



BERLESDUNA
ACADEMY TRUST

FREEDOM OF INFORMATION ACT PUBLICATION SCHEME AND ACCESS POLICY

**The Trust FOIA model policy was agreed
by the board of directors of the
Berlesduna Academy Trust on:**

1. Background

The Freedom of Information Act (FOIA) was introduced to promote greater openness and accountability across the public sector, and establishes a general right of access to information held by public authorities, including Academies. Along with Human Rights and Data Protection legislation, Freedom of Information (FOI) aims to build a culture of rights and responsibilities for citizens.

2. Right to request information

There is a legal right for any person to make a request to an Academy for access to information held by that Academy. Academies are under a duty to provide advice and assistance to anyone requesting information. Enquirers do not have to say why they want the information and the request does not have to mention FOIA.

The enquirer is entitled to be told whether the Academy holds the information (this is known as the duty to confirm or deny) and, if so, to have access to it. Access can include providing extracts of a document or a summary of the information sought, or access to the original document. However, the FOIA recognises the need to preserve confidentiality of sensitive information in some circumstances and sets out a number of exemptions.

There are only four reasons for not complying with a valid request for information under FOI:-

- the information is not held
- the cost threshold is reached
- the request is considered vexatious or repeated
- one or more of the exemptions apply

3. Responsibility and delegation:

The board of directors is responsible for the maintenance and review of this scheme and policy.

The board of directors delegates to the CEO the day-to-day responsibility for FOIA policy and the provision of advice, guidance, publicity and interpretation of the Trust's policy. The CEO will provide a single point of reference, coordinate FOIA and related policies and procedures, take a view on possibly sensitive areas, ensure all staff are aware of the policy and consider what information and training staff may need. The CEO will ensure that a well managed records management and information system exists in order to comply with requests. This will include keeping a record of refusals and reasons for refusals, to allow the Trust to review its access policy on an annual basis.

The CEO will ensure that requests are dealt with in accordance with 'The Guide to Freedom of Information 1/8/16' (Appendix B).

When a request relates to more than one academy within the Trust, the Executive Headteacher will co-ordinate the reply to this request.

4. How to request information

If you would like to make a request under the FOIA, please:

- make the request **in writing** (this includes email)
- **state the enquirer's name and correspondence address** (email addresses are allowed);
- **describe the information requested** - there must be enough information to be able to identify and locate the information.

You do not have to explain why you want the information or state that it is a FOI request, but it may help us to reply to your request more promptly if you let us know that it is a FOI request.

Requests for information should be addressed to:
Berlesduna Academy Trust, Merrylands Primary School, Basildon, Essex,
SS15 6QS
Tel: 01268417893
Email: office@berlesduna.co.uk

5. Timeline for reply

We will do our utmost to reply to any request promptly. In any case, we will meet the legally prescribed limit of 20 working days, excluding non-school days. The response time starts from the time the request is received. Where we need to ask you for more information to enable us to answer, the 20 days start time begins when this further information has been received.

If a qualified exemption applies and we need more time to consider the public interest test, we will reply within the 20 days stating that an exemption applies and include an estimate of the date by which a decision on the public interest test will be made.

Where we have notified you that a charge is to be made, the time period stops until payment is received and then continues again once payment has been received.

6. Paying for information

Information published on the Trust and its academies (schools) websites is free, although you may incur costs from your Internet service provider. If you

do not have Internet access, you can access the Trust and its academies (schools) websites using a local library or an Internet café.

We aim to respond to FOIA requests free of charge. However, if your request means that we have to do incur significant costs, e.g. a significant amount of photocopying, printing, paying a large postage charge, or a request for a priced item such as some printed publications or DVDs, we will let you know the cost before fulfilling your request. Information will be charged at the actual cost of providing it (e.g. the cost of photocopying, plus time of employee photocopying information, plus postage and any other actual costs incurred as a result of providing the requested information). If we need to charge for providing the information, we will require payment before we can provide the information.

7. Categories of information published

The publication scheme guides you to information which we currently publish (or have recently published) or which we will publish in the future. This is split into categories of information known as 'classes'.

The classes of information that we undertake to make available are organised into broad topic areas:

- **Who we are and what we do:** general information about the First Federation Trust and its academies (schools) e.g. its staff, leadership and governance, information about the curriculum, school terms and events.
- **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 e.g. Ofsted report and results of SATs
- **How we make decisions:** decisions of the leadership of the Trust, academies (schools), and directors, as well as our Admissions policies.
- **Our policies and procedures:** current written policies and procedures for delivering our services and responsibilities
- **Lists and registers:** Information held in registers required by law and other lists and registers relating to the function of the Trust and its schools.
- **Services we offer** e.g. out of school clubs, extra-curricular activities, newsletters.

A detailed guide to the information available and how to access it is attached as appendix A. If the information you are looking for is not available via the scheme and is not on the Trust and/or its academies (schools), you can still contact us to ask if we have it.

8. Feedback and Complaints

We welcome any comments or suggestions anybody may have about the scheme. To make any comments about this publication scheme and policy, for further assistance, or to make a complaint, please write to:

Trust Business Manager, Berlesduna Academy Trust, Merrylands Primary School, Basildon, Essex, SS15 6QS

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made then this should be addressed to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom of Information Act 2000 and that deals with formal complaints. The complaint should be made in writing to:

The Case Reception Unit, Customer Service Team, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

Review of this policy

This policy will be reviewed every three years by the board of directors. We will monitor the application and outcomes of this policy to ensure it is working effectively.