



Lord Lawson of  
Beamish Academy

# **LORD LAWSON OF BEAMISH ACADEMY**

## **Freedom of Information Policy**

**Originator: James Pedlingham**

**Revision: 001**

**Reviewed by Governing Body: October 2022**

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## 1. Introduction

**1.1** The Freedom of Information (FOI) Act 2000 provides public access to information held by public authorities. It does this in two ways:

- Public authorities are obliged to publish certain information about their activities.
- Members of the public are entitled to request information from public authorities. They are entitled to be told whether Lord Lawson of Beamish Academy (the academy) holds the information, and to receive a copy, subject to certain exemptions.

**1.2** The act does not give people access to their own personal data (information about themselves) such as their health records or credit reference file. If a member of the public wants to see the information that the academy holds about them, a subject access request under the General Data Protection Regulation (GDPR) should be made.

**1.3** The Publication scheme commits the academy to make information available to the public as part of its normal business activities. It sets out the framework for how the academy manages its obligations under the Freedom of Information Act, in terms of responding to written requests from the public and publishing certain information about its activities through the Freedom of Information Act Publication Scheme.

## 2. Scope of the Freedom of Information Act

**2.1** The Act covers all recorded information held by the academy. It is not limited to official documents, and it covers, for example, emails, notes, recordings of telephone conversations and CCTV recordings. It is also not limited to information that has been created, so it also covers, for example letters received from members of the public, although there may be a good reason not to release them.

**2.2** Requests for recorded information about the handling of previous Freedom of Information requests (meta requests) will be treated no differently from any other request for recorded information.

**2.3** The Act does not cover information that is in someone's head. If a member of public asks for information, information must be provided that is already in recorded form. The academy does not have to create new information or find the answer to a question from staff who may happen to know it.

**2.4** The Act covers information that is held on behalf of the academy. For example, certain types of work are outsourced to another provider. Outsourced services



undertaken by an external company may hold information on the academy's behalf. Some of the information held by the external company may be covered by the Act if a Freedom of Information (FOI) request is received. The company does not have to answer any requests for information it receives, but they may forward requests to the academy.

**2.5** The Act does not cover information the academy holds solely on behalf of another person, body, or organisation. This means employees' purely private information is not covered, even if it is on a work computer or email account. Information stored solely on behalf of a trade union or Governor/Trustee is also not covered by this Act.

### **3. Freedom of Information Publication Scheme**

**3.1** The academy has adopted the Model Publication Scheme for Schools, which has been approved by the Information Commissioner and is Appendix 1 within this policy.

**3.2** The scheme commits the academy to:

- Proactively publish or otherwise make available as matter of routine, information, which is held by the academy and falls within the classifications.
- Specify the information which is held by the academy and falls within the classifications.
- Proactively publish or otherwise make available, as matter of routine, information, in line with the statements contained within this 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 academy makes available under this scheme.
- Produce a schedule of any fees and charged for access to the information which is made proactively available.
- Make this publication scheme available to the public.
- Publish any dataset held by the academy that has been requested, and any updated versions it holds, unless the academy is satisfied that it is not appropriate to do so; publish the data set, 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 academy 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. The term 'relevant copyright work' is defined in section 19(8) of the Act.

#### 4. Classes of Information

4.1 The classes of information are:

- **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 are 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, procedures and 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 functions of the academy.
- **The Services we offer** – advice and guidance, booklets and leaflets, transactions and media releases.

#### 5. Responding to Information Requests

5.1 The academy has a duty to:

- Provide advice and assistance to anyone requesting information. The academy will respond to straightforward verbal requests for information and will help enquirers to put more complex verbal requests into writing so that they can be handled under the Act.
- Tell enquirers whether or not the academy holds the information they are requesting and to provide access to information the academy holds in accordance with procedures.

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



- The academy 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 a public authority, the academy will provide details of where to obtain the information.
- In exceptional circumstance some information may be available only by viewing in person. Where this matter 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 an authority 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.

### **5.3 Managing Information Requests:**

- The academy will update its records with the information requests that are received, to enable the academy to have a complete overview and reports on all Freedom of Information requests at an executive level. This will include requests that have been refused.
- Requests must be made in writing, including email, and should include the enquirers name and correspondence address, and state what information they require. They do not have to mention the Act, nor do they have to say why they want the information. However, to help process requests quickly, requests should be marked “Publication Scheme Request”. There is a duty to respond to all requests, telling the enquirer whether the information is held, and supplying any information that is held, except where exemptions apply.
- FOI requests should either be emailed to:

[jpedingham@lordlawson.academy](mailto:jpedingham@lordlawson.academy)

**or by post to**

**James Pedlingham Business Manager, Lord Lawson of Beamish Academy, Birtley Lane, Birtley, Chester-le-Street, DH3 2LP.**

- There is a time limit of 20 school days for responding to a request. Where required, a reasonable extension of time to consider the public interest can be put in place. An extension beyond an additional 20 school days should be exceptional.



- Certain information is subject to either absolute or qualified exemptions. When applying a qualified exemption to a request, the public interests test procedures need to be applied to determine if a public interest in applying the exemption outweighs the public interest disclosing the information. Exemptions include:
  - The academy does not hold the information.
  - The information is exempt under one of the FOI Act exemptions or Environmental Information Regulations 2004 (EIR) exceptions, or its release is prohibited under another act or regulation.
  - The information is readily and publicly available from an external website; such information may have been provided either by the academy or on its behalf. The academy must provide a direct link to that information.
  - The information is archived, out of date or otherwise inaccessible; or
  - It would be impractical or resource-intensive to prepare the material for routine release.
  - Unless it is in the public interest to withhold the information, it will be released.

## 6. Charging

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 may occur for the supply of information.

- Charges made by the academy for routinely published material will be justified and transparent and kept to a minimum.
- Charges may be made for information subject to a charging regime specified in the Act.
- Charges may also be made for actual disbursements incurred such as: staff time, photocopying, postage and packaging, and the costs directly incurred as a result of viewing the information.
- If a charge is to be made, confirmation of payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

## 7. Complaints

**7.1** If a member of the public is unhappy with the service they have received regarding their request, and they wish to make a complaint or request a review of the



decision, they should put it in writing to the Chair of the Board of Governors via the Academy.

**7.2** The academy will aim to determine all complaints within 10 school days of the date of receipt. The complaint will be dealt with by another member of the Academy Leadership Team.

**7.3** Following investigation, if the original decision is upheld, then the academy has a duty to inform the complainant of their right to appeal to the Information Commissioner's Office, which will be detailed in the response letter. Appeals should be made in writing to the ICO as follows:

FOI/EIR Complaints Resolution  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF



## Appendix 1 – Publication Scheme

Information to be published	How the information can be obtained?
<b>Who we are and what we do</b>	
Organisation information	Website
Location and contacts	Website
Governance and structure	Website
Articles of Association	Website
Curriculum	Website
Timings and contact information	Website
<b>What we spend and how we spend it</b>	
Annual accounts for the previous year	Website
Financial Audit Reports	Website
Procurement and Contracts	Hard Copy
Pay Policy	Hard Copy
Staff allowances, expenses and salary information	Hard Copy
<b>What our priorities are and how we are doing</b>	
Vision	Website
Performance data	Website
Ofsted Reports	Website
Safeguarding and Child Protection	Website
<b>How we make decisions</b>	
Admissions policies	Website
Governance Structure	Website
Minutes of Trust Board meetings	Website
<b>Policies and Procedures</b>	
Academy policies and other documents	Website