



FREEDOM OF INFORMATION POLICY

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Approvals

Name	Position	Signature	Date
A Warboys	CEO	<i>A Warboys</i>	7 February 2022
J D Leam	Chair of Trustees	<i>J D Leam</i>	7 February 2022

Document History

Version	Date	Author	Note of Revisions
1	Sept 2019	Director of Operations	
2	July 2020	Board of Trustees	Due to Covid-19 review date extended to 31/12/2020
3	December 2020	Data Protection Officer	Change to retention period for Freedom of Information requests
4	January 2022	Data Protection Officer	Minor updates to job titles.

1. CONTEXT

- 1.1. This policy covers all employees of the Accord Multi Academy Trust (the Trust).
- 1.2. This policy applies to all Freedom of Information requests and procedures at the Accord Multi Academy Trust, including its academies. It does not cover information held by any other organisation.

2. REFERENCES

- 2.1. Freedom of Information Act 2000 (FOIA) – Available from the Information Commissioners Office (www.ico.org.uk).
- 2.2. General Data Protection Regulations (GDPR) and the Data Protection Act 2018 - Available from the Information Commissioners Office (www.ico.org.uk).
- 2.3. Data Protection Policy – Available on the Trust website (www.accordmat.org/policies).
- 2.4. Data Retention Policy – Available from the Trust on request by contacting dataprotection@accordmat.org.
- 2.5. Environmental Information Regulations 1992 – Available from the Information Commissioners Office (www.ico.org.uk).

3. POLICY AIMS

- 3.1. To ensure compliance with all legal duties under the Freedom of Information Act 2000.
- 3.2. To ensure staff are sufficiently trained and are aware of their responsibilities and limitations when providing a response to a Freedom of Information Request.
- 3.3. To promote the transparency of information where possible.

4. VALID REQUESTS

4.1. A valid freedom of information request will:

- be in writing, including email or fax;
- state the enquirer's name and correspondence/email address;
- describe specifically the information requested;
- not be covered by one of the other pieces of legislation.

5. RESPONSIBILITIES

The Board of Trustees has delegated responsibility for compliance with the FOIA to the CEO for Central Trust related requests and to the Principal /Headteacher for academy related requests.

The CEO and Principal/Headteacher will report all FOIA requests to the Board via their Governance reporting procedures.

Responsibility for day-to-day compliance with the FOIA and the Trust's policy is delegated:

- to the Trust's Data Protection Officer (DPO) for the co-ordination of Central Trust related requests and as a point of reference for advice and staff training.
- to the Principal/Headteacher for the co-ordination of Academy specific responses with reference to the DPO for advice as may be required.

6. POLICY STATEMENT

6.1. The Trust will perform its legal obligation to make freely available information it holds.

6.2 The Trust recognises its duty to provide advice and assistance to anyone requesting information. The Trust 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 FOIA.

6.3 The Trust recognises its duty to tell enquirers whether or not it holds the information they are requesting (the duty to confirm or deny) and provide access to the information the Academy holds.

There are exceptions to this, which include (but are not limited to):

- If the information requested is personal, in which case a Data Subject Access Request (DSAR) procedure is followed.
- If the information is deemed "not in the public interest". When the Trust wishes to apply a qualified exemption to a request, it will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information.
- If the cost to supply the information exceeds £450.
- If the information is not held.
- If the Freedom of Information Request does not provide a distinct description to identify the information being requested.
- If the request is considered vexatious or repeated.
- If the information would form information restricted by the Environmental Information Regulations 1992.
- If the information is accessible via other means, i.e. publicly available at no cost on a website.

6.4 The Trust will proactively make available these categories of information as defined under the Information Commissioner's Model Publication Scheme for Academies:

- Who we are, and what we do;
- What we spend and how we spend it;
- What our priorities are and how we are achieving them;
- How we make decisions;
- Our policies and procedures;
- Lists and registers;
- The services we offer.

6.5. The Trust and its Academies will respond to any person equally when a Freedom of Information Request is submitted.

6.6. Freedom of Information Requests must be authorised by the Trust's DPO for Central Trust related requests, or by the Principal/Headteacher, or designate, with advice from the Trust's DPO for academy specific requests, before actions are taken to collate the information.

6.7. If the Trust does not hold the information, a reasonable search will be made to find the information requested.

6.8. The Trust will not wilfully conceal, damage or destroy information in order to avoid answering an enquiry or appeal.

6.9 The Trust will respond to FOI requests within 20 school days.

7. COSTS AND CHARGES

7.1. The purpose of the Freedom of Information Act is to make the maximum amount of information available at minimum cost to the public. Charges may be made for requests relating to:

- Photocopying and stationery;
- Postage and packaging;
- Costs incurred as a result of viewing information.

7.2. Charges will not be made for information accessed from the Trust website, or those of its academies.

7.3. Any applicable charges will be issued prior to the Freedom of Information Request being performed, with payment due prior to the information being issued.

8. DATA RETENTION

8.1. Freedom of Information requests will be saved for at least six months to allow for any associated complaints or appeals; but not longer than defined in the Trust Retention Policy.

9. COMPLAINTS

9.1 If the Trust receives any complaints in relation to requests made under the FOIA, they will be dealt with in accordance with the Trusts Complaints Policy.

9.2 If, after investigation, the original reply to the request is unchanged, the complainant will be informed of their right to appeal to the Information Commissioner's Office (ICO).

9.3 Appeals should be made in writing to the Information Commissioner's Office at <https://ico.org.uk/make-a-complaint/>.