is the Senior Operations Officer (SOO). Enquiries can be sent by email to FOI-requests@brigantiatrust.net. Emails will be automatically forwarded to the SOO. Alternatively, a request can be sent by post to the SOO. Details of the email and postal addresses are published on the Brigantia Trust website.

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".

2.3. Requesting Information

A FOI request should:

1. Be in writing, including email
2. State the enquirer's name and correspondence address (email addresses are sufficient)
3. Describe the information requested – there must be enough information to be able to identify and locate the information
4. Not be covered by one of the other pieces of legislation.

2.4. Does the Trust hold the information

"Holding" the information means information relating to the business of the Trust which:

1. The Trust has created
2. The Trust has received from another body or person
3. Is held by another body on the Trusts behalf.

Information means both hard copy and digital information, including emails.

If the School / Trust does not hold the information, we do not have to create or acquire it just to answer the enquiry, although a reasonable search should be made before responding.

2.5. Vexatious, manifestly unreasonable or repeated requests

The Act states that there is no obligation to comply with vexatious requests. This is taken to mean a request which is designed to cause inconvenience, harassment, or expense, rather than to obtain



information, and would require substantial diversion of resources or would otherwise undermine the work of the School / Trust.

We do not have to comply with repeated identical or substantially similar requests from the same applicant unless a reasonable interval has elapsed between requests.

3. Personal Information

Whilst personal information requested by the subject of that information is exempt under the FOI Act and such information is covered by the Data Protection Act, individuals can make a “Subject Access Request” (SAR) or an FOI if they wish to access information about themselves. More information can be found in the Trust Data Protection Policy.

4. Exemptions

The guidance allows for a number of exemptions to apply, where this is the case, we will inform the requester. Common exemptions that might apply include:

- 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 (DPA)
- Section 40 (2) – compliance with the request would involve releasing third party personal data, and this would be in breach of the DPA
- Section 41 – information that has been sent to the Trust (but not the Trust’s own information) which is confidential.
- Section 21 – information that is already publicly available, even if payment of a fee is required to access that information.
- *Section 22 – information that the Trust intends to publish at a future date.*
- *Section 43 – information that would prejudice the commercial interests of the Trust and/or a third party.*
- *Section 38 – information that could prejudice the physical health, mental health or safety of an individual (this may apply particularly to safeguarding information).*
- *Section 31 – information which may prejudice the effective detection and prevention of crime – such as the location of CCTV cameras.*
- *Section 36 – information which, in the opinion of the Chair of Trustees of the Trust, would prejudice the effective conduct of the Academy. There is a special form for this on the ICO’s website to assist with the obtaining of the chair’s opinion.*

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. Time Limit for compliance

Compliance with a request must be prompt and within the prescribed limit of 20 working days, excluding School holidays. Failure to comply may result in a complaint to the Information Commissioner. The response time starts from the time the request is received. Where we have asked the enquirer for more information to enable us to answer, the 20 days start time begins when this further information has been received.



6. Request Response

When responding to a request where the Trust has withheld some or all of the information, the Trust 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

6.2. Complaints

The response should explain to the requestor how they can complain. All complaints should be handled through the Trust complaints policy which is available on the Trust website. The applicant should also be informed of their right to appeal to the Information Commissioner. The appeal should be made in writing to:

FOI Compliance Team (Complaints)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF



Appendix 1 - Publication Scheme

Introduction

The Freedom of Information Act 2000 (FOIA) requires all public authorities (including schools) to adopt and maintain a publication scheme. The Information Commissioners Office (ICO) has now created a model publication scheme that all public authorities must use

Brigantia Learning Trust and its academies are committed to making information about its operation and organisation generally available to the public, either through published documents (including those published on the Trust's and its academies' websites), or upon request.

Brigantia Learning Trust has adopted the ICO Model Publication Scheme in full, unedited. The Guide to Information below should be read together with the ICO Model Publication Scheme which can be found at: [model-publication-scheme.pdf \(ico.org.uk\)](https://www.ico.org.uk/for-organisations/guide-to-information/publication-scheme) and on the Trust website.

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 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 that contains personal data and cannot be published under UK GDPR

The Trust will make available the information it holds whether or not listed in the Publication Scheme unless the information is identified as not being available under one of the exemptions provided for by the legislation. A request should be made in writing, full contact details can be found on the Trust website: [Welcome to Brigantia Learning Trust - Brigantia Trust](#).

Requesting Information

An FOI request should:

1. Be in writing, including email
2. State the enquirer's real name and correspondence address (email addresses are sufficient)
3. Describe the information requested – there must be enough information to be able to identify and locate the information
4. Not be covered by one of the other pieces of legislation.



Information available on our websites is free for anyone to access. Hard Copy documents will be charged for in line with our charging policy.

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 Brigantia Learning Trust 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, as will information which can be provided by email.

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.

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.

Information to be published

Information to be published	How the information can be obtained
Class 1 - Who we are and what we do (Organisational information, structures, locations, and contacts) This will be current information only	
Who's who in the Trust	Hard Copy / Trust Websites
Who's who on the Board of Trustees and the basis of their appointment	Hard Copy / Trust Websites
Instrument of Government	Hard Copy / Trust Websites
Contact details	Hard Copy / Trust Websites
School prospectus	Individual school websites
Annual Report	Hard Copy / Trust Websites
Gender Pay Gap report	Hard Copy / Trust Websites
Staffing structure	Hard Copy / Trust Websites
School session times and term dates Individual school	Individual school websites
Class 2 - What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum	
Annual budget plan	Hard Copy
financial statements	Trust Website
Capital funding	Hard Copy
Financial audit reports	Hard Copy
Procurement and contracts	Hard Copy
Staff allowances and expenses that can be incurred or claimed, with totals paid to individual senior staff members (Senior	Hard Copy



Leadership Team or equivalent, whose basic actual salary is at least £60,000 per annum) by reference to categories.	
Staffing pay and grading structure. As a minimum the 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.	Trust Website
Governors' allowances	Hard Copy
Premiums or other forms of financial support available(Pupil Premium)	Hard Copy/Trust Website
TU Facility time reporting	Hard Copy/Trust Website
Class 3 - What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current information as a minimum	
Performance data supplied to the Government	Trust Website Individual academy websites
The Latest Ofsted Report	Individual academy websites
Performance management policy (Appraisal policy) and procedures adopted by the governing body	Hard Copy
The school's future plans; for example, proposals for and any consultation on the future of the school, such as a change in status	Hard Copy
Exam and Assessment reports	Trust Website
Performance Tables	Trust Website
Data protection impact assessments (in full or summary format) or any other impact assessments (eg health and safety impact assessments, equality impact assessments), as appropriate and relevant.	Hard Copy
Class 4 - How we make decisions (Decision making processes and records of decisions) Current and previous three years as a minimum	
Admissions policy/decisions (not individual admission decisions)	Hard Copy/Trust Websites
Agendas of meetings of the Trust Board and its sub-committees	Hard Copy
Minutes of meetings (as above) – (NB this will exclude information that is properly regarded as private to the meetings).	Hard Copy
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities)	
Statutory Policies	Hard Copy/Trust Websites
All other non-statutory policies	Hard Copy/Trust Websites
Records management and personal data policies, including: <ul style="list-style-type: none"> • Information security policies • Records retention, destruction, and archive policies • Data protection (including information sharing policies) 	Hard Copy/Trust Websites
Charging and Remissions policy	Hard Copy/Trust Websites
Safeguarding and child protection	Trust Websites
Pay policy	Hard Copy
H&S Policy	Hard Copy/Trust Website
Policies and procedures for human resources and the recruitment of staff	Hard Copy/Trust Website
Equality and diversity	Hard Copy/Trust Website
Careers programme information	Hard Copy/Trust Website



Complaints procedures, including for dealing with parental complaints	
Class 6 – Lists and Registers Currently maintained lists and registers only (this does not include the attendance register)	
Any information the school is currently legally required to hold in publicly available registers (This does not include the Attendance register)	Hard Copy
Curriculum circulars and statutory instruments	Hard Copy/Trust Websites
Disclosure Log	Hard Copy
CCTV - Locations	Hard Copy
Asset Register - Make available some information from capital asset registers	Hard Copy
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only	
Extra-curricular activities	Individual academy websites
Out of school clubs	Individual academy websites
Services for which the school is entitled to recover a fee, together with those fees	Individual academy websites
School publications, leaflets, books and newsletter	Hard Copy

Schedule of charges

Type of Charge	Description	Basis of Charge
Disbursement cost	Photocopying/printing (black & white)	5p per sheet
	Photocopying/printing per A4 sheet (colour)	10p per sheet
	Postage	Actual cost of Royal Mail standard 2nd class
Statutory Fee		In accordance with the relevant legislation
Staff costs	Cost of time involved to prepare response - £25 per hour	Flat Charge

* the actual cost incurred by the public authority