



Freedom of Information Policy

October 2023

Next review day: October 2025

1.0 - Introduction

1.1 - This policy covers requests for information under the Freedom of Information Act 2000 (“**FOIA**”). It also covers enquiries relating to matters under the Environmental Information Regulations 2004 (“**EIR**”), namely enquiries about air, water, land, natural sites, built environment, flora and fauna, and health, and any decisions and activities affecting any of these.

1.2 - The academy/trust will comply with all guidance published by the information commissioner.

1.3 - This policy does not cover enquiries or subject access requests under the Data Protection Act 2018 or the UK General Data Protection Regulation i.e. where the enquirer asks to see what personal information NET Academies Trust (the “Trust”) holds about them. These enquiries will be dealt with under the Data Protection Policy which can be found on the Trust’s website.

1.4 - This policy will be reviewed bi-annually, but may be reviewed more frequently if changes in legislation necessitate it.

1.5 - The Trust understands its responsibilities in relation to FOIA and is committed to applying them. This policy is designed to set out the ways that persons can access their rights to information. The Board of Trustees are responsible for overseeing access to information and compliance with the Freedom of Information Act. The day to day responsibility for the implementation of this policy is delegated to the Head of School.

2.0 - How to make a request

2.1 - Any person can make a freedom of information request for information that the Trust holds. The request must be in writing (which can include email) and state the requestor’s name and correspondence address (including email address). It should clearly describe the information being requested with enough detail to enable us to identify and locate the information. Where a request is for environmental information which can be released under the EIR, this request can be made verbally. We would request however that any request is made in writing as set out in 2.2 below.

2.2 - The Freedom of Information request can be made to any member of the Trust/Academy, however ideally the request will be made in writing and to the dpo@trust.netacademies.net to ensure a swift response.

3.0 - Publication Scheme

3.1 - The academy/trust has adopted the Information Commissioners’ Office model publication scheme.

3.2 - Assistance will be given to applicants whose requests needs to be transferred to another public authority (LA, hospital etc.) or to another part of NET Academies Trust, if relevant. The

Freedom of Information Policy

academy will exercise its duty to confirm or deny the existence of requested data, subject to any exemptions that may apply.

3.3 - The academy/trust will provide a response as soon as possible but in any event within 20 school days (or 60 working days, if shorter) for information provided under FOIA. Where information is provided under the EIR this will be provided within 20 working days. Time starts from the date on which the request is received. This time can be exceeded where further clarity or information is requested from the requestor or where payment is requested. If further clarity is being sought or if a fee notice is issued, the clock for responding will stop and restart when payment is received or a response with the detailed clarity is received. There may be some circumstances in which third parties need to be consulted i.e. if their interests could be affected by the release of the information. In the event that we do not receive a further response or the clarification requested within 2 months of our request for clarification we will assume you no longer wish to pursue your enquiry and close the matter down.

3.4 - The charge limit is currently £450, calculated at 18 hours work at a flat rate of £25 an hour. If the estimated cost of complying with the request does not exceed this amount the academy is not entitled to make a charge for fulfilling the request.

3.5 - A senior member of staff will be responsible for ensuring requests are fulfilled within the stipulated deadline and recording details of the request on the academy's tracking database.

3.6 - If the individual making the Freedom of Information application is dissatisfied with the handling of the request, then they can apply for an internal review. Internal review requests must be submitted within two months of the date of the response and should be addressed to office@trust.netacademies.net. The internal review will usually be dealt with by someone more senior than the member of staff that provided the initial response. A requester will in most cases receive the outcome of the internal review within 20 school days.

3.7 - Where a requester wishes to have an internal review of an EIR request, this should be requested in writing within 40 working days of any breach of a requirement under the EIR. Once an internal review request is received, we aim to conclude the review and communicate the outcome of this within 20 working days.

3.8 - If the individual is not content with the outcome of the internal review, then they can apply directly to the Information Commissioner for a decision at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

3.9 - Copies of data supplies should be retained for two years from the date it was put into the public domain.

4.0 - Applying Exemptions

4.1 - A full list of exemptions can be acquired from the Information Commissioner. There are two types of exemption – absolute and qualified. In practice there are very few which are likely to be applied to the educational sector.

4.2 - The exemptions that may be relevant depend on the request that has been made, but common exemptions include data protection, prejudice to the effective conduct of public

Freedom of Information Policy

affairs and information intended for future publication. There are other exemptions that may also be relevant.

4.3 - Requested information may not be provided if one of the following applies:

- The [Academy/Trust] does not hold the information;
- There is a relevant exemption available;
- The request is above the cost limit (being £450 or 18 hours of a staff member's time).
- Where additional clarity or a fee has been requested but has not been provided in the time specified; or
- The request is considered vexatious or repeated

4.4 - We will inform you if one or more of these apply in any decision notice. Where the cost limit applies, we will explain how to refine the request to bring it within the cost limit and why the costs limit has been exceeded.

4.5 - Advice should be sought from the Information Commissioner or other legal officer if there is doubt as to whether information should be disclosed.

4.6 - The academy should keep a record of all requests received for monitoring purposes, noting:

- The date the request was received;
- The name and contact details of the person or organisation making the request;
- The date the request was fulfilled or refused;
- The reason for any exemption being applied;
- The reason for any failure to meet the 20 day deadline.

5.0 - Approval and Review

5.1 - This policy has been recommended to the Board of NET Academies Trust by the CEO and approved by the Board in November 2023.

5.2 - This policy shall be reviewed no less than once every two years to ensure its continued effectiveness and compliance with the law and regulations.

5.3 - Next review date: October 2025