



Athena Learning Trust

Trust-wide

Freedom of Information Policy

Review

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Reviewed by: Board

Review Period: 3 years





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PART A

1.1. Application

This Athena Learning Trust Freedom of Information Policy applies to the Athena Learning Trust as a whole and to all the schools in the Trust and the Trust Shared Service, in accordance with and pursuant to the Communications Policy of the Athena Learning Trust.

The Athena Learning Trust, including all the schools, their Trustees, governors and staff, must abide by this Athena Learning Trust Freedom of Information Policy.

This Policy is subject to the Trust's Scheme of Delegation for Governance Functions. If there is any ambiguity or conflict then the Scheme of Delegation and any specific alteration or restriction to the Scheme approved by the Board of Trustees takes precedence.

In implementing this policy and associated policies and procedures the governing body, Principal and school staff, and Trust Shared Service staff, must take account of any advice or instruction given to them by the Athena Learning Trust Data Protection Officer, the Athena Learning Trust CEO or Board of Trustees.

If there is any question or doubt about the interpretation or implementation of this Policy, the Athena Learning Trust Data Protection Officer or Athena Learning Trust CEO should be consulted.

1.2. Approval and review

Maintenance of this Policy is the responsibility of the Athena Learning Trust CEO.

This Policy was approved by the Board of Trustees on: 20 October 2022.

This Policy is due for review by: May 2024.

1.3. Terminology

The Trust means the Athena Learning Trust (Athena Learning Trust).

- School means a school within the Athena Learning Trust.
- Principal means the Principal or principal of the school.
- CEO means the chief executive officer of the Athena Learning Trust.
- Governors and Trustees includes governors, Trustees, non-governor members of Trust Committees and members of the Trust Panel.



- Governing body (GB) means the committee of the Board of Trustees to which Trustees have delegated appropriate powers and functions relating to the governance of the school.
- Athena Learning Trust Data Protection Officer means Judicium Consulting Ltd.
- School Data Protection Lead means the point of contact for data protection matters for staff, students and parents within the school

In this policy references to the Athena Learning Trust will be read as including the Trust Shared Service and all schools in the Athena Learning Trust.

References in this Policy to a school in the Trust should also be read as the Trust Shared Service for services, functions and staff of the Trust that are not contained within a school budget and/or are not the responsibility of a Principal and/or Governing Body. With respect to the Trust Shared Service, references in this Policy to the responsibilities of the Principal and Governing Body should be read as the Athena Learning Trust CEO and the Trust Shared Services Committee respectively.

1.4. Responsibilities

It is the responsibility of the governing body and Principal of each school, and the Board of Trustees and Athena Learning Trust CEO for the Trust Shared Service, to ensure that their school/service and its staff adhere to this Athena Learning Trust Data Protection Policy; in implementing this Policy the governing body, Principal and Trust staff must take account of any advice given to them by the Athena Learning Trust Data Protection Officer, Athena Learning Trust CEO and/or Board of Trustees.

Each Principal will appoint a School Data Protection Lead to be the point of contact for Freedom of Information matters for staff, students and parents, and to liaise with the Athena Learning Trust Data Protection Officer. The name and contact details must be provided to the Athena Learning Trust Data Protection Officer.

1.5. Associated policies and procedures

This Freedom of Information Policy is an integral part of the Athena Learning Trust Communications Policy.

The following Trust procedures are an integral part of this Athena Learning Trust Freedom of Information Policy:

- Athena Learning Trust Freedom of Information Request Procedure
- Athena Learning Trust Freedom of Information Publication Scheme
- School Freedom of Information Publication Scheme



If there is any ambiguity or conflict between this policy and any of these associated procedures, the Athena Learning Trust Communications Policy takes precedence.

PART B

1. Context and Principles

- 1.1. The Athena Learning Trust is subject to the Freedom of Information Act 2000. The Trust is the 'public authority' in the terms of the Act and is thereby responsible for the information held by the Trust and by the schools within the Trust.
- 1.2. The Athena Learning Trust and all the schools and services in the Trust will make information available to the public as part of their normal business activities. The Athena Learning Trust will endeavour to make the maximum amount of information readily available at minimum inconvenience and cost to the public; if charges have to be made they will be justified and transparent and kept to a minimum.
- 1.3. Each school will adopt and follow their own Publication Scheme, in accordance with the Act and guidance issued by the Department for Education and Information Commissioner and this Policy.
- 1.4. The Publication Scheme of each school in the Trust will be drawn up and maintained by the Principal of the school in accordance with this policy, and approved by the governing body of the school.

2. Commitment to Freedom of Information

- 2.1. The information covered is included in the classes of information mentioned below, where this information is held by the Trust.
- 2.2. The Athena Learning Trust and all the schools in the Trust will:
 - Proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
 - Specify the information that is held by the Trust and falls within the classifications below.
 - Proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within their Publication Scheme.
 - Produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.

- Review and update on a regular basis the information the Trust/ school makes available under this their Publication Scheme.
- Produce a schedule of any fees charged for access to information which is made proactively available.
- Make their publication scheme available to the public.

2.3. Where information is only held by another public authority, the Trust will provide details of how to obtain that information.

3. Classes of Information

- 3.1. **'Who we are and what we do:** Organisational information, locations and contacts, constitutional and legal governance.
- 3.2. **What we spend and how we spend it:** Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
- 3.3. **What our priorities are and how we are doing:** Strategy and performance information, plans, assessments, inspections and reviews.
- 3.4. **How we make decisions:** Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.
- 3.5. **Our policies and procedures:** Current written protocols for delivering our functions and responsibilities.
- 3.6. **Lists and Registers:** Information held in registers required by law and other lists and registers relating to the functions of the Trust and the academies within the Trust.
- 3.7. **The Services We Offer:** Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.
- 3.8. The classes of information will not generally include:
 - Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act or GDPR, or is otherwise properly considered to be protected from disclosure.
 - Information in draft form.
 - Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

4. Requests for information

- 4.1. Information provided under this policy will be provided in accordance with the relevant Publication Scheme of the Trust or individual school.
- 4.2. Persons seeking information about the Trust or its schools should refer to the relevant Publication Scheme of the Trust or school.
- 4.3. In the first instance, the quickest way to obtain information is to contact the school directly or look at the website of the Trust or the school.
- 4.4. Information held by the Trust or any of its schools that is not published under their publication scheme or available on their website can be requested in writing, and should include the enquirer's name, correspondence address (email addresses are allowed), and state what information they require. There must be enough information in the request to be able to identify and locate the information.
- 4.5. Again, the quickest way to obtain information is normally to make a simple enquiry to the school concerned.
- 4.6. Requests for information under the Freedom of Information Act should be addressed to:
 - The school via the school contact information as indicated on the school website; or
 - or to the Athena Learning Trust Data Protection Officer – see section 1.4 on page 3.
- 4.7. Where there are no exemptions to the provision of data the School Data Protection Lead will provide the requested information within 20 school days (or 60 working days if this is shorter).
- 4.8. The Trust is under no obligation to comply with vexatious requests. A vexatious request is one which is designed to cause inconvenience, harassment or expense rather than to obtain information, and would require a substantial diversion of resources or would otherwise undermine the work of the school.
- 4.9. Where repeated identical or substantially similar requests for information from the same applicant are requested, these may be rejected and information not provided unless a reasonable interval has elapsed between requests.
- 4.10. Where a request is refused, the School Data Protection Lead will send a refusal notice which must include:
 - The fact that the responsible person cannot provide the information asked for;
 - Which exemption(s) apply;

- Why the exemption(s) apply to this enquiry (if it is not self-evident);
- Reasons for refusal; and
- The School's complaints procedure

4.11. 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 School Data Protection Lead 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.

5. How information will be made available

- 5.1. The-Athena Learning Trust and its schools will indicate clearly to the public what information is covered by their publication scheme and how it can be obtained.
- 5.2. Where it is practical, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, the school will indicate how information can be obtained by other means and provide it by those means.
- 5.3. In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.
- 5.4. Information will be provided in the language in which it is held or in such other language that is legally required. Where the Trust is legally required to translate any information, it will do so.
- 5.5. Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

6. Charges for Information published under this scheme

- 6.1. Charges may be made for information subject to a charging regime specified by Parliament.
- 6.2. Material which is published and accessed on a website will be provided free of charge, except that there may be a charge for large and complex documents to be printed and provided in hard copy.



6.3. Charges may be made for actual disbursements incurred such as:

- Photocopying;
- postage and packaging;
- the costs directly incurred as a result of viewing information.

6.4. 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.

6.5. 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.