



# **Freedom of Information Publication Scheme and Charging Policy**

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**Ambition, learning, and enrichment for all**

## PUBLICATION SCHEME

### 1. Background - Freedom of Information Act

The Trust has produced a Publication Scheme of information that is available under the Freedom of Information Act 2000, and it conforms to the model scheme for schools and academies approved by the Information Commissioner (ICO). The Trust Board has responsibility for ensuring that the Trust and its schools comply with the Act.

This scheme commits the 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 organisation. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the ICO.

**This Publication Scheme is based on the [ICO model scheme](#) that all public authorities must use.**

In order to comply with the requirements of the Act, this publication scheme covers the Trust's commitment on the following points:

- 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 classifications shown below;
- to specify the information that is held by the Trust and falls within the classifications shown below;
- to proactively publish 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;
- to publish any dataset held by the Trust that has been requested, and any updated versions it holds, unless the Trust is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19.

The term "dataset" is defined in section 11(5) of the Freedom of Information Act. The term "relevant copyright work" is defined in section 19(8).

### 2. Classes of information

The Publication Scheme is a guide to the information which is currently published (or has recently been published) or which we will publish in the future. This information is available on the website [www.yorkshirecauseway.com](http://www.yorkshirecauseway.com), individual Trust school's websites or in hard copy from each individual school and is categorised in 'Classes' as outlined in this Scheme.

**Who we are and what we do**

Organisational information, locations and contacts, constitutional and legal governance.

**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, plans, assessments, inspections and reviews.

**How we make decisions**

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

**Our policies and procedures**

Current written protocols for delivering our functions and responsibilities.

**Lists and registers**

Information held in registers required by law and other lists and registers relating to the functions of the Trust and its schools.

**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 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.

**3. 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 a 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.

#### **4. Charges which may be made for information published under 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 will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

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

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.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with regulations made under section 11B of the Freedom of Information Act or other enactments.

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.

##### **4.1. Schedule of charges**

<b>Type of Charge</b>	<b>Description</b>	<b>Basis of Charge</b>
Disbursement cost	For documents on the website which are readily available	Free of charge if downloaded and printed by the applicant
	Photocopying/printing @ £0.04p per sheet (black & white)	Actual cost
	Photocopying/printing @ £0.10p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class
Statutory Fee		In accordance with the relevant legislation

#### **5. Written requests**

Information held by the Trust that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

## CHARGING POLICY

### 1. Introduction

The Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR) give rights of public access to information held by public authorities. This charging policy is a guide to the fees the Trust charges for responding to a request for information under the Freedom of Information Act 2000 (FOI Act). The policy complies with the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Fees Regulations) issued under the FOI Act.

Section 9 of the FOI Act allows the Trust to charge a fee for providing information in response to a request. The fee is determined in accordance with the Fees Regulations. The Fee Regulations set out what charges are permissible for information requests. These charges are currently defined as two elements, prescribed costs and disbursements.

Under section 12 of the FOI Act, the Trust does not have to comply with a request for information if the cost of compliance exceeds the Appropriate Limit. This is the limit for the estimated or calculated prescribed costs. The regulations define an 'Appropriate Limit', for local government, and this limit is currently £450.

The Trust must still confirm or deny whether it holds the information requested unless the cost of this alone would exceed the appropriate limit.

The Fees Regulations do not apply where the Trust is able to charge for the disclosure of information under another statutory provision.

### 2. Scope

Whilst the Trust does not wish to place obstacles in the way of access to information, larger or more complex requests may require a fee to be calculated and a fees notice to be issued. (See 'Calculating Charges').

The Trust will charge for:

- Information requested that is priced within the publication scheme.
- Information which has a charge imposed by another enactment or regulation.
- Large or complex requests where a fees notice is issued.
- Disbursements (see 'Costs of Disbursements') over £5.

### 3. Cost of preparation

When responding to a request for information, the Trust will take into account the estimated costs of preparation and the Trust will estimate whether complying with the request will exceed the appropriate limit.

Where the estimated or calculated prescribed costs are over £450, the Trust can refuse to comply with the request. In these instances, the Finance Team will discuss with the applicant whether they wish to modify their request.

In exceptional cases, the Trust may comply with requests where the estimated or calculated prescribed costs are over £450. In these instances, the Trust will charge for the full, prescribed

costs based on the calculation method and rate shown in 'Calculating Charges', and 'Costs of Disbursements'.

#### **4. Prescribed costs**

The Trust can only take into account the costs it reasonably expects to incur in:

- Determining whether it holds the information requested;
- Locating the information, or document containing the information;
- Retrieving the information, or a document containing it; and
- Extracting the information from a document containing it - (This includes the first time an individual working in the Trust reads information for this purpose, any subsequent reading, or if the information is passed to others to read, is not included), it also includes the time taken to summarise information, or to edit information, (e.g. editing and redacting where exemptions apply to part of the information contained in a record).
- Assessing whether the Appropriate Limit is exceeded

The Trust will take into account the costs attributable to the time that persons (both the officers and external contractors) are expected to spend on the above four activities.

The cost will be calculated at £25 per hour per person, regardless of the actual cost or rate of pay. The calculation of the Appropriate Limit of £450 is equivalent to 18 hours of one person's time charged at the £25 per hour rate.

#### **5. Making an estimate**

The Trust does not have to make a precise calculation of the costs of complying with a request; only an estimate is required.

The estimate must be reasonable and can only be based on the four activities listed above. What amounts to a reasonable estimate is determined on a case by case basis. For an estimate to be reasonable it must be sensible, realistic and supported by evidence.

#### **6. Exceeding the appropriate limit**

Where a reasonable estimate is made that the Appropriate Limit of £450 for the costs of preparation would be exceeded then the Trust, through the Finance Team, will either:

- Refuse to comply with the request; and/or
- Issue a fees notice to the applicant for the estimated amount

Where appropriate the applicant may be asked whether they would like to reframe their request so that it does not exceed the appropriate limit of £450. In these circumstances the applicant will have the choice of amending the request or alternatively paying the preparation fees.

The Trust can also include the costs of Disbursement as a separate fee - (see Costs of Disbursements). Where the limit is exceeded, there is no requirement for the Council to undertake work up to the limit.

On complaint, the Information Commissioner can investigate the way in which an estimate has been determined, and, if the estimate is considered to be unreasonable, the Information Commissioner can issue a substitute estimate. The Information Commissioner will not normally

deal with such complaints unless the Trust's own internal review processes have been exhausted.

## **7. Limitation on charging**

- The estimated cost of staff time taken deciding whether any exemptions apply to the disclosure of information cannot be taken into account when calculating the appropriate limit.
- Requests received for information already available on the Trust's websites. (Unless a charge is indicated)
- Requests received for information available via the Trust's Publication Scheme (where there is no charge indicated).
- Requests that Trust staff can easily answer without the need for extensive location and retrieval effort. (For example business as usual requests).
- Information that has been released previously following a request, and where a copy of this is maintained.
- Providing information in an alternative format if the Disability Discrimination Act (DDA) or the Race Relations Amendment Act applies, unless the original document was a priced publication. In this instance, the charge for the alternative format will not exceed the cost of original publication.
- Additional translation charges for supplying information in a different language (where English is not the first language). Where the original document is already priced, the cost for a translated version will not exceed the cost of the original publication. The Trust cannot charge for the costs of preparation if it is estimated or calculated that these prescribed costs are under £450 (other than the cost of the disbursements (reproducing the information, postage etc.) see 'Costs of Disbursements' below.

## **8. Duty to confirm or deny**

If the Trust estimates that the £450 limit for the costs of preparation will be exceeded, the Trust will nevertheless confirm or deny whether the information requested is held, provided an exemption to this does not apply, and the estimated cost of complying with this alone would not exceed £450.

## **9. Costs of disbursement**

The Trust is allowed to charge for 'disbursement' costs. These are separate costs to the prescribed costs of preparation and can be charged independently, even where no preparation fees have been applied.

Disbursement costs will be charged when they reach £5 or over.

The disbursement costs are the costs of:

- Informing the applicant whether the information is held.
- Communicating the information to the applicant
- Meeting the preference expressed by the applicant as to the format of communicating the information e.g. CD-ROM, other electronic format, paper copy.
- Reproducing any document containing the information.
- Postage and other forms of transmitting the information.

## **10. Calculating charges**

For large and more complex requests, the Trust will calculate the charges as follows:

- Determine the estimated time required for the Appropriate Limit costs (determining if the Trust holds the information, locating, retrieving and extracting this).
- Multiply by £25 (the hourly rate defined within the fees regulations).
- Determine the charge for disbursements (This will generally be the actual costs of photocopying, printing, postage, faxing, however, it may be necessary to estimate some elements).
- Any other costs relating to supplying the information to the applicant.
- The Trust's standard photocopying charge in force at the time of the request will be applied.

## **11. Payment of charges**

If the Trust considers that a charge is appropriate, the Finance Team will issue the Applicant with a Fees Notice. Where disbursements are payable, the Finance Team will also issue the Applicant with a Fees Notice.

Under the FOI Act, the Trust is normally required to comply with a request for information within twenty working days, however, the calculation of the twenty working days does not include the time that passes from when a Fees Notice is issued and when the Trust receives payment. If, after three calendar months, no payment is received, the request will be treated as having lapsed.

## **12. Repeated requests or requests in pursuance of a campaign**

Repeated Requests refer to situations whereby two or more similar requests for information have been made to the Trust, either by the Same Person or from Different Persons who appear to the Trust to be working in association, including for the purposes of pursuing a campaign. If the Trust receives these types of requests within 60 consecutive working days, the following calculations can be applied:

### **12.1. Aggregate requests from the same person**

The Trust will aggregate these requests for the purposes of calculating costs. Where the estimated costs exceed the 'Appropriate Limit' of £450, the Trust will either refuse to comply with the request and/or issue a Fees Notice to the applicant for the estimated amount.

### **12.2. Aggregate requests from different persons**

The Trust will firstly estimate the costs for each individual request and then aggregate the requests for finding the overall estimated cost.

If the total costs exceed the 'Appropriate Limit' each individual will be charged for their request. For example a request made by 2 individuals, each amounting to £350. Added together the total costs are £700, and therefore exceed the 'Appropriate Limit' of £450. The Trust can charge each applicant £350 (together with any charges for disbursements).

This formula will apply to all aggregate requests received within 60 consecutive working days. Where two or more requests are received at separate times, and the first request has been

complied with, the Trust reserves the right to aggregate all subsequent related requests - i.e. the second/third request and charge these applicants according to the formula described above. Applicants will be informed of the Trust's reasons for aggregating requests and invited to pay the specified amount. In all cases Fees Notices will be issued.

### **13. Review of costs**

The Trust reserves the right to keep under review its rates of calculating costs where the Fees Regulations allow. The Trust will endeavour to keep costs reasonable, in order to assist public access to information in accordance with the spirit of the FOI Act.

### **Contact details**

In the first instance you are invited to visit the Trust website: [www.yorkshirecauseway.co.uk](http://www.yorkshirecauseway.co.uk) for information about the Trust and links to each of our schools.

If you require a paper version of any information, or want to ask whether information is available, please contact the Trust using the following contact details in respect of the Trust itself or any of its individual schools:

Email: admin@yorkshirecauseway.co.uk  
Tel: 01423 885814

Address: Yorkshire Causeway Schools Trust  
c/o St Aidan's C of E High School  
Oatlands Drive  
Harrogate  
North Yorkshire  
HG2 8JR

To help us process your request quickly, please clearly mark your request "Publication Scheme Request".

### **Feedback and complaints**

We welcome any comments or suggestions you may have about this document. If you want to make any comments about this or if you require further assistance, then initially this should be addressed to Yorkshire Causeway Schools Trust using the contact details above.

Complaints about the way in which information requests are handled should be directed to Trust using the contact details above. A copy of the Trust Complaints policy can be found on the [Trust website](#).

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 escalated or need any further information or assistance, please visit the Information Commissioner's Office website or contact them on:-

**Enquiry/Information Line:** **01625 545 745 / 0303 123 1113**

**E Mail:** please use the online enquiry form on the website

**Website :** [www.ico.org.uk](http://www.ico.org.uk)



## Appendix One - Guide to information available under the FOI publication scheme

<b>Information to be published</b> <b>This includes datasets where applicable - please see "How to complete the Guide to Information".</b>	<b>How the information can be obtained</b> (hard copy and/or website)	<b>Cost</b>
<b>Class 1 - Who we are and what we do</b> (Organisational information, structures, locations and contacts) This will be current information only		
Who's who in the Multi Academy Trust	Trust website	N/A
Who's who on the Trust Board and the basis of their appointment	Trust website	N/A
Articles of Association	Trust website	N/A
Contact details for the Executive Headteacher and members of the Trust Board	Trust website	N/A
Individual School's Prospectus and Curriculum	School website	N/A
Annual Report and Accounts	Trust website	N/A
Who's who on Local Governing Board and the basis of their appointment	School website	N/A
Staffing structure	Trust/School website	N/A
School session times and term dates	School website	N/A
Address of school and contact details, including email address.	School website	N/A
<b>Class 2 - What we spend and how we spend it</b> (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum		
Annual budget plan and financial statements	Hard Copy	See charges
Capital funding	Hard Copy	See charges
Financial audit reports	Hard Copy	See charges
Details of expenditure items over £5000 - published at least annually but at a more frequent quarterly or six-monthly interval where practical.	Hard Copy	See charges
Procurement and contracts the school has entered into, or information relating to / a link to information held by an organisation which has done so on its behalf (for example, a local authority or diocese).	Hard Copy	See charges

Pay policy	Hard Copy	See charges
Staff allowances and expenses that can be incurred or claimed, with totals paid to individual senior staff members (Senior Leadership Team or equivalent, whose basic actual salary is at least £60,000 per annum) by reference to categories.	Hard Copy	See charges
Staffing, pay and grading structure. As a minimum the pay information should include salaries for senior staff (Senior Leadership Team or equivalent as above) in bands of £10,000; for more junior posts, by salary range.	Hard Copy	See charges
Governors' allowances that can be incurred or claimed, and a record of total payments made to individual governors.	Hard Copy	See charges
<p><b>Class 3 - What our priorities are and how we are doing</b>            (Strategies and plans, performance indicators, audits, inspections and reviews)            Current information as a minimum</p>		
School profile (if any): <ul style="list-style-type: none"> <li>Performance data supplied to the Government, or a direct link to the data</li> <li>The latest Ofsted inspection report               <ul style="list-style-type: none"> <li>Summary</li> <li>Full report</li> </ul> </li> </ul>	School website	N/A
Performance management policy and procedures adopted by the governing body.	Hard Copy	See charges
The Trust's future development plans; for example, proposals for and any consultation on the future of the Trust, such as a change in status	Hard Copy	See charges
Safeguarding and child protection	School website	N/A
<p><b>Class 4 - How we make decisions</b>            (Decision making processes and records of decisions)            Current and previous three years as a minimum</p>		
Admissions policy/decisions (not individual admission decisions) - where applicable	School website	N/A
Agendas and minutes of meetings of the governing body and its committees. (NB this will exclude information that is properly regarded as private to the meetings).	Hard Copy	See charges
<p><b>Class 5 - Our policies and procedures</b>            (Current written protocols, policies and procedures for delivering our services and responsibilities)            Current information only.</p>		
As a minimum these must include policies, procedures and documents that the school is required to have by statute or by its funding agreement or equivalent, or by the Department for Education. These will include policies and procedures for handling information requests.		
Records management and personal data policies, including:		

<ul style="list-style-type: none"> <li>• Information security policies</li> <li>• Records retention, destruction and archive policies</li> <li>• Data protection (including information sharing policies)</li> </ul>	School website/Hard copy	See charges
Equality and Diversity, including policies, schemes, statements, procedures and guidelines relating to equal opportunities	School website	N/A
Policies and procedures for the recruitment of staff - If vacancies are advertised as part of recruitment policies, details of current vacancies will be readily available	Hard copy	See Charges
Charging regimes and policies.  This should include details of any statutory charging regimes. Charging policies should include charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made and how they are calculated. If the school charges a fee for re-licensing the use of datasets, it should state in its guide how this is calculated (please see "How to complete the Guide to information").	School website	N/A

### **Class 6 - Lists and Registers**

Currently maintained lists and registers only (this does not include the attendance register).

Curriculum circulars and statutory instruments	Hard Copy	See charges
Disclosure logs	Hard Copy	See charges
Asset register	Hard Copy	See charges
Any information the school is currently legally required to hold in publicly available registers	Hard Copy	See charges

### **Class 7 - The services we offer**

(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)

Current information only		
Extra-curricular activities	School website	N/A
Out of school clubs	School website	N/A
Services for which the school is entitled to recover a fee, together with those fees	School website	N/A
School publications, leaflets, books and newsletters	School website/Hard copy	See charges