

Guide to information available from The Gold Rose MAT Schools under the model publication scheme

What information is available	How the information can be obtained	Cost
Information pertaining to the Gold Rose MAT and schools within this MAT: <i>Cippenham Primary School</i> <i>Cippenham Infant School</i>	e.g. Hard Copy (<i>available from front office</i>) or <i>website</i> <i>Where hard copy is requested via mail, postage costs will apply. See page 9 for cost information</i>	Where Applicable <i>(charges may range from no charge – 10p per sheet)</i>

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<p>Class 1 - Who we are and what we do (Organisational information, structures, locations and contacts)</p> <p>Information is current</p>		
Who's who in the trust	Gold Rose MAT website	No Charge
Who's who on the academy councils and the basis of their appointment	Individual academy websites	No Charge
Instrument of Government / Articles of Association	Gold Rose MAT website	No Charge
Contact details for the Principal(s) and for the trust board/academy council, via the school (including named contacts).	Gold Rose MAT website/Individual academy websites	No Charge
School prospectus	Individual academy websites	No Charge
Governance and annual report(s)	Gold Rose MAT website	No Charge
Staffing structure	Individual academy websites	No Charge
School session times and term dates	Individual academy websites	No Charge
Address of school and contact details, including email address.	Individual academy websites	No Charge

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<p>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)</p> <p>Current and previous financial year as a minimum</p>	Hard copy	No charge
Annual budget plan, Capital funding and financial statements	Hard copy	No charge
Statutory accounts	Gold Rose MAT website	No charge
Details of expenditure items over £2000 as published in line with financial guidelines	Inspection only	No charge
Procurement and contracts the school has entered into, or information relating to on-going procurement/contracts/SLA's	Inspection only	No charge
Pay policy	Hard copy	No charge
Staff allowances and related expenses incurred or claimed. (including total remuneration for senior staff members/staff on the Leadership Pay Scale)	Inspection only	No charge
Staffing, pay and grading structure for all teaching and ancillary staff.	Inspection only	No charge
Governor/Trustee expenses, advisory & training costs (No further remuneration or costs are paid to governors or Trustees within the Gold Rose MAT).	Hard copy	No charge

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<p>Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)</p> <p>Information is current</p>		
<p>School profile And in all cases:</p> <ul style="list-style-type: none"> • Performance data • The latest Ofsted Inspectorate report <ul style="list-style-type: none"> - Summary - Full report • Post-inspection action plan 	<p>Hard copy</p> <p>Individual academy websites</p> <p>Hard copy</p>	<p>No charge</p> <p>No charge</p> <p>No charge</p>
<p>Performance management policy and procedures adopted by the governing body.</p>	<p>Hard copy</p>	<p>No charge</p>
<p>The school’s future plans; for example, proposals for and any consultation on the future of the school, such as a change in status</p>	<p>The Gold Rose MAT website</p>	<p>No charge</p>
<p>Safeguarding and child protection</p>	<p>The Gold Rose MAT website</p>	<p>No charge</p>

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<p>Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous three years as a minimum</p>		
<p>Admissions policy/decisions (not individual admission decisions) – where applicable</p>	<p>The Gold Rose MAT website</p>	<p>No charge</p>
<p>Agendas and minutes of meetings of the Trust Board and its committees (Including the Academy Councils). (NB this will exclude information that is properly regarded as private to the meetings).</p>	<p>The Gold Rose MAT website & individual academy website</p>	<p>No charge</p>

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<p>Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities)</p> <p>Current information only.</p> <p>Policies include statutory and recommended policies for Trust and individual schools including funding agreement and articles of association as well as policies and procedures for handling information requests.</p>		
<p>Records management and personal data policies, including:</p> <ul style="list-style-type: none"> • Information security policies • Records retention, destruction and archive policies • Data protection (including information sharing policies) 	<p>The Gold Rose MAT website</p> <p>Hard copy</p> <p>The Gold Rose MAT website</p>	<p>No charge</p> <p>No charge</p> <p>No charge</p>
<p>Charging and remission policy</p>	<p>The Gold Rose MAT website</p>	<p>No charge</p>

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<p>Class 6 – Lists and Registers</p> <p>Currently maintained lists and registers only not including the attendance register</p>		
<p>Curriculum circulars and statutory instruments (where relevant)</p>	<p>The Gold Rose MAT website & individual academy website</p>	<p>No charge</p>
<p>Disclosure logs (including outcomes of complaints or information requests)</p>	<p>Hard copy</p>	<p>No charge</p>
<p>Asset register</p>	<p>Hard copy</p>	<p>No charge</p>
<p>Any other statutory or regulatory information which school(s) are currently legally required to hold in publicly available registers</p>	<p>Hard copy</p>	<p>No charge</p>

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<p>Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)</p> <p>Current information only</p>		
<p>Extra-curricular activities (including school trips or any events for which the school may be entitled to recover a fee – including amounts)</p>	<p>Individual academy websites/Hard copy</p>	<p>No charge</p>
<p>Out of school clubs</p>	<p>Kidz Enterprise website and academy websites</p>	<p>No charge</p>
<p>School publications, leaflets, books and newsletters</p>	<p>Individual academy websites</p>	<p>No charge</p>

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SCHEDULE OF CHARGES

Charges applicable in line with ICO guidance. Please see ICO documentation '*Fees that may be charged when the cost of compliance exceeds the appropriate limit*'.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying/printing @ 0.0035p per sheet (black & white)	Cost of copying where indicated and where this cost reaches a chargeable figure
Disbursement cost	Photocopying/printing @0.0125p per sheet (colour)	Cost of copying where indicated and where this cost reaches a chargeable figure
Disbursement cost	Postage@ 56p for standard letter size. Costs may increase based on size of letter/package. Cost will cover but not exceed Royal Mail current charge rates.	Royal mail postage rates
Staff Time	Where it would exceed the appropriate limit to comply with a request staff time will be charged at a flat rate of £25 per hour including communication/redaction/collation and formatting fees.	Regulation 7 of the 'Fees Regulations' (FOIA 200)
Other	Where it would exceed the appropriate limit to comply with a request, we may charge a fee. Charges incurred may account for: costs taken into account in calculating whether the appropriate limit is exceeded OR the communication costs (including the costs of communicating whether or not the information is held even if it is not to be provided)	Regulation 7 of the 'Fees Regulations' (FOIA 200)

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A guide to using this scheme:

The Gold Rose MAT is committed to transparency in its dealings with the public and fully embraces the aims of the Freedom of Information Act 2000 and the access provisions of the Data Protection Act 1998. The Trust will make every effort to meet its obligations under the respective legislation and will regularly review procedures to ensure that it is doing so.

The underlying principle of this scheme is that the public have a right to access to recorded information held by The Trust and that The Trust seek to promote an open regime regarding access to information, subject to the exemptions contained within the relevant legislation.

The FoIA applies to all public authorities and came fully into force on 1st January 2005. It provides the public with a statutory right of access to recorded information held by authorities, subject to certain exemptions, within twenty working days. The Act is fully retrospective and applies to all information that falls within the scope of the Act, not just information created from 1st January 2005. The above publication scheme complies with Section 19 of the Act.

The Trust will endeavour to provide all data within the below timescales as per the publication scheme unless:

- we do 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;
- it would be impractical or resource-intensive to prepare the material for routine release. If the information is only held by another public authority, the Trust should provide details of where to obtain it.

Freedom of Information



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Timescales

Freedom of Information requests should be dealt with within 20 working days, excluding school holidays.
Requests for Data Protection (subject access requests) should be dealt with within 40 calendar days.
Requests for pupil education records should be dealt with within 15 school days.

Delegated responsibilities

Overall responsibility for ensuring that The Trust meets the statutory requirements of the FoIA, EIR and DPA lies with the Trustees and the Chair of Trustees has overall responsibility for information management issues. They have delegated the day-to-day responsibility of implementation to the Headteacher/Executive Headteacher.

The Headteacher is assisted by the school office team who will fulfil FoI requests. All staff are responsible for ensuring that they handle requests for information in compliance with the provisions of the various Acts, taking advice from the Headteacher where necessary.

This policy does not cover personal written communications (such as personal e-mails sent by staff). The Trust's Data Protection Policy establishes the standards regarding the use of "personal data" (as defined in the DPA).

Withholding Information

The Freedom of Information Act contains 23 exemptions whereby information can be withheld. There are two categories; absolute and non-absolute. The Trust will only withhold information if it falls within the scope of one or more of these exemptions.

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Where an absolute exemption applies, The Trust can automatically withhold the information. However, where the exemption is non-absolute the information can only be withheld where The Trust decides that the public interest is best served by withholding the information. Certain exemptions also contain a “prejudice test”, which means that the exemption can only be claimed if disclosing the information would prejudice the interest protected by the exemption.

The Trust will only withhold information covered by the exemption. Complete files or documents will not be withheld just because part of the information is covered by an exemption.

The Trust will only apply an exemption where it has reason to believe that prejudice might occur to the interest protected by the exemption. In addition, wherever a “public interest” exemption is being considered, The Trust will only withhold that information which it can demonstrate that the public interest will be best served by withholding. When considering withholding information under a non-absolute exemption The Trust will take into account whether the release of the information would:

- promote further understanding of current issues of public debate;
- promote the accountability of decisions taken by The Trust and the spending and allocation of public money;
- bring to light matters of public safety;
- allows the public to understand and challenge decisions made by The Trust;
- be otherwise in the public interest.

Where information is withheld under an exemption in most cases the reason behind the decision will be made clear to the applicant, citing the exemption under which the information is being withheld. The applicant will also be given details of the right to challenge the decision through The Trust’s

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Governing Body and the right of appeal to the Information Commissioner's Office.

Where a staff member plans to apply an exemption, he/she will consider whether other schools hold similar information. If this is considered likely, he/she may contact the relevant school(s) to ensure that a consistent response is provided to the applicant.

The Trust will also refuse to supply information under the FoIA, where the request is considered "vexatious" or "repeated" and under the EIR, where the request is considered 'manifestly unreasonable'.

Releasing a third party's information

Where, in response to a request, information belonging to a third party (either an individual or other organisation) has to be considered for release, the staff member that received the request will seek input from the Headteacher prior to the release of the information.

The release of third party information will be considered carefully to prevent actions for breach of confidence or, in the case of living individuals, breaches of the DPA. Both the EIR and FoIA permit information to be withheld when its release would breach the provisions of the DPA.

When the requested information relates to a living individual and amounts to "personal data" as defined in the DPA, its disclosure could breach the DPA. Therefore the release of third party personal information relating to living individuals will be considered in accordance with the data protection principles and, in particular, the "third party" provisions of the DPA.

- any duty of confidentiality owed to the third party
- the steps taken to seek consent
- whether the third party is able to give consent and

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- any express refusal of consent

The decision to disclose third party information will also take into account the impact of disclosure on the third party, relative to the impact on the applicant of withholding the information. Where the third party has been acting in an official, rather than private capacity, The Trust will be minded to disclose the information, although decisions will be made on a case by case basis.

Where the information relates to a staff member, the provisions of the DPA will still apply in many circumstances but the nature of the information will influence The Trust's decision whether to release the information. Where the information relates to a matter clearly private to the individual, e.g. a disciplinary hearing, the information will almost certainly be withheld. However, where the information relates to the member of staff acting in their official capacity, e.g. an expenses claim, the information will normally be released. The exemption relating to the release of a third party's personal data will not be used to withhold information about administrative decisions taken by The Trust.

As the DPA only relates to living individuals, the exemption relating to Data Protection under both the EIR and FoIA will not apply to information held about the deceased. Where the request might be controversial, the staff member will seek input from the Headteacher who will take advice from the Trust Board where necessary.

Where the third party is an organisation, rather than an individual, the provisions of DPA 1998 will not apply. The Trust will consider consulting the third party concerning the release of their information where:

- the views of the third party may assist The Trust to decide whether an exemption under the Act applies to the information and
- in the event of the public interest test being applied, where the views of the third party may assist The Trust to make a decision relating to where the public interest lies

Consultation will not be undertaken where:

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- The Trust will not be disclosing the information due to some valid reason under the Act
- The Trust is satisfied that no exemption applies to the information and therefore cannot be withheld and
- the views of the third party will have no effect on the decision e.g. where there is other legislation preventing disclosure

Where input from a third party is required, the response time for the request remains the same. Therefore it will be made clear to the third party at the outset that they have a limited time for their views to be provided and that where responses are not immediate, the decision to disclose may have to be made without their input in order for The Trust to comply with the statutory time limits dictated by the legislation.

The Trust will endeavour to inform individuals and organisations submitting information that the information might be released following an information request and, where appropriate, will provide the supplier of the information opportunity to request confidentiality or supply reasons as to why the information should be treated confidentially.

Information held within contracts with The Trust

Any contractual information, or information obtained from organisations during the tendering process, held by The Trust are subject to the provisions of the FoIA and EIR. Whenever The Trust enters into contracts, it will seek to exclude contractual terms forbidding the disclosure of information beyond the restrictions contained in the legislation. A standard form of wording will be included in contracts to cover the impact of FoIA and EIR in relation to the provision of information held in contracts.

The Trust can withhold contractual information where its disclosure under either the FoIA or EIR could be treated as actionable breach of confidence. Where The Trust intends to include non-disclosure provisions in a contract, it will agree with the contractor a schedule of the contract that clearly states which information should not be disclosed.

The Trust will only agree to enter into confidentiality clauses where the information is confidential in nature and that it is confident that the decision to restrict

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access to the information could be justified to the Information Commissioner.

Where information is not covered by the exemption relating to information accepted in confidence, a further exemption specifically under FoIA may be relevant, relating to commercial interests. This exemption is subject to a “public interest” test. Whenever The Trust has to consider the release of such information, it will contact the relevant organisation to obtain its opinions on the release of the information and any exemptions they may think relevant. However, The Trust will make the final decision relating to the disclosure of the information.

The Trust can also withhold information contained in contracts where any of the other exemptions listed in the FoIA or EIR are appropriate, although information will only be withheld in line with The Trust’s policy on the use of exemptions. All future contracts should contain a clause obliging contractors to co-operate fully and in a timely manner where assistance is requested in responding to an FoIA or EIR request.

Complaints procedure

Whenever The Trust withholds information under an exemption, or for any other reason, it will inform the applicant of their right to complain about the decision through The Trust’s complaints procedure and of the right of appeal to the Information Commissioner. Any complaint received will be dealt with in accordance with The Trust’s complaints procedure as detailed in its Complaints Policy. If the result of the complaints is that any decision to withhold information be overturned, this information will be supplied as soon as it is possible.

For requests made under the Data Protection Act please see the Trusts separate Data Protection Policy.

Please note that it is a criminal offence under any of the three information regimes for members of staff to alter, deface or remove any record (including e-mails) following receipt of an information request. Both the FoIA and EIR contain specific provisions to make such action a criminal offence.

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