



EMMANUEL  
SCHOOLS FOUNDATION

## Freedom of Information Policy



Last reviewed: May 2019  
Approved: November 2017  
Next review: May 2021  
Who by: ESF Executive

## Freedom of Information

### Background

Under the Freedom of Information Act (2000) ("the Act") any persons have a legal right to ask for information held by the Emmanuel Schools Foundation (ESF), and are entitled to be told whether ESF holds this information and to receive a copy, subject to certain exemptions.

Any information which ESF routinely makes available to the public is included in the Publication Scheme. Request for other information should be dealt with in accordance with the Act. While the Act assumes openness, it recognises that certain information is sensitive and there are exemptions to protect this information.

The Act is fully retrospective and any past record which ESF holds is included. It is an offence to wilfully conceal, damage or destroy information in order to avoid responding to an enquiry.

Requests for information can be made to any member of staff. In accordance with the Freedom of Information Procedure, all requests for information must be referred to the ESF Company Secretary immediately upon receipt. Requests must be in writing (this includes email and fax requests), and should include the enquirer's name and address, and state the information they require. A request does not have to specifically mention the Act or why the information is required to be a request under the Act. ESF has a duty to respond to each request appropriately within 20 school days or 60 working days (whichever is shorter). Please refer to the Freedom of Information Procedure for information on the process upon receiving a request.

### Obligations and Duties

ESF recognises its duty to:

- provide advice and assistance to anyone requesting information;
- tell the enquirer whether or not ESF holds the information requested (there is a duty to confirm or deny), and provide access to the information held in accordance with ESF's Freedom of Information Procedure.

### Publication Scheme

The publication scheme contains all information available under the Freedom of Information Act. The publication scheme sets out the following:

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

The scheme covers information already published and information which is to be published in the future. The Publication Scheme and the material it covers will be readily available in hard copy from ESF.

### Dealing with Requests

All requests will be responded to in accordance with ESF's Freedom of Information Procedure.

## **Exemptions**

Certain information is subject to either absolute or qualified exemptions. Details can be found in ESF Freedom of Information Procedure.

When ESF wishes to apply a qualified exemption to a request, ESF will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information.

## **Public Interest Test**

Unless it is in the public interest to withhold information, it has to be released. ESF will apply the Public Interest Test before any qualification exemptions are applied.

Information on applying the Public Interest Test is available in the Freedom of Information Procedure.

## **Charging**

ESF reserves the right to refuse to supply information where the cost of doing so exceeds the current statutory maximum of £450.

The statutory maximum is based on 18 hours of staff time. Such calculation cannot include time to consider whether exemptions apply.

## **Postage and Copying**

Where the cost of postage, printing or photocopying is below £10, ESF will not make a charge. Where it is over £10, the first £10 will be free of charge; ESF will agree in advance the additional costs before the information is produced. If the enquirer decides not to pay, the information will not be released.

## **Available Information**

### ***1. Organisational information, structures, locations and contacts.***

- Staff list and structure;
- contact details of the Principals and Governing Bodies and ESF Board ;
- governing body members and ESF board members and the basis of their appointment;
- Instrument of Government;
- prospectuses of ESF schools;
- ESF session times and term dates.

### ***2. Current and previous year financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit***

- annual budget plan and financial statements;
- capitalised funding;
- additional funding;
- procurement and projects;
- pay policy.

3. ***ESF strategies and plans, performance indicators, audits, inspections and reviews***
  - ESF profile;
  - government supplied performance data;
  - latest Ofsted reports;
  - performance management policy and procedure;
  - ESF future plans;
  - safeguarding policies and procedures.
  
4. ***Decision-making – processes and records for last three years***
  - Admissions policy and decisions (not individual decisions);
  - ESF board agendas;
  - ESF board minutes (excluding information properly regarded as private to the meetings);
  
5. ***ESF Policies and Procedures***
  - Charging and Remissions Policy;
  - Health and Safety Policy;
  - Complaints Procedure;
  - Staff Conduct Policy;
  - Discipline and Grievance Policy;
  - Freedom of Information Policy and Procedure;
  - Equal Opportunities Policy;
  - Recruitment and Selection Policy.
  
6. ***Student and Curriculum Policies***
  - Home School Agreement;
  - Curriculum Policy;
  - Sex Education Policy;
  - Special Educational Needs Policy;
  - Accessibility Policy;
  - Race Equality Policy;
  - Collective Worship Policy;
  - Career Education Policy;
  - Student Discipline Policy.
  
7. ***Records Management and Personal Data Policies***
  - Records Retention Policy;
  - Data Protection Policy;
  - Charging Policy.
  
8. ***Registers***
  - Asset Register.
  
9. ***Services***
  - Extracurricular activities;
  - ESF publications.

## **Comments and Complaints**

If you require any further assistance or wish to make a complaint, please address this to the Company Secretary, Emmanuel Schools Foundation, Trinity House, Sixth Avenue, Blyth, Northumberland, NE24 2SY.