

The Bishop Wheeler Catholic Academy Trust



Policy

Freedom of Information Policy and Publication Scheme

Published: June 2024

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The Bishop Wheeler Catholic Academy Trust



Our Mission

Outstanding Catholic education for all pupils. As a family of schools, we will enable our young people to develop spiritually, morally, intellectually and personally, putting their faith into action, through serving Christ in others, in the church and in the world around them.

**This policy was adopted by the Chief Executive Officer
on behalf of the Trust Board**

Signature:

A handwritten signature in black ink, appearing to read 'D Beardsley', written over a horizontal line.

**Mr D Beardsley
Chief Executive Officer**

Date: 10/06/24

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Date	June 2024		
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Version	Date	Description	Revision Author/s
1.0 Published	September 2018	Trust Policy	GNE
2.0 Review	January 2021	Trust Policy Review	JJN/DBY
3.0 Review	June 2024	Trust Policy Review	JJN/DBY

Change Review

Version	Date	Changes
3.0	June 2024	<p>Title of the policy changed to include the Publication Scheme.</p> <p>Page 3 – Definitions updated.</p> <p>Page 5 – Legal framework updated.</p> <p>Page 5 – link with other policies added.</p> <p>Page 6 - Overview updated.</p> <p>Page 6 - Making a request updated.</p> <p>Page 7 – Accepting requests for information added.</p> <p>Page 7 – Time frame updated.</p> <p>Page 8 - Vexatious Requests added.</p> <p>Page 8 - Exemptions updated.</p> <p>Page 9 - Fees information updated.</p> <p>Page 9 - Responsibilities information updated.</p> <p>Page 11 - Appendix A Publication Scheme</p>

Definitions

In this Freedom of Information Policy, unless the context otherwise requires, the following expressions shall have the following meanings:

BWCAT	The Bishop Wheeler Catholic Academy Trust.
Trust, we and our	Covers all of the schools within The Bishop Wheeler Catholic Academy Trust and The Bishop Wheeler Catholic Academy Trust Office.
Trust Board	The Directors of the Trust Board.
Academy Council	Governors elected or appointed to individual Academy Councils.
CEO	The Chief Executive Officer for the Trust.

Executive Headteacher/Headteacher	Executive Headteacher/Headteacher responsible for individual academies.
Academy	Refers to the Academies within BWCAT.
Pupil	Refers to any pupil on roll at any of the BWCAT schools.
Parents	Refers to any person who holds parental responsibility for the pupil
Child and Children	Refers to children and young people under the age of 18 years.
Staff	Means all employees, temporary, casual, agency and contracted staff working for the Trust, volunteers and consultants.
DPA	The Data Protection Act 2018
FOI	The Freedom of Information Act 2000

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Introduction

The Freedom of Information Act 2000 (FOI) provides public access to information held by public authorities, including schools.

It does this in two ways:

- Public authorities are obliged to publish certain information about their activities; and
- Members of the public are entitled to request information from public authorities.

The Bishop Wheeler Catholic Academy Trust (BWCAT), and all its academies within the multi academy trust, is committed to the principles set out in the Freedom of Information Act and takes its responsibilities very seriously.

For the purpose of this policy, 'Trust', 'we' and 'our' covers all of the academies within BWCAT and the BWCAT Trust office.

This policy sets out the responsibilities of the BWCAT for Freedom of Information requests and applicable procedures and information.

Legal Framework

This policy has due regard to the following legislation:

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

Guidance for this policy has been taken from:

- The Information Commissioners Office (ICO)

This policy will be viewed in conjunction with the following policies:

- BWCAT Data Protection Policy
- BWCAT Freedom of Information Publication Scheme
- BWCAT Records Management Policy

Purpose

The purpose of this policy is to ensure that the provisions of the Freedom of Information Act 2000 are adhered to and in particular that:

- A significant amount of routinely published information held by our schools is made available to the public
- Other information is available on request (subject to confidentiality and exemptions) and such requests are dealt with in accordance to statutory guidelines;

- In cases where information is covered by an exemption or other legislation, consideration is given as to whether or not the information should be released.

Scope

This policy applies to recorded information held across BWCAT, by all staff and all departments regardless of the location, format and method of storage. It also applies to information held by third parties on BWCAT's behalf.

The Act does not cover information that is in someone's head. If a member of the public asks for information, we only have to provide information we already have in recorded form. We do not have to create new information or find the answer to a question from staff who may happen to know it.

All BWCAT staff have a responsibility to read, understand and adhere to this policy.

Overview

BWCAT must be clear and proactive about the information it makes public. This is achieved by producing a Freedom of Information Publication Scheme, setting out:

- The classes of information which we publish or intend to publish.
- The manner in which the information will be published.
- Whether the information is available free of charge or on payment.

The Publication Scheme is available in **Appendix A** and covers information already published along with information that will be published in the future.

Much of our information is published through the BWCAT website or individual academy websites. Our Publication Scheme provides details of the applicable websites for access to the corresponding information.

Please note that personal data is not covered by the Freedom of Information Act, those looking for access to personal data held about them by the Trust should make a 'Subject Access Request' under the UK Data Protection Act 2018.

Making a Request

All freedom of Information (FOI) requests should be sent to the Trust's Head of Governance for optimal processing and to support monitoring and evaluation purposes.

Where a FOI request is received directly by the school this must be logged with the Head of Governance via the same email address, including the full details of the request and the actual date received.

Contact details for the Head of Governance:

Jemma Johnson
j.johnson@bwcat.org
The Bishop Wheeler Catholic Academy Trust
Bradford Road
Menston
West Yorkshire
LS29 6AE

Accepting requests for information

The BWCAT will only accept a request for information which meets all of the following criteria:

- It is in writing; this includes requests sent to social media accounts.
- It states the name of the applicant and an address for correspondence.
- It describes the information requested.

Requesters do not have to mention the Act or direct their requests to a designated member of staff, if any member of staff receives a request follow the guidance above. A request cannot be ignored simply because it is addressed to a different member of staff.

Provided the request meets the requirements above, the Trust will comply with its duty to:

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

The Trust will not comply with a request where:

- The Trust reasonably requires further information to meet a freedom of information request, has informed the applicant of this requirement, but was not subsequently supplied with that further information.
- The information 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.
- A request for information is exempt under section 2 of the Freedom of Information Act 2000.
- The cost of providing the information exceeds the appropriate limit.
- The request is vexatious.
- The request is a repeated request from the same person made within 60 consecutive working days of the initial request.
- A fee notice was not honoured.
- The requested information is not held by the Trust.

Requests for information that is not recorded by the school (e.g. requests for explanations, clarification of policy and comments on the Trust's business) will not be considered valid requests.

The information provided to the applicant will be in the format that they have requested, where possible. Where it is not possible to provide the information in the requested format, the Trust will discuss with the applicant alternative formats in which it can be provided.

Time scale

The Head of Governance will respond to the enquirer within 20 school days of the request being made; this excludes weekends and school holidays. In certain circumstances, the response to the request may take longer than 20 days if further information is required for instance if sourcing the information is likely to be problematic. If a request is delayed for any reason, the Head of Governance will keep the requester informed of the progress and where possible, provide an expected date for a response.

If the Trust needs further details to identify or locate the information, then the 20 working days will commence the day after it receives the required clarification from the requester.

Where the Trust requires a fee to process the request, the “clock” will stop on the date we issue a fees notice to the requester and restart once payment is received.

Vexatious Requests

Should the Trust receive several requests from the same individual or a series of requests that appear intended to disrupt its work, these may be treated as vexatious. Under section 14 of the FOIA, the trust reserves the rights to refuse such requests; a refusal notice will be provided to the requester. An explanation with decisions and reasons for withholding the information will be included.

Exemption

A requester may ask for any information that is held by the Trust. However, this does not mean we are always obliged to provide the information. In some cases, there will be good reason why we should not make public some or all of the information.

The Trust can refuse an entire request under the following circumstances:

- It would cost too much or take too much staff time to deal with the request.
- The request is vexatious.
- The request repeats a previous request from the same person.

In addition, the Freedom of Information Act contains a number of exemptions that allow the Trust to withhold information from a requester. In some cases, it will allow the Trust to refuse to confirm or deny whether you hold information.

The FOI Act contains 23 exemptions whereby information can be withheld. There are two categories: absolute and non-absolute. Non-Absolute Exemptions require a Public Interest Test. This is where we must decide whether it is in the public interest to disclose the sensitive information or to withhold it.

We will only withhold information if it falls within the scope of one or more of these exemptions.

A public interest test should be carried out when applying qualified exemptions, to decide whether the public interest in disclosure outweighs the objection to disclosure. Only in cases where it is considered to be in the public interest to withhold the information will we refuse to disclose. Where this is the case, we will try to explain clearly which exemption we have applied and why, unless this in itself would release the sensitive information.

Fees

Upon receipt of the request, BWCAT will assess the complexity of the request by considering the length of time it takes to:

- Determine whether the information requested is held;
- Locate the information or the documents containing the information;
- Retrieve the information or the documents containing the information;
- Extract the relevant information from the document(s) or record(s) containing it (including copying).

Much of the information in the scheme can be downloaded free of charge from the BWCAT website or the individual school websites.

BWCAT reserves the right to make a charge for printed copies of documents requested to cover administrative costs as below:

A4 photocopy (black and white) per sheet	10p
A4 photocopy (colour) per sheet	30p
A3 photocopy (black and white) per sheet	20p
A3 photocopy (colour) per sheet	60p
Postage	Individual quote to be obtained. Calculated on cost basis with reference to national postage rates.

Other costs involved are calculated by the hour at a rate of £25.00 per hour. These apply to the time required to search for, extract and format the information.

Where total charges for the request are equal to or exceed £450.00, BWCAT is not obliged to fulfil the request. In such situations, the requestor will be notified and within the statutory time scale. Requestors are entitled to modify their request if preferred, to reduce the cost below the limit.

Requestors will be provided with full details of the fees levied within the initial response letter within the 20-day time scale. BWCAT is not obliged to respond to a request unless the fee is paid.

The statutory 20-day time scale for responding to requests, will only begin once cleared payment has been received in full.

Responsibilities

All staff are responsible for ensuring that requests for information (which any member of staff may receive) are handled in accordance with this policy. Staff who do not adhere to these may be subject to disciplinary procedures.

The BWCAT are required to keep a log of FOI requests as detailed in the 'Record Keeping' section of this policy.

All BWCAT academies and the Trust are required to make available the statutory information on their websites.

Complaints

If, for any reason, you are dissatisfied with the way in which your request for information has been handled, please get in touch with us.

Contact details for the Head of Governance are above.

Formal Complaints Procedure

If you are dissatisfied with the outcome of a complaint to us, you can make a formal complaint to the Information Commissioner in writing to:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Additional contact details can be found here: <https://ico.org.uk/make-a-complaint/>

Record Keeping

BWCAT will keep a record of all FOI requests received for monitoring purposes, noting:

- a) The date the request was received.
- b) Name and contact details of the person or organisation making the request.
- c) The date the request was fulfilled or refused.
- d) The reason for any exemption being applied and
- e) The reason for any failure to meet the 20-day deadline.

The Head of Governance will keep this record on the Trust central database.

Appendix 1 - Freedom of Information Publication Scheme.

This generic model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits the Bishope Wheeler Catholic Academy Trust to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the Trust.

The Scheme commits the Trust:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the Trust and falls within the classification below.
- To specify the information or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To 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.
- To review and update on a regular basis the information the Trust makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

The Bishop Wheeler Catholic Academy Trust schools are:

St. Mary's Menston, a Catholic Voluntary Academy

St. Joseph's Catholic Primary School Otley, a Voluntary Academy

Ss Peter and Paul Catholic Primary School, a Voluntary Academy

Sacred Heart Catholic Primary School Ilkley, a Voluntary Academy

St Mary's Horsforth Catholic Voluntary Academy

St. Joseph's Catholic Primary School Pudsey, a Voluntary Academy

St Joseph's Catholic Primary School Harrogate, a Voluntary Academy

St Mary's Catholic Primary School Knaresborough, a Voluntary Academy

St. Stephen's Catholic Primary School and Nursery, a Voluntary Academy

Holy Name Catholic Voluntary Academy

St Roberts Catholic Primary School, a Voluntary Academy

St John Fisher Catholic High School Harrogate, a Voluntary Academy

St Joseph's Catholic Primary School Tadcaster, a Voluntary Academy

Barkston Ash Catholic Primary School, a Voluntary Academy

St Joseph's Catholic Primary School Barnoldswick, a Voluntary Academy

St Wilfrid's Catholic Primary School, a Voluntary Academy

Classes of Information

1. **Who we are and what we do:** Organisational information, locations and contacts, constitutional and legal governance.
2. **What we spend and how we spend it:** Financial information relating to projected and actual income and expenditure, tendering, procurement, and contracts.
3. **What our priorities are and how we are doing:** Strategy and performance information, plans, assessments, inspections, and reviews.
4. **How we make decisions:** Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.
5. **Our policies and procedures:** Current Witten protocols for delivering our functions and responsibilities.
6. **Lists and registers:** Information held in registers required by law and other lists and registers relating to the functions of the authority.
7. **The services we offer:** Advice and guidance, booklets and leaflets, transactions, and media releases. A description of the services offered.

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 is otherwise properly considered to be protected from disclosure.
- Information is 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.

The method by which information published under this scheme will be made available.

The Trust will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of the Trust, information will be provided on a website. Where it is impracticable to make information available on the website or when an individual does not wish to access the information by the website, the Trust will indicate how information can be obtained by other means and provide it by those means.

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.

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.

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.

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 the Trust for routinely published material will be justified and transparent and kept to a minimum. Material which is published and accessed on a website is free of charge. Charges may be made for actual disbursements incurred such as:

- Photocopying.
- Postage and packaging and
- The costs directly incurred as a result of viewing information.

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.

The method by which information published under this scheme will be made available.

Requests for the Chair of the Trust Board or the Accounting Officer should be made by email to the Head of Governance – j.johnson@bwcat.org

Requests may require an appointment to view documents.

1. Who we are and what we do		
Information to be published	How the information can be obtained	Charge
Organisational information, structures, locations and contacts (To include Articles of Association and Scheme of Delegation)	Online by visiting The Bishop Wheeler Catholic Academy Trust website: www.bishopwheelercatholicacademytrust.org <i>The Trust website has links to all the individual schools' websites</i>	No fee
Funding Agreement	Online by visiting The Bishop Wheeler Catholic Academy Trust website	No fee
Academy staff and structure	Online by visiting individual academy websites	No fee
Trust Board – name and the basis of their appointment Academy Council Members – name and the basis of their appointment	Online by visiting The Bishop Wheeler Catholic Academy Trust website Online by visiting individual academy websites	No fee
Individual school session times, term dates and holidays	Online on individual academy websites available following this link: www.bishopwheelercatholicacademytrust.org/Our-Academies/	No fee
Location and contact information – address, telephone number	Online on individual academy websites available following this link: www.bishopwheelercatholicacademytrust.org/Our-Academies/	No fee
Contact details for Headteachers and the Trust Board/CEO	Online on individual academy websites available following this link: www.bishopwheelercatholicacademytrust.org/Our-Academies/ For information regarding the BWCAT Trust, please click on www.bishopwheelercatholicacademytrust.org/Our-Directors/	No fee
School Prospectus	These can be accessed by contacting the individual academy, contact details can be found online on each academy website by clicking:	Photocopying and postage fees may apply

	www.bishopwheelercatholicacademytrust.org/Our-Academies/	
GCSE results	<p>Online by clicking www.stmarysmenston.org/Exam-Results-and-Destinations/</p> <p>Information can also be found via the DfE by clicking https://www.compare-school-performance.service.gov.uk/school/139351</p>	No fee

2. What we spend and how we spend it

Information to be published	How the information can be obtained	Charge
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 financial year.	<p>Current financial statements: available on Trust website www.bishopwheelercatholicacademytrust.org/Annual-Reports-and-Accounts/</p> <p>Previous accounts and audit reports: on request from the Accounting Officer</p>	Photocopying and postage fees may apply
Annual budget plan and financial statements	On request from the Accounting Officer	Photocopying and postage fees may apply
Capital funding – details of capital funding allocated to the school along with information on related building projects and other capital projects	On request from the Accounting Officer	Photocopying and postage fees may apply
Additional funding – Income generation schemes and other sources of funding	On request from the Accounting Officer	Photocopying and postage fees may apply
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	On request from the Accounting Officer	Photocopying and postage fees may apply
Staffing and grading structure	On request from the Accounting Officer	Photocopying and postage fees may apply
Pay policy – a statement of the Academy’s policy on procedures regarding teachers’ pay	On request from the Accounting Officer	Photocopying and postage fees may apply
Governors’ allowances – Details of allowances and expenses that can be claimed or incurred	On request from the Accounting Officer	Photocopying and postage fees may apply

3. What our priorities are and how we are doing

Information to be published	How the information can be obtained	Charge
Strategies and plans, performance indicators, audits, inspections and reviews. Current information should be published.	Online on individual academy websites available following this link: www.bishopwheelercatholicacademytrust.org/Our-Academies/ or on request from the Chair of the Trust Board	No fee for information online. Photocopying and postage fees may apply for other formats
School profile Government supplied performance data OFSTED report – summary and full report	Online on individual school websites available following this link: www.bishopwheelercatholicacademytrust.org/Our-Academies/	No fee for information online. Photocopying and postage fees may apply for other formats
Performance management information	On request from the Chair of the Trust Board	Photocopying and postage fees may apply
Academy's future plans – any major proposals on safeguarding and promoting the welfare of children.	On request from the Chair of the Trust Board	Photocopying and postage fees may apply
Child protection – policies and procedures on safeguarding and promoting the welfare of children.	Online on individual academy websites available following this link: www.bishopwheelercatholicacademytrust.org/Our-Academies/	No fee for information online. Photocopying and postage fees may apply for other formats

4. How we make decisions

Information to be published	How the information can be obtained	Charge
Decision making processes and records of decisions. Current and previous three years as a minimum	On request from the Chair of the Trust Board	Photocopying and postage fees may apply

Admissions policy - arrangements and procedures and right of appeal – include information on application numbers and number of successful applicants by each oversubscription criteria.	Admissions policies are available online on individual academy websites available following this link: www.bishopwheelercatholicacademytrust.org/Our-Academies/	No fee for information online. Photocopying and postage fees may apply for other formats
Trust Board meeting agendas, papers and minutes – information that is properly considered to be private should be excluded.	On request from the Chair of the Trust Board	Photocopying and postage fees may apply

5. Our policies and procedures

Information to be published	How the information can be obtained	Charge
Current written protocols, policies and procedures for delivering our services and responsibilities	Many of our policies are available online on individual academy websites available following this link: www.bishopwheelercatholicacademytrust.org/Our-Academies/ And Trust website: www.bishopwheelercatholicacademytrust.org/Policies/ or on request from the Chair of the Trust Board	No fee for information online. Photocopying and postage fees may apply for other formats

6. Lists and Registers

Information to be published	How the information can be obtained	Charge
Disclosure logs	Appointment to view – please contact the Head of Governance	No fee for view only
Asset register	Appointment to view – please contact the Head of Governance	No fee for view only
Any information the Academy is currently legally required to hold in publicly available registers	Appointment to view – please contact the Head of Governance	No fee for view only

7. The services we offer

Information to be published	How the information can be obtained	Charge
Current newsletters, leaflets, guidance, extra-curricular activities, out of school clubs, school publications, community lettings	Online on individual academy websites available following this link: www.bishopwheelercatholicacademytrust.org/Our-Academies/	No fee for information online. Photocopying and postage fees may apply for other formats

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The Bishop Wheeler Catholic Academy Trust

The Bishop Wheeler Catholic Academy Trust is a charity and a company limited by Guarantee, registered in England and Wales.

Company Number: 8399801

Registered Office: Bradford Road Menston, LS29 6AE

Website: www.bishopwheelercatholicacademytrust.org

Tel: 01943 883000

Email: j.johnson@bwcat.org

Chair of the Trust Board: Mrs Diane Gaskin