

# Freedom of Information Policy

For the purposes of the work of AaA and the AaAST, the definition of public authority includes the Rise School and Spring School but not other elements of the charity's work or educational provision.

## 1. Purpose

The purpose of this policy is to outline AaAST's approach to adhering to its obligations under the Freedom of Information Act 2000 ("FOIA"). This policy sets out what information we publish, how to request information, how we respond to requests and what is excluded.

## 2. The statutory guidance

The Freedom of Information Act 2000 imposes obligations on public authorities to publish or make available information to members of the public.

The FOIA can be found here: [Freedom of Information Act 2000 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

Guidance from the Information Commissioner's Office (ICO) can be found here: [Guide to freedom of information | ICO](#)

## 3. Policy Statement

AaAST is committed to being transparent and to comply fully with FOIA. We aim to be as open as possible about all our work, placing on our website and in the public domain documents, policies, and procedures; and subject to the exemptions permitted under the Act will make all other information available on request.

## 4. Key Principles

Under the FOIA we must produce a 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.

On certain occasions we will not be able to supply all the information requested. Information will only be withheld in accordance with the exemptions laid down in the FOIA or the Environmental Information Regulations 2004 (EIR), in particular:

- The School's duties under the Data Protection Act 2018 and UK General Data Protection Regulations (UK GDPR) to keep confidential sensitive and/or personal information about individual members of staff and learners.
- Other legal and contractual obligations
- Material detrimental to the safe and efficient conduct of the School's operations
- Information which is commercially sensitive

In the event that any of the above is true the School(s) will always state the reasons why information has been withheld.

The publication scheme guides individuals to information which we currently publish (or have recently published) or which we will publish in the future. Most information is published on our website.

Policy Owner	Director of Finance & Planning	Next Review Date:	December 2024
Policy No.	097	Version No.	1.1

The classes of information that we undertake to make available are organised into seven broad topic areas<sup>1</sup>:

- Who we are and what we do: Articles of Association and other Trust governance documents, Trust / school prospectus, outline of the school curriculums, details of the Governing Bodies and the duties of governors, school session times and term dates, location and contact details, location and contact information;
- What we spend and how we spend it: our report and accounts for at least the current year and previous two years, details and sources of funding including expenditure over £5000, capital fundings, financial audits, procurement policies, pay policies and staff allowances and expenses, staff pay and grading structures, governors' allowances;
- What are our priorities and how we are doing: performance data supplied to the Government, Ofsted inspection reports, performance management policy and procedures, the Trust's future plans, exam and assessment results, performance tables, data protection, safeguarding, and child protection policies;
- How we make decisions: Trustee and Governing Body documents including minutes of meetings, Admissions Policy for the current and previous 3 years;
- Our policies and procedures: our written protocols including policies related to learning, any required by statute, records management and personal data, equality, diversity and inclusion, staff recruitment, charging regimes;
- Lists and registers: any required by law;
- The services we offer: , newsletters, leaflets, media releases, extra curricula activities, out of school clubs, services for which the school charges a fee.

If individuals require a paper version of any of the documents within the scheme, they must contact the school by telephone, email, fax, or letter. Contact details are set out below.

Leigh-Anne Sullivan, Ambitious about Autism Schools Trust Business Manager

Telephone: 020 8099 0640

Email: [Leigh-AnneSullivan@TheRiseSchool.com](mailto:Leigh-AnneSullivan@TheRiseSchool.com)

Address: The Rise School, Browell's Lane, Feltham, TW13 7EF

Individuals must clearly mark any correspondence 'PUBLICATION SCHEME REQUEST' (in CAPITALS).

If the information isn't available via the scheme and isn't on our website, individuals can still contact the school to ask if we have it.

Individuals do not need to explain the reasons for a request, or to state explicitly that it is a request under FOIA. Requests for information must be made in writing, including email. The request must state the name and address of the person applying for the information and the required information.

Information published on our website is free. Single copies of information covered by the classes listed above are provided free. If a request means that we have to do a lot of photocopying or printing, pay a large postage charge then we will let the individual know the cost before fulfilling a request.

Recorded information held by the Rise School and Spring School is subject to the requirements of the FOIA. The type of information which may be requested can be paper or electronic and may include draft documents, agenda, minutes, emails, diaries, photographs, sound and video recordings, and even rough handwritten notes.

Where a valid request is received, there is a duty on the Rise School and Spring School to confirm or deny whether it holds the information and if it does hold it, to provide the information so long as an exemption does not apply.

If information is requested, but is not held, the Rise School or Spring School will inform you of this.

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<sup>1</sup> Based on the ICO's model policies and definition document for free schools: [Definition document: Schools in England \(ico.org.uk\)](#) Version 4

Policy Owner	Director of Finance & Planning	Next Review Date:	December 2024
Policy No.	097	Version No.	1.1

In exceptional cases the School(s) may not be able to either confirm or deny if the information requested is held.

When a request is unclear the School(s) will ask for clarification. Our expected turn-around for acknowledging requests is 3 working days and to respond with the requested information no later than the 12<sup>th</sup> working day after receipt of a valid request, in line with ICO guidance. If this is not possible the applicant will be informed on an ongoing basis.

### **Exemptions**

The FOIA does not entitle applicants to be given all information held by the Trust(s). The FOIA sets out exemptions from the right of access to information.

In broad terms, there are two kinds of exemptions:

- Absolute exemptions – the right to information is completely over-ridden by the exemption
- Qualified exemptions – where an exemption may be applied, but the Commission must weigh up competing interests to decide whether it serves the interests of the public better to withhold or disclose the information. This is known as the public interest test.

When requests are refused a refusal notice must be issued setting out the part of the FOIA relied upon and usually to explain the reason for the decision. The refusal notice will outline our complaints procedure with relevant details and inform the requester of their right to complain to the Information Commissioner.

### Data Protection

The School(s) are under a legal duty to protect personal data as required by legislation - the UK General Data Protection Regulation (UK GDPR) and Data Protection Act (DPA) 2018. The School(s) will carefully consider their responsibilities under these acts before releasing any information.

If responding to a request under the FOIA would breach the DPA or UK GDPR then it will be exempt from disclosure.

Any request made by an individual for their own personal data (information about themselves) will be a Subject Access Request and will be readily responded to as such under our Data Protection Policy which is published on our website.

### Vexatious requests

It is possible that requests can be identified as vexatious. These may be costly to process in terms of time and staff resource and opportunity cost. Where we believe a request to be vexatious we will issue a refusal notice unless we have already done so in response to another vexatious or repeated request from the same individual, and it would be unreasonable to issue another one. The School(s) can refuse requests if they are repeated, whether or not they are vexatious.

### Confidentiality

If we receive information from someone else and complying with a request for that information would be a breach of confidence that is actionable, the information may be exempt from disclosure.

### Legal privilege

If complying with a request would reveal information that is subject to 'legal professional privilege' then it may be exempt from disclosure. These rules exist to give confidence to people that their conversations with legal advisors on legal matters are confidential.

### Cost limit

The Rise School and Spring School reserves the right to refuse requests where the cost of providing the information would exceed the statutory cost limit.

### Other exemptions

There are other exemptions that the School(s) might apply and these include but are not limited to:

- Information already reasonably accessible

Policy Owner	Director of Finance & Planning	Next Review Date:	December 2024
Policy No.	097	Version No.	1.1

- Information intended for future publication
- Research publication
- Would constitute contempt of court

**5. Roles and responsibilities**

Sign off for this policy is the responsibility of Louise Honeysett, Director of Finance and Planning (and nominated Data Protection Officer)

Writing and implementing this policy is the responsibility of Leigh-Anne Sullivan, Trust Business and Operations Manager

Support in writing and implementing this policy is the responsibility of Tom Hayward, Data Protection Senior Officer

**6. Other key policies**

This policy should be read alongside the following other policies, which can be found on the Ambitious about Autism and Ambitious about Autism Schools Trust website, or requested:

- Data Protection policy

**Complaints**

All complaints will be dealt with in line with the organisation’s Compliments and Complaints Policy which is published on our website. There is also the right to complain to the Information Commissioner’s Office.

**7. Monitoring arrangements**

This policy shall be reviewed by Leigh-Anne Sullivan and Tom Hayward and approved by Louise Honeysett on an annual basis.

**About this version**

The Rise School and Spring School are committed to equal opportunities and our aim is to make our policy easy to use and accessible to all of our stakeholders. We will take reasonable steps to accommodate any reasonable adjustments required to enable access to this policy or to provide responses to requests in other formats and provide such assistance as may reasonably be required.

Policy Owner	Director of Finance & Planning	Next Review Date:	December 2024
Policy No.	097	Version No.	1.1