

# Nishkam School Trust



## Freedom of Information Policy

<b>Approved by:</b>	Trustees	<b>Date:</b> 23 February 2021
<b>Last reviewed on:</b>	January 2021	

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## Our Vision and Ethos

Nishkam schools are Sikh ethos multi faith schools that take a distinctive approach to many traditional faith schools. The Nishkam School Trust education model is led by virtues such as, compassion, humility, service, contentment, optimism, trust and forgiveness. Virtues are prevalent throughout our teaching and learning model and are modelled by our pupils, staff and teachers. Our pupils explore the divine context of humanity and wonder of all creation and also learn from the wisdom of all religions and in doing so explore the infinite human potential to do good unconditionally. We support all pupils and staff to develop aspects of their own religious, spiritual or human identities. In service of God, we pray for guidance in this endeavour and forgiveness for the errors we may make.

### 1. Introduction

Nishkam School Trust (NST) has an obligation to publish a freedom of information statement, outlining how we will meet our duties under the Freedom of Information Act (FOIA) 2000 and associated regulations. The FOIA 2000 provides public access to information held by public authorities in the following ways;

- i. public authorities are obliged to publish certain information about their activities;
- ii. members of the public are entitled to request information from public authorities.

Any person has a legal right to ask for access to information held by NST. They are entitled to be told whether the information is held, and to receive a copy, subject to certain exemptions. ICO guidance should be followed if there is a need to withhold the information. Please use the following link. <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/refusing-a-request/>

The FOIA 2000 does not give people access to their own personal data (information about themselves). If a member of the public or staff wants to see information that NST holds about them, they should make a Subject Access Request (SAR) in accordance with the Data Protection Act 2018, as outlined in the NST Data Protection Policy.

Please also refer to the ICO guidance using the following link. <https://ico.org.uk/your-data-matters/your-right-to-get-copies-of-your-data/>

The purpose of this policy is to ensure that effective procedures and arrangements are in place to manage a requests for information to enable NST to demonstrate compliance with the FOIA and other legal and statutory duties relating to providing public access to information.

### 2. Accepting requests for information

For a request to be valid under the FOIA it must be in writing; however, requesters do not have to mention the FOIA or direct their request to a designated member of staff. Any letter or email asking for information will be treated as a request for record information under the FOIA.

On receipt of a request this will be referred to the NST Data Protection Officer (DPO) who will lead the response. All requests will be responded to within twenty school days. A response will be provided having regard to the procedures and guidance outlined by the Information Commissioners Office (ICO) <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>

See Appendix A for an outline of the process.

The DPO will retain a central log of all requests; each request will be retained for eighteen months. There may be circumstances where the requested information cannot be supplied, on these occasions the requester will be notified.

Any requests for information should be emailed to [dpo@nishkamschools.org](mailto:dpo@nishkamschools.org)

If the requester is unhappy with the outcome they will be directed to the NST Complaints Policy.

Whenever a request is refused the requester should always be informed about their right to complain to the ICO. The ICO has a general duty to investigate complaints from members of the public who believe that an authority has failed to respond correctly to a request for information.

The ICO can be contacted by email at [www.ico.org.uk](http://www.ico.org.uk) or by writing to:

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

### **3. Freedom of Information Act (FOIA) Publication scheme**

Nishkam School Trust are required to publish information and adopt and maintain a publication scheme which specifies the information which it will publish on the NST and school websites, and whether the information will be available free of charge or on payment. The scheme complies with the [ICO model publication scheme](#).

The publication scheme will be reviewed and updated on a regular basis. A copy of the NST publication scheme is available in [Appendix A: Publication Scheme](#).

This publication scheme has the following aims:

- To proactively publish or otherwise make available as a matter of routine, information, which is held by NST and falls within the classification below.
- To specify the information that is held by the and falls within the classifications 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 easily be identified and accessed by members of the public.
- To review and update regularly the information NST makes available under this scheme.
- To produce a schedule of fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

### **4. Availability of Information**

Wherever possible and practical, information will be made available on the NST and school websites. Where it is impracticable to make information available on a website or when an individual does not wish to access the information via the website, NST 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, further 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 if there is a legal requirement to do so. Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and format

### **Classes of information**

The classification of information to be published under the scheme as outlined by the ICO as follows:

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 income and expenditure.
3. **What our priorities are and how we are doing** - Strategy and performance information, plans, assessments, inspections and reviews. How we make decisions.
4. **Policy proposals and decisions** - Decision making processes, internal criteria and procedures, consultations.
5. **Our policies and procedures** - Current written 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.

Details of information made available are outlined at Appendix B which also considers the requirements outlined by the Department for Education. [DfE guidance what-academies-free-schools-and-colleges-should-publish-online](#) and any requirements from the [Academies Financial Handbook \(AFH\) 2020](#).

Any information held that is not published under this scheme can be requested in writing, and will be considered in accordance with the provisions of the FOIA.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the FOIA, 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.
- 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 one.
- A fee notice was not honoured.

## **5. Charging fees**

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 NST 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 disbursements, such as the following:

- Photocopying
- Postage and packaging
- 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 and justified and are in accordance with a published schedule or schedules of fees which is readily available to the public on the ICO website. ICO Charging for information in a publication scheme

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment will be requested prior to provision of the information.

A schedule of charges is held at Appendix C

NST will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450.

Where multiple requests for information are made to the school within 60 consecutive working days of each other, either by a single person or by different persons who appear to be acting in concert, the estimated cost of complying with any of the requests is to be taken to be the total costs to the school of complying with all of them.

Further information is available on the ICO website. [ICO charging for information](#)

## **6. Means by which communication is to be made**

This policy will be shared with all NST staff and will be made publicly available.

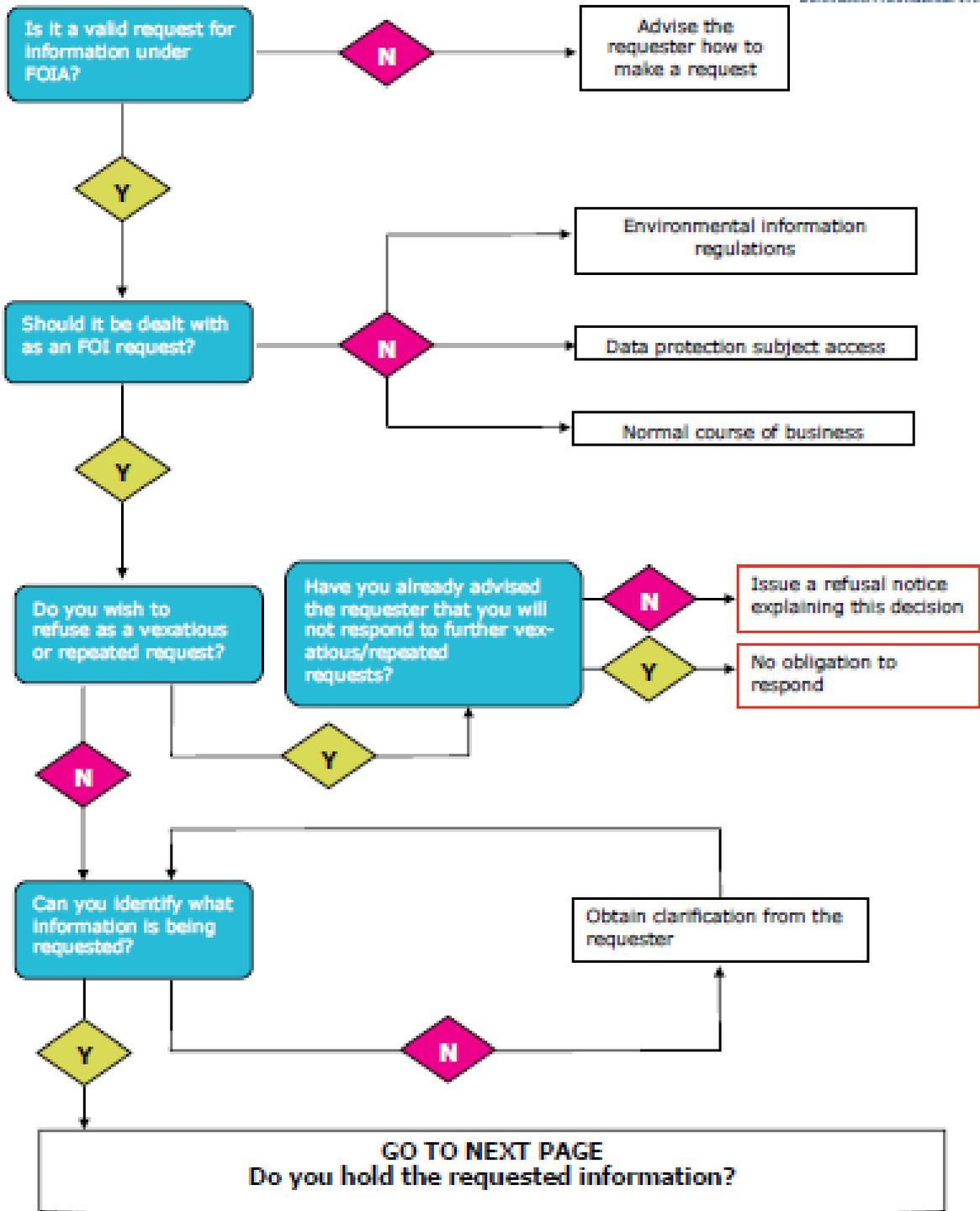
## **7. Monitoring and review**

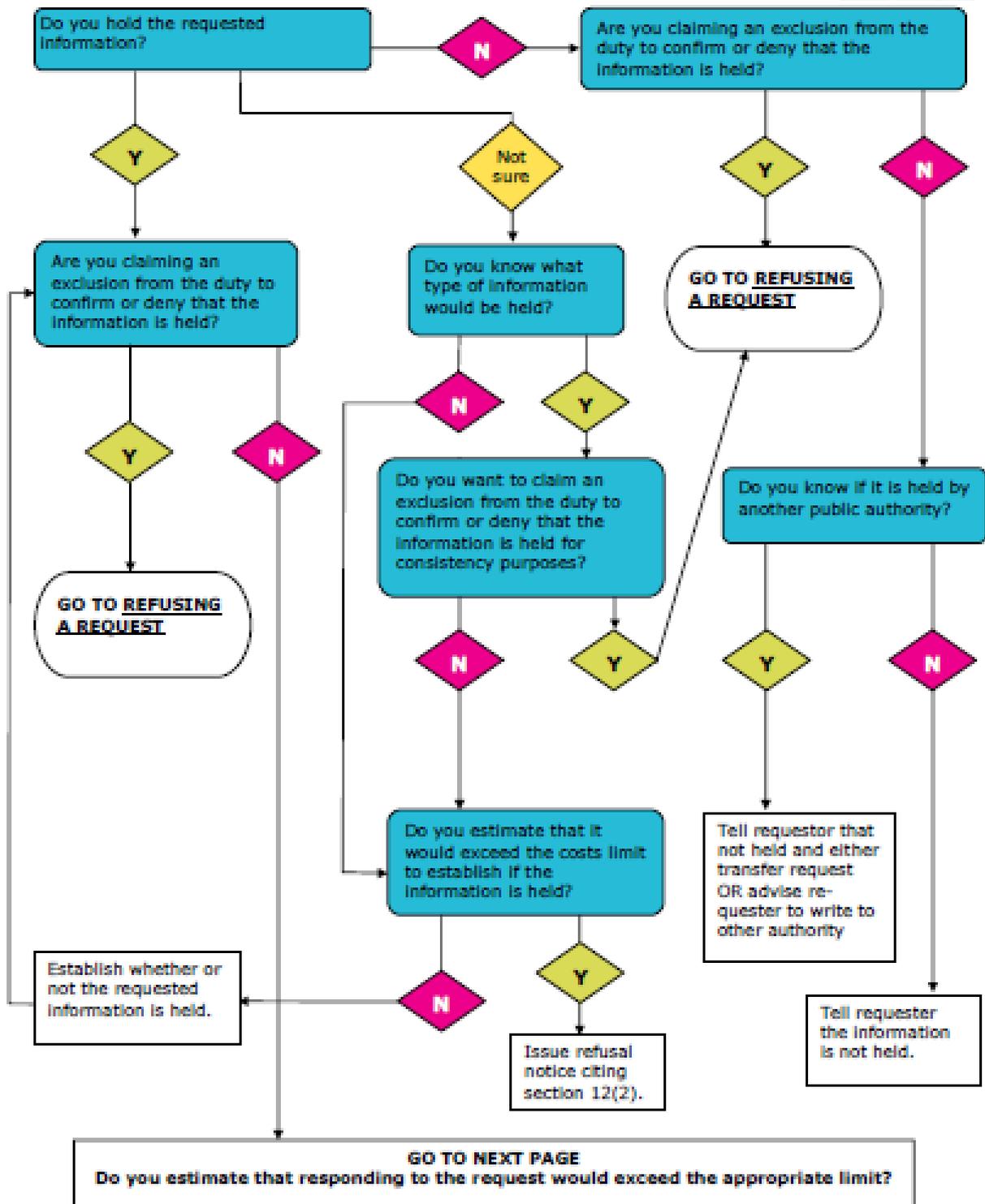
This policy will be received on an annual basis, or in light of any changes to relevant legislation, by the DPO and will be approved by the Trust Board.

Appendix A: FOIA Request Process

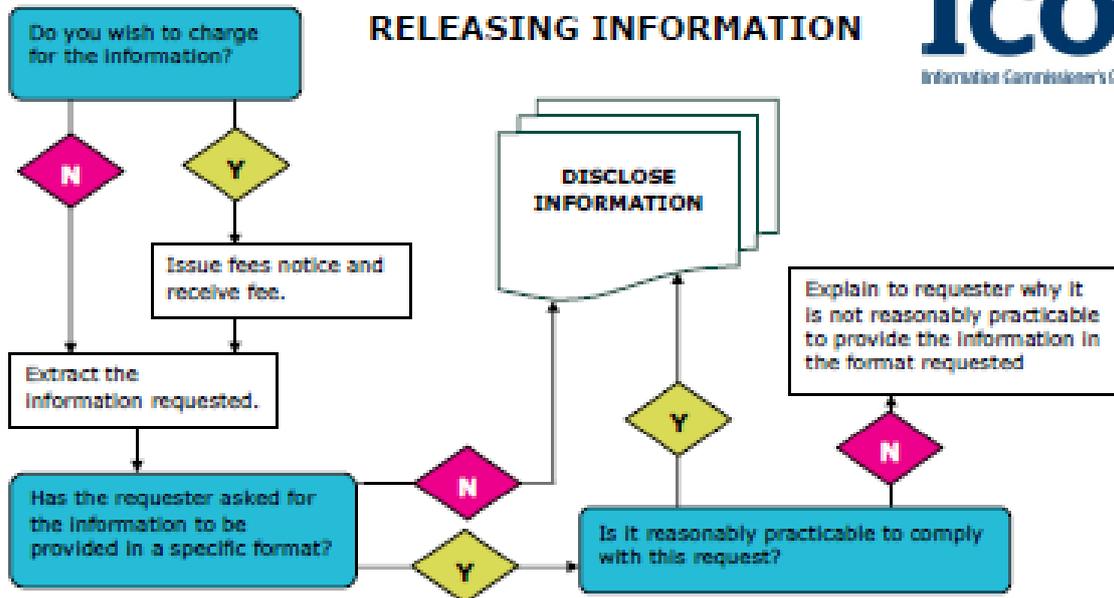


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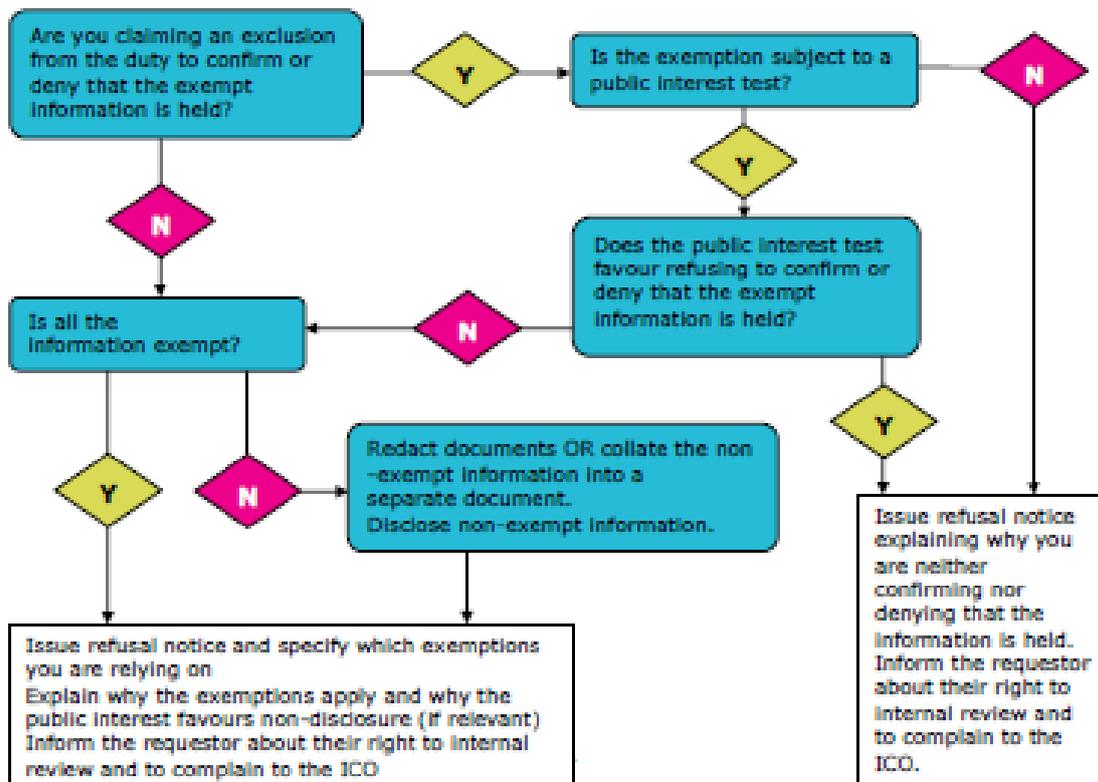


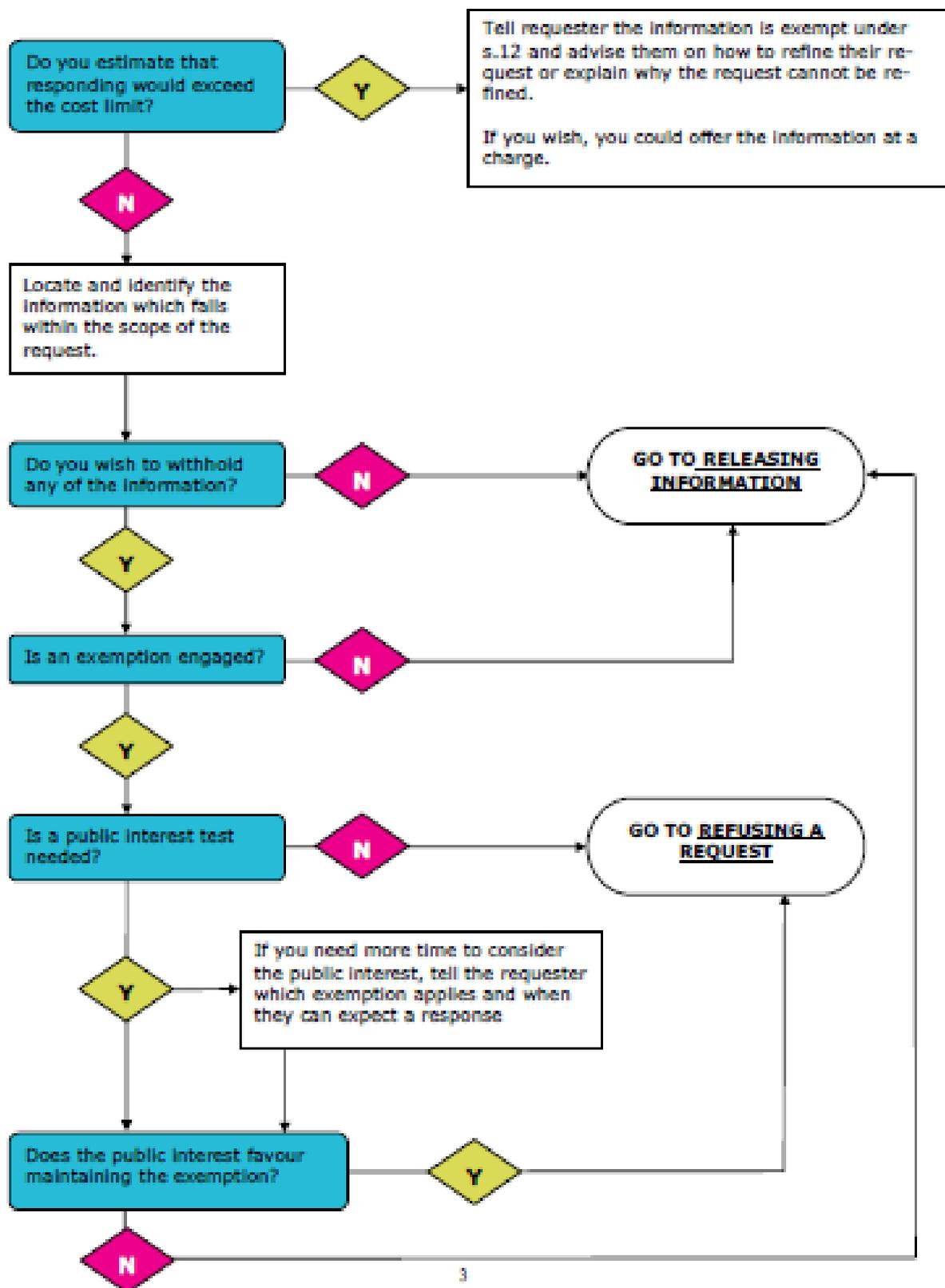


## RELEASING INFORMATION



## REFUSING A REQUEST





## Appendix B: NST Publication Scheme

<b>Class 1: Who we are and what we do</b>		
Organisational information, locations and contacts, constitutional and legal governance (current information only)		
<b>What is published</b>	<b>How it can be obtained</b>	<b>Charge</b>
Address and contact details for the Trust	NST website	No charge
Address and contact details for NST schools	Individual school website	No charge
Details about Members ,Trustees, Executive and Central Team	NST website	No charge
Details about LGB Chair and governors	Individual school website	No charge
Governance and constitutional information	NST and Individual school website	No charge
School staffing structure	Individual school website	No charge
School session times, term dates and holidays	Individual school website	No charge
School prospectus	Individual school website	No charge

<b>Class 2: What we spend and how we spend it</b>		
Financial information relating to projected and actual income and expenditure, procurement, contract and financial audit (minimum of current and previous two years financial year)		
<b>What is published</b>	<b>How it can be obtained</b>	<b>Charges</b>
Financial Policies and Procedures	NST website	No charge
Annual reports and audited accounts	NST website	No charge
Master Funding Agreement	NST website	No charge
Procurement and contracts	Available upon request	No charge
Pupil premium reports	School website	No charge

<b>Class 3: What our priorities are and how we are doing it strategies and plans, performance indicators, audits, inspections and reviews (Current information as a minimum)</b>		
<b>Information available</b>	<b>How the information can be obtained</b>	<b>Charges</b>
OfSTED report	School website	No charge
Examination results	School website	No charge
Safeguarding policies and procedures	School website	No charge
NST vision, values and ethos	NST and school website	No charge

NST Equality Objectives	NST and School website	No charge
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<b>Class 4: How we make decisions</b>		
Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations (current and previous three years)		
Information available	How the information can be obtained	Charges
Scheme of Delegation	NST website	No charges
Admissions policy	School websites	No charges
Minutes from Trust Board or committee meetings (this will exclude information that is properly regarded as private to the meeting)	Available upon request	Schedule of charges

<b>Class 5: Our policies and procedures</b>		
Current written protocols, policies and procedures for delivery our services and responsibilities (Current information as a minimum)		
Information available	How the information can be obtained	Charges
Policies <ul style="list-style-type: none"> <li>• Education</li> <li>• HR</li> <li>• Finance</li> <li>• Pastoral</li> <li>• Privacy notices</li> </ul>	NST and school website	No charge

• General compliance		
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<b>Class 6: Lists and registers</b> <b>Information held in registers required by law and other lists and registers relating to the functions of the authority.</b>		
Information available	How the information can be obtained	Charges
Declaration of Interests as required as outlined in the (Academies Financial Handbook)	NST and School website	No charge

<b>Class 7: The services we offer</b> Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered		
Information available	How the information can be obtained	Charges
Publications including newsletters, booklets	NST and school website	No charge

## Appendix C: Charges for Information

These are the charges made by NST for copies of documents and other information;

- Website – access to the website is free of charge unless otherwise specified
- Email and attachments – free of charge unless otherwise specified
- Website printouts – printouts from the NST and/or school websites or external websites are not provided

Copies by post of all information:

Photocopies: A4 pages at 10p per page (single sided) black and white, 15p per page colour (single sided)  
A3 pages at 20p per page (single sided) black and white, 25p per page colour (single sided) A2 pages at  
£1 per page (single sided) black and white, £1.25 per page colour (single sided)

Accumulated charges under £5 will be free

Information accessed in the school office can be viewed free of charge, photocopies can be made according to the scale charges above.

Postage charges for standard letters (first and second class) charges will not be made. For larger collections of material, postage will be charged for any item or items in excess of a cost of £2.

Administration fees: Charges can, in accordance with the relevant legislation, legally be made for administration where a request will take a significant amount of staff time. Such charges are calculated at £25 per hour with a maximum limit of £450.

We are within our statutory rights to refuse to comply with a request where the cost to provide it will exceed 18 hours. Guidance will be given to the requester on how they could refine their request to make it less onerous.

Alternately we may comply with the request for an extra charge which will be advised to you prior to starting the work. The fee will be payable in full before supplying the information. NB VAT will be charged as appropriate in line with HMRC guidance.

These charges will be reviewed when the policy is reviewed.