The Diocese of Gloucester Academies Trust

Freedom of Information Policy

Authentically Christian

Boldly passionate about excellence in learning

Relentlessly driven in our aspiration for everyone

Status and review cycle;	Statutory and annual
Responsible group:	The Trust
Implementation date:	April 2014
Next Review Date:	November 2021

Freedom of Information Policy

Policy Statement

1. The Diocese of Gloucester Academies Trust is committed to the Freedom of Information Act 2000 ("FOIA") which came into force on 1 January 2005 and which applies to Academies with effect from 1 January 2011. The Trust is committed to the principles of accountability and the general right of access to information, subject to legal exemptions. This policy outlines its framework for managing requests.

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

    - The General Data Protection Regulation
    - The Data Protection Act 2018
    - The Freedom of Information Act 2000
    - The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

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

    - Cabinet Office (2018) 'Freedom of Information Code of Practice'
    - ICO (2013) 'Definition document for the governing bodies of maintained and other state-funded schools in England'
    - ICO (2015) 'Model publication scheme'
    - ICO (2016) 'Duty to provide advice and assistance (section 16)'
    - ICO (2015) 'Time limits for compliance under the Freedom of Information Act (section 10)'

Purpose and Scope:

2. This policy is intended to provide guidance to all DGAT staff in respects for information under the FOIA.

Objectives

3. Under the FOIA, any person has a legal right to ask for access to information held by the Diocese of Gloucester Academies Trust. They are entitled to be told whether the Trust holds the information, and to receive a copy, subject to certain exemptions. The Diocese of Gloucester Academies Trust is under a duty to provide advice and assistance to individuals making requests under the FOIA.

4. The information which the Trust routinely makes available to the public is included in the Diocese of Gloucester Academies Trust FOIA Publication Scheme. Requests for other information are dealt with in accordance with statutory guidance. While the Act assumes

openness, it recognises that certain information is sensitive. There are exemptions to protect this information.

5. The Act is fully retrospective, so that any past records which the Trust holds are covered by the Act. The Trust has a Retention Schedule based on the schedule recommended by the Records Management Society of Great Britain, which guides the Trust as to how long it should keep records. It is an offense to wilfully conceal, damage or destroy information in order to avoid responding to an enquiry, so it is important that no records that are the subject of an enquiry are amended or destroyed.

6. Requests received under the FOIA could be addressed to anyone employed by the Trust. However, all requests for information received should be referred to the Data Protection Officer, who will decide firstly if the request is an FOIA request and secondly how it is to be dealt with and by whom. Staff need to be aware of the process for dealing with requests. Requests must be made in writing, (which can include email and Social Media) and should include the enquirer's name and an address to which replies can be sent, such as an email, 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. 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. There is no need to create information which doesn't exist in order to respond to an enquiry, although gathering information from multiple sources should not be discounted.

7. Where a request is submitted in a foreign language, the Trust is not expected to obtain a translation of the request. For the request to be processed, the Trust will ask the applicant to provide their request in English.

8. There is a time limit of 20 working days to respond, counting the first working day after the request is received as the first day. For schools, the standard time limit is 20 school days, or 60 working days if this is shorter (see appendix 1).

Scope

9. The Chief Executive Officer is responsible for ensuring compliance with Trust Policies and Procedures. These policy and procedures apply to all Trust staff when requests for information are received.

10. Requests for an individual's own personal data are covered by the EU General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA) (together, "DP Law"). Individuals can request to see what information the Trust holds about them under DP Law. This is known as a Subject Access Request and must be dealt with accordingly.

11. Requests for information about anything relating to the environment – such as air, water, land, the natural world or the built environment and any factor or measure affecting these – are

covered by the Environmental Information Regulations ("EIR"). Requests under the EIR are dealt with in the same way as those under the FOIA, but they can be verbal.

Associated documents:

DGAT FOIA Publication Scheme
Diocese of Gloucester Academies Trust Data Protection Policy

Procedure: Obligations and duties

12. The Directors of the Trust recognises their duty to provide advice and assistance to anyone requesting information. The individual academies 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 FOIA.

13. Provided that the request meets the requirements of this policy, the Trust will comply with its duty to

    - Confirm or deny to any person making a request for information to the Trust, whether it holds information of the description specified in the request.
    - Provide the documentation, if the Trust confirms that it holds the requested information.

Publication scheme

14. The Diocese of Gloucester Academies Trust has created a Publication Scheme derived from the Model Publication Scheme for Academies approved by the Information Commissioner.

15. The Publication Scheme and the materials it covers will be readily available from the Chief Executive Officer, the Principal's of each academy Trust and from the indicated website.

Contracts and outsourced services

16. The Trust will make clear what information is held by third party contractors on behalf of the Trust.

17. Where a contractor holds information relating to a contract held with the School on behalf of the School, this information is considered in the same way as information held by a public authority and so is subject to the Freedom of Information Act 2000

18. When entering into a contract, the School and contractor will agree what information the School will consider to be held by the contractor on behalf of the School, this will be indicated in the contract

19. Appropriate arrangements will be put in place for the School to gain access to information held by the contractor on the Schools behalf, if a freedom of information request is made. These arrangements will be set out in a contract, and will cover areas including the following:

- How and when the contractor should be approached for information and who the points of contact are.
- How quickly information should be provided to the School.
- How any disagreement about disclosure between the School and contractor will be addressed.
- How requests for internal reviews and appeals to the ICO will be managed.
- The contractor's responsibility for maintaining record keeping systems in relation to the. information they hold on behalf of the School.
- The circumstances under which the school must consult with the contractor about disclosure and the process for doing so.
- The types of information which should not be disclosed and the reasons for this confidentiality, where appropriate.

20. Contractors must comply with requests from the school for access to information they hold on behalf of the school.

21. Requests for information held by a contractor on behalf of the school will be responded to by the school. If a contractor receives a request, this will be passed onto the Trust for consideration.

Dealing with requests

22. The Trust will respond to all requests in accordance with the procedures in Appendix 1 and will ensure that its staff are aware of the procedures.

23. Staff are made aware that it is a criminal offence to alter, deface, block, erase, destroy or conceal any information held by the school with the intention of preventing disclosure following a request.

Exemptions

24. Certain information is subject to either absolute or qualified exemptions. The exemptions are listed in Appendix 2.

25. When the Trust wishes to apply a qualified exemption to a request, it will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information.

26. Requests for information that is not recorded by the school (e.g. requests for explanations, clarification of policy and comments on the school's business) will not be considered valid requests. In these cases, the applicant will be provided with an explanation of why their request will not be treated under the Freedom of Information Act 2000 and the school will respond to the applicant through other channels as appropriate.

27. The Trust will maintain a register of requests where it has refused to supply information, and the reasons for the refusal. The register will be retained for 5 years from the date of the request.

Public interest test

28. Unless it is in the public interest to withhold information, it must be released. Having established that a qualified exemption applies to a particular case, the Trust must then carry out a public interest test to identify if the public interest in applying the exemption outweighs the public interest in disclosing it. For further details on applying the Public Interest Test see Appendix 3.

29. Where a public interest test extension is required, the Trust will write to the applicant to inform them of this, stating the following information.

    - Which exemption(s) the extension relies on and why
    - A revised deadline for when the applicant will receive their response
    - Where a deadline must be further extended, the school will write to the applicant again, stating the information outlined above.

Charging

30. Most information will be freely available through the Trust and academies websites. Enquirers will be directed to the Trust/academy website if the information they request is available on it.

31. The Directors reserve the right to charge a fee for complying with requests for information under FOIA, other than information available through its website. The fees are according to FOIA regulations, (see Appendix 4) and the enquirer will be asked for payment of the charge before the information is supplied. Under Section 12 of the FOIA, the Trust does not have to comply with a request for information if the estimated cost of compliance exceeds £450 (see Appendix 4) Where a fee is charged, the timeframe within which the school has to respond to the request begins from the day the fee is received.

Complaints

32. If the Trust receives any complaints in relation to requests made under the FOIA, they will be dealt with by the CEO. They will investigate promptly the basis of the complaint, including discussion with the complainant. The CEO will investigate fully how the request has been dealt with and decide whether she agrees with the information given or, if the request has been refused, the basis on which refusal has been made. The outcome of the review will be communicated to the complainant within 20 working days.

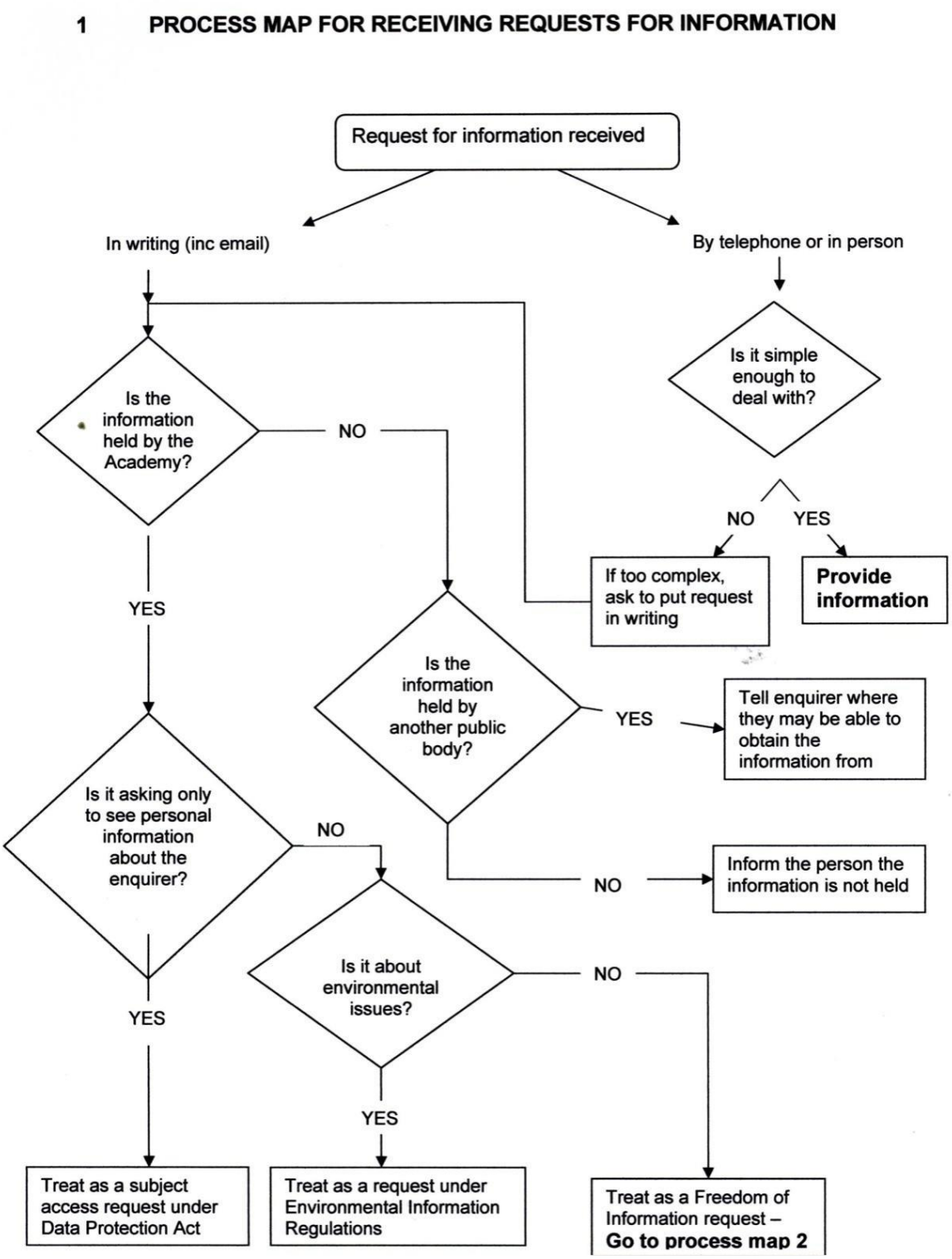
33. If, after investigation, the original reply to the request is unchanged, the complainant will be informed of their right to appeal to the Information Commissioner's Office.

34. Appeals should be made to the Information Commissioner's Office, via the website at www.ico.org.uk/make-a-complaint or by post to Customer Contact, Information Commissioner's Office Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Appendices

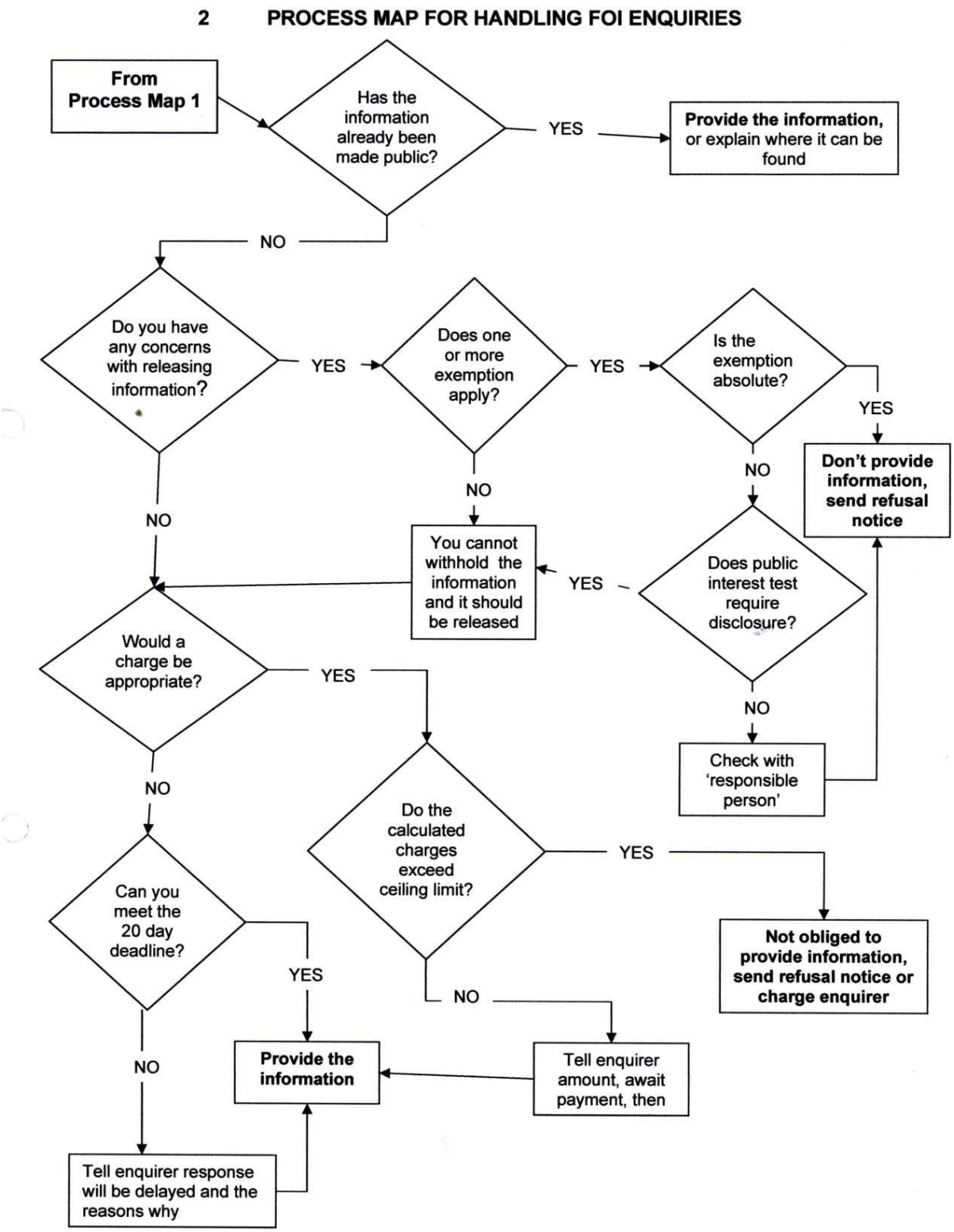
Appendix 1 - Procedures for Dealing with Requests
Appendix 2 - Exemptions
Appendix 3 - Applying the Public Interest Test
Appendix 4 - Charging

Appendix 1 Procedure for dealing with requests



Note: Verbal requests for information which fall under the Environmental Information Regulations will be accepted. However, enquirers will be asked to put them in writing if their request is unclear. Requests under DP Law can also be verbal, but the requestor will be asked to put the request in writing. If this is not possible, the person taking the call shall make a note of the individuals' name and the details of the request. Requests under FOIA must be in writing, which can include email and Social Media.

Procedure for Dealing with Requests



Appendix 1 Procedure for dealing with requests

1 In order that a request for information can be handled appropriately it is necessary to ask a series of questions. These are set out below and shown on the process maps.

a) Is it a FOIA request for information?

A request for information may be covered by one, or all, of three information rights: DP Law enquiries or Subject Access requests are ones where the enquirer asks to see what personal information the academy holds about the enquirer. If the enquiry is a Data Protection request, follow the Academy's Data Protection Access guidance. Environmental Information Regulations enquiries are ones which relate to air, water, land, natural sites, built environment, flora and fauna, and health, and any decisions and activities affecting any of these. These therefore could include enquiries about recycling, phone masts, playing fields, car parking, etc. If the enquiry is about environmental information, follow the guidance on the Information Commission's website or the DEFRA website. FOIA enquiries are concerned with all other information and the reasoning behind decisions and policies. The request does not have to mention the Freedom of Information Act. All requests for information that are not data protection or environmental information requests are covered by the FOIA.

b) Is this a valid FOIA request for information?

An FOIA request should:

Be in writing, including email fax or via Social Media.

(a); State the enquirer's name and correspondence address (email addresses are sufficient); Describe the information requested – there must be enough information to be able to identify and locate the information

(b); and Not be covered by one of the other pieces of legislation.

(1) Verbal enquires are not covered by the FOIA. Such enquiries can be dealt with when the enquiry is fairly straightforward. However, for more complex enquiries, and to avoid disputes over what information was requested, we ask the enquirer to put the request in writing or email, when the request will become subject to the FOIA.

(2) In cases where the enquiry is ambiguous, we will attempt to assist the enquirer to describe more clearly the information requested. Where possible, establish direct contact. The aim is to clarify the nature of the information requested and not to determine the aims or motivation of the enquirer. If we notify the enquirer that we need further information to enable us to answer, we do not have to deal with the request until the further information is received. The response time limit commences from the date the further information is received.

c) Does the Trust hold the information?

"Holding" the information means information relating to the business of the Academy which: The Academy has created, or The Academy has received from another body or person, or is held by another body on the Trust's behalf.

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

If the Trust does not hold the information, the Trust do not have to create or acquire it just to answer the enquiry, although a reasonable search should be made before denying that you have got information the Academy might be expected to hold.

d) Has the information requested already been made public?

If the information requested is already in the public domain, for instance through the Publication Scheme, the Trust or individual academy will direct the enquirer to the information and explain how to access it.

e) Is the request vexatious or manifestly unreasonable or repeated?

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 Trust.

The Trust will not comply with repeated identical or substantially similar requests from the same applicant unless a reasonable interval has elapsed between requests.

f) Could a third party's interests be affected by disclosure?

Consultation of contracts and outsourced parties may be required if their interests could be affected by the release of the information, and any such consultation may influence the decision. The Trust does not need to consult where it is not going to disclose the information because the Trust are applying an exemption.

Consultation will be necessary where: Disclosure of information may affect the legal rights of a third party, such as the right to have certain information treated in confidence or rights under Article 8 of the European Convention on Human Rights; the views of the third party may assist us to determine if information is exempt from disclosure, or the views of the third party may assist us to determine the public interest.

g) Does an exemption apply?

The presumption of the legislation is that we will disclose information unless the Act provides a specific reason to withhold it. There are more than 20 exemptions. They are set out in Appendix 2 and are mainly intended to protect sensitive or confidential information.

Only where we have real concerns about disclosing the information should we refer to see whether an exemption might apply. Even then, where the potential exemption is a qualified exemption, we need to consider the public interest test to identify if the public interest in

applying the exemption outweighs the public interest in disclosing it. Therefore, unless it is in the public interest to withhold the information, it will be released. Appendix 3 contains guidance on conducting a public interest test.

h) Is the request for personal information about the applicant?

Personal information requested by the subject of that information is exempt under the FOIA as such information is covered by DP Law. Individuals must make a "subject access request" under DP Law if they wish to access information about themselves.

i) Do the details requested contain personal information?

Personal information requested by third parties is also exempt under the FOI where release of that information would breach DP Law. If a request is made for a document which contains personal information whose release to a third party would breach DP Law, the document may be issued by blanking out the relevant personal information.

If issuing with redactions the procedure for redaction, or blocking out information, is to mask the passages which are not to be disclosed and then photocopy the document. Annotate in the margin against each blank passage the exemption and section of the Act under which the passage is exempt. Explain in the covering letter that the relevant exemptions are marked in the attachments and in the case of non-absolute exemptions, how the public interest test has been considered.

j) What is the cost of providing the information requested?

There is an exemption from the Trust's obligation to comply with a request for information where the cost of compliance is estimated to exceed the cost limit (currently £450). The first step therefore is to determine if the cost limit would be exceeded. Staff costs should be calculated at £25 per hour, regardless of which staff member would be undertaking the work. This means that the cost limit will be exceeded if more than 18 man hours would be expended. The Trust can take account of the time it takes to determine if the information is held, the time to locate and retrieve the information and extract the information from other documents. The Trust cannot take into account the time involved in determining whether the information is exempt.

If a request would cost less than the cost limit in force at the time of the request, the Trust can only charge for the cost of informing the applicant whether the information is held, and communicating the information to the applicant. This may include photocopying, printing and postage.

If a request would cost more than the appropriate limit in force at the time of the request, the Trust's policy is to refuse the request. In such a case, the enquirer would be contacted and asked if the request could be modified, in order to get the estimated costs below the limit. If the Trust did decide to provide the information requested, it has the right to charge based on the actual costs involved.

It should be considered whether calculating the cost of the fee outweighs the cost of providing the information. For relatively straightforward requests, the Trust will consider responding free of charge.

If the Trust makes the decision to charge, we will send the enquirer a fee notice and do not have to comply with the request until the fee has been paid. Appendix 4 gives more information on charging.

k) Is there a time limit for replying to the enquirer?

Compliance with a request must be prompt and within the prescribed limit of 20 working days of the date of receipt, disregarding any working day that, in relation to the Academy, is not a school day, or 60 working days following the date of receipt, whichever is the sooner. Failure to comply may result in a complaint to the Information Commissioner. The response time starts from the time the request is received. Where the enquirer has been asked for more information, the start time begins when this further information has been received.

If a qualified exemption applies and The Trust need more time to consider the public interest test, The Trust will reply within the prescribed limit stating that an exemption applies but include an estimate of the date by which a decision on the public interest test will be made. This should be within a "reasonable" time – in practice, it is recommended by the Department for Education that normally this should be within 10 working days.

Where the Trust has notified the enquirer that a charge is to be made, the time period stops until payment is received and then resumes once payment has been received.

l) What action is required to refuse a request?

If the information is not to be provided, the person dealing with the request must immediately contact Data Protection Officer to ensure that the case has been properly considered and the reasons for refusal are sound. If it is decided to refuse a request, a refusal notice will be sent, which must contain:

i) The fact that the responsible person cannot provide the information asked for;

ii) Which exemption we are claiming to apply;

iii) Why the exemption applies to this enquiry if it is not self-evident;

iv) The reasons for refusal if based on cost of compliance (see Appendix 4);

v) In the case of non-absolute exemptions, how we have applied the public interest test, specifying the public interest factors considered before reaching the decision (see Appendix 3);

vi) Reasons for refusal on vexatious or repeated grounds

vii) Details of the internal complaints procedure.

For monitoring purposes and in case of an appeal against a decision not to release the information or an investigation by the Information Commissioner, the Data Protection Officer must keep a record of all enquiries where all or part of the requested information is withheld and exemptions are claimed. The record must include the reasons for the decision to withhold the information. Records are to be retained for five years. There are no requirements to keep records where we have supplied the information requested.

m) What do we do if someone asks a follow up question?

If an applicant requests a follow up question this is treated as a new request.

n) What do we do if someone complains?

Any written expression of dissatisfaction (including email) – even if it does not specifically seek a review – should be forwarded to the CEO who will conduct a review of how the request has been dealt with and of the information provided or, if the request has been refused, of the reasons for refusal. The results of the CEO's review should be communicated to the enquirer within 20 working days. The Trust will maintain records of all complaints and their outcomes.

When the original request has been reviewed and the outcome is that the information should be disclosed this should be done as soon as practicable. When the outcome is that procedures within the Trust have not been properly followed, the Trust will review procedures to prevent any recurrence. When the outcome upholds the Trust's original decision or action, the applicant will 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 2 Exemptions

1 Although decisions on disclosure should be made on a presumption of openness, the FOIA recognises the need to preserve confidentiality and protect sensitive material in some circumstances.

2 The Trust will not withhold information in response to a valid request unless one of the following applies: An exemption to disclose, or The information sought is not held, or The request is considered vexatious or repeated, or The cost of compliance exceeds the cost limit (see Appendix 4).

The duty to confirm or deny

3 A person applying for information has the right to be told if the information requested is held by the Trust, and if that is the case to have the information sent (subject to any of the exemptions). This obligation is known as the Trust's "duty to confirm or deny" that it holds the information. However, the Trust does not have to confirm or deny if: The exemption is an absolute exemption or in the case of qualified exemptions, confirming or denying would itself disclose exempted information.

Exemptions

4 A series of exemptions are set out in the FOIA which allow the withholding of information in relation to an enquiry. Some are very specialised in their application, such as national security, and are not normally relevant to the Trust. There are more than 20 exemptions, but the Trust is likely to use only a few of them.

5 There are two general categories of exemptions:

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

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

What are the Absolute Exemptions?

6 There are 8 absolute exemptions listed in the Act at the time of writing. Even where an absolute exemption applies it does not mean that the Trust can't disclose in all cases; it means that disclosure is not required by the Act. A decision could be taken to ignore the exemption and release the information taking into account all the facts of the case. There is still a legal obligation to provide reasonable advice and assistance to the enquirer.

7 The absolute exemptions in the Act include: information accessible to the enquirer by other means; information dealing with security matters; court records; parliamentary privilege; prejudice to the effective conduct of public affairs in relation to the House of Commons or the House of Lords; certain communications with the Queen, personal information about the requestor, and personal information about a third party that would breach DP Law if released; information provided to the Trust in confidence; disclosures that are legally prohibited (for example, under the Official Secrets Act).

For more information about Absolute Exemptions, please refer to the FOIA.

What are the Qualified Exemptions?

8 With qualified exemptions, even if it is decided that an exemption applies, there is a duty to consider the public interest in confirming or denying that the information exists and in disclosing the information. Guidance on carrying out the public interest test is in Appendix 3. The qualified exemptions in the Act are set out include:; information intended for future publication; national security; defence; international relations; relations within the UK; the economic interests of the UK; Investigations and proceedings conducted by public authorities; law enforcement; audit functions; formation of government policy; prejudice to the conduct of public affairs (where in the opinion of the Chair of Trustees of the Trust, the work of the Academy would be prejudiced by the disclosure); health and safety; certain communications with the Queen; environmental information; information that would prejudice a commercial interest, information covered by legal professional privilege.

For more information, see the FOIA.

Confidentiality and Applying Exemptions

9 When considering if an exemption to disclosure should apply, the Trust will bear in mind that the presence of a confidential marking (e.g. Restricted, Confidential or Private) does not constitute an exemption and is not, in itself, sufficient grounds on which to prevent disclosure. Each case must be considered on its merits.

Timing

10 Where information has previously been withheld, it must not be assumed that any subsequent requests for the same information will also be refused. Sensitivity of information decreases with age and the impact of any disclosure will be different depending on when the request is received. Therefore, for each request, the Trust will consider the harm that could result at the time of the request and, while taking into account any previous exemption applications, each case should be considered separately.

Next steps

11 In all cases, before writing to the enquirer, the person given responsibility for FOIA by the governing body will need to ensure that the case has been properly considered, and that the reasons for refusal, or public interest test refusal, are sound. To help ensure this, every case of refusal is reviewed by Data Protection Officer.

Appendix 3 Applying the Public Interest Test

1 Having established that a qualified exemption definitely applies to a particular case, the Trust must then carry out a public interest test to identify if the public interest in applying the exemption outweighs the public interest in disclosing it. Therefore, unless it is in the public interest to withhold the information, it must be released. Although precedent and a case law will play a part, individual circumstances will vary, and each case will need to be considered on its own merits.

Carrying out the test

2 It is worth noting that what is in the public interest is not necessarily the same as that which may be of interest to the public. It may be irrelevant that a matter may be the subject of public curiosity. In most cases it will be relatively straightforward to decide where the balance of the public interest in disclosure lies. However, there will inevitably be cases where the decision is a difficult one. Applying such a test depends to a high degree on objective judgement and a basic knowledge of the subject matter and its wider impact in the Academy and possibly wider. Factors that might be considered when weighing the public interest include:

Is disclosure likely to increase access to information held by the Trust?

Is disclosure likely to distort public reporting or be misleading because it is incomplete?

Is disclosure likely to give the reasons for a decision or allow individuals to understand decisions affecting their lives or assist them in challenging those decisions?

Is premature disclosure likely to prejudice fair scrutiny, or release sensitive issues still on the internal agenda or evolving?

Is disclosure likely to improve the accountability and transparency of the Trust in the use of public funds and help to show that it obtains value for money?

Is disclosure likely to cause unnecessary public alarm on confusion?

Is disclosure likely to contribute to public debate and assist the understanding of existing or proposed policy?

Is disclosure likely to seriously jeopardise the Trust's legal or contractual position?

Is disclosure likely to increase public participation in decision making?

Is disclosure likely to infringe upon other legislation e.g. DP Law?

Is disclosure likely to increase public participation in the political processes in general?

Is disclosure likely to create a controversial precedent on the release of information or impair our ability to obtain information in the future?

Is disclosure likely to bring to light information affecting public safety?

Is disclosure likely to adversely affect the Trust's proper functioning and discourage openness in expressing opinions?

Is disclosure likely to reduce further enquiries on the topic?

If a large amount of information on the topic has already been made available, would further disclosure shed any more light or serve any useful purpose?

3 Note also that: Potential or actual embarrassment to, or loss of confidence in, the Trust, staff, or governors is NOT a valid factor to consider. The fact that the information is technical, complex to understand and may be misunderstood may not of itself be a reason to withhold information. The potential harm of releasing information will reduce over time and should be considered at the time the request is made rather than by reference to when the relevant decision was originally taken. The balance of the public interest in disclosure cannot always be decided on the basis of whether the disclosure of particular information would cause harm, but on certain higher order considerations such as the need to preserve confidentiality of internal discussions. A decision not to release information may be perverse, i.e. would a decision to withhold information because it is not in the public interest to release it, itself result in harm to public safety, the environment or a third party.

4 The Trust will record the answers to these questions and the reasons for these answers. Deciding on the public interest is not simply a matter of adding up the number of relevant factors on each side. The Trust will decide how important each factor is in the circumstances on make an overall assessment. This assessment will be reviewed by the Data Protection Officer. If the reviewer disagrees with the assessment, it will be referred to another reviewer.

Decision for disclosure

5 Where the balance of the public interest lies in disclosure, the enquiry will be dealt with and the information required will be made available.

Decision against disclosure

6 After carrying out the public interest test if it is decided that the exemption should still apply, the Trust will reply to the request with the appropriate reply under the circumstances.

7 There will be occasions when it has been decided that a qualified exemption applies but consideration of the public interest test may take longer. In such a case, the Trust will contact the enquirer within the prescribed time limit stating that a particular exemption applies, but will include an estimate of the date by which a decision on the public interest test will be made. This will be within a reasonable time, normally no more than 10 working days beyond the prescribed time limit.

Appendix 4 Charging

NB: Different charges apply for requests under DP Law.

Charging a fee?

1 FOIA does not require charges to be made but the Trust has discretion to charge applicants a fee in accordance with the Fees Regulations.

What are the costs that may be taken into account?

2 The Trust will take the following into account when calculating the estimated cost of complying with a request for information: the prescribed costs:

The Trust may, for the purposes of its estimate, take into account only the costs it reasonably expects to incur in relation to the request in –

a) determining whether it holds the information,

b) locating the information, or a document which may contain the information,

c) retrieving the information, or a document which may contain the information, and

d) extracting the information from a document containing it. the disbursements

These are any costs directly and reasonably incurred by the Trust in:

1) informing the applicant whether it holds information of the description specified in the request

2) communicating the information to the applicant

Are there limits to the fee that can be charged?

3 Yes. If the Trust chooses to charge a fee for complying with a request for information, it must not be more than the sum of the prescribed costs and the disbursements.

What if the estimated costs exceed the cost limit of £450?

4 If the estimated cost of complying exceeds the cost limit the Trust is not required to comply with the request but may still choose to do so. The charge levied in such a case will be based upon the true costs to the Trust.

For all requests, the Trust has regard to the following points:

5 The duty to provide advice and assistance to applicants. If the Trust plans to refuse a request on grounds of cost it will contact the enquirer in advance to discuss whether they would prefer the scope of the request to be modified so that it would cost less than the limit.

6 The Regulations set out the maximum amount that can be charged. They do not set out a minimum charge nor prevent the Trust from charging no fee. The Trust will waive a fee for simple and straightforward requests.

May the costs be aggregated where there are multiple requests?

7 Where two or more requests are made to the Trust by different people who appear to be acting together or as part of a campaign, the estimated costs of complying with any of the requests is to be taken to be the estimated total cost of complying with them all, provided that:

a) The two or more requests referred to in that section are for information which is on the same subject matter or is otherwise related;

b) The last of the requests is received by the Trust by the twentieth working day following the date of receipt of the first of the requests, and

c) It appears to the Trust that the requests have been made in an attempt to ensure that the prescribed costs of complying separately with each request would not exceed the appropriate limit.

How will the Trust inform the applicant of the fee?

8 Where the Trust intends to charge a fee for complying with a request for information, it will give the person requesting the information notice in writing (the "fees notice") stating that a fee of the amount specified in the notice is to be charged for complying.

9 Where a fees notice has been given to the person making the request, the Trust does not need to comply with the request unless the fee is paid within three months of the notice being received.

Freedom of Information

Guide to information available from the Diocese of Gloucester Academies Trust and associated academies under the publication scheme

Information to be published	**How the information can be obtained**	**Charge**
Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only	(hard copy and/ or website)	
Academy Funding Agreement – a link to the document on the Department for Education's website	DfE website	
Academy Order (if applicable)	DfE website	
School staff and structure – names of key personnel	Academy website	No charge
Governing body – names and contact details of the governors and the basis of their appointment	Trust and academies website	No charge
School session times, term dates and holidays	Academies websites	No charge
Location and contact information – address, telephone number and website	Trust and academies website	No charge
Contact details for the Principal and the Governing Body	Academy website	No charge
School Prospectus	Academy website	No charge
School Session times and term dates	Academy website	No charge
GCSE results – a link to the data on the Department for Education's website		

Information to be published	How the information can be obtained	Charge
What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) This should be a minimum of current and the previous two years financial years (accounts that have been filed with the Charity Commission and Companies House).	Companies House Academy Trust registered office	Photocopying, staff time and postage
Annual budget plan and financial statements	Academy Trust registered office	Photocopying, staff time and postage
Capital funding – details of capital funding allocated to the school along with information on related building projects and other capital projects	Academy Trust registered office	Photocopying, staff time and postage
Additional funding – Income generation schemes and other sources of funding.	Academy Trust registered office	Photocopying, staff time and postage
Procurement and contracts – details of procedures used for the acquisition of goods and services. Details of contracts that have gone through a formal tendering process.	Academy Trust registered office	Photocopying, staff time and postage
Staffing and grading structure	Individual academies	Photocopying, staff time and postage
Pay policy – a statement of the Academy's policy on procedures regarding teachers' pay.	Academy Trust	Photocopying, staff time and postage
Governors' allowances – Details of allowances and expenses that can be claimed or incurred.	Academy Trust	Photocopying, staff time and postage

Information to be published	How the information can be obtained	Charge
What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current information should be published.	Academy website	No charge
School profile • Government supplied performance data • OFSTED report – summary and full report	DfE website Ofsted website and academy website	No charge
Performance management information	Application to academy	Photocopying, staff time and postage
Academy's future plans – any major proposals on safeguarding and promoting the welfare of children.	Academy website	
Child protection – policies and procedures on safeguarding and promoting the welfare of children.	Academy website	

Information to be published	How the information can be obtained	Charge
How we make decisions (Decision making processes and records of decisions) Current and previous three years as a minimum	Photocopying, staff time and postage	Photocopying, staff time and postage
Admissions policy - arrangements and procedures and right of appeal – include information on application numbers and number of successful applicants by each oversubscription criteria.	Academy website and application to Trust	Photocopying, staff time and postage
Governing body meeting agendas, papers and minutes – information that is properly considered to be private should be excluded.	Hard copy by application to individual academy	Photocopying, staff time and postage

Information to be published	How the information can be obtained	Charge
Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities)	Academy websites and application to the Trust for hard copies	Photocopying, staff time and postage

Current information only		
School policies including: • Charging and remissions policy • Health and Safety and risk assessment • Complaints procedure • Staff conduct policy • Discipline and grievance policies • Pay policy • Staffing structure implementation plan • Information request handling policy • Staff recruitment policies	Academy website and application to the Trust for hard copies	Photocopying, staff time and postage
Pupil and curriculum policies, including: • Home-school agreement • Curriculum • Sex education • Special education needs • Accessibility • Race equality • Collective worship • Careers education • Pupil discipline	Individual academy websites	
Records management and personal data policies • Information security • Records retention • Destruction and archive policies • Data Protection policies	Trust website and application to the Trust for hard copies	Photocopying, staff time and postage
Equality and diversity (Policies, schemes, statements, procedures and guidelines relating to equal opportunities) 1. Policies and procedures for the recruitment of staff – details of vacancies should be included	Application to the Trust for hard copies	Photocopying, staff time and postage
Charging regimes and policies This should include details of any statutory charging regimes. Charging policies should include details of charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made and how they are calculated.	Academy and Trust websites and application to the Trust for hard copies	Photocopying, staff time and postage

Information to be published	**How the information can be obtained**	**Charge**
Lists and Registers	(hard copy and/ or	

Currently maintained lists and registers only	website; some information may only be available for inspection)	
Curriculum circulars and statutory instruments	Academy website	
Disclosure logs	Application to individual academy for hard copies	Photocopying, staff time and postage
Asset register	Application to Trust and academy for copies	Photocopying, staff time and postage
Any information the Academy is currently legally required to hold in publicly available registers	Application to Trust and academy for copies	Photocopying, staff time and postage

Information to be published	**How the information can be obtained**	**Charge**
The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only	(hard copy and/ or website; some information may only be available for inspection)	
Extra-curricular activities	Academy website	No charge
Out of school clubs	Academy website	No charge
School publications	Academy website	No charge
Services for which the Academy is entitled to recover a fee, together with those fees	By application to academy	Photocopying, staff time and postage
Leaflets, booklets and newsletters	Academy website or hard copies from academy	No charge