

The GORSE Academies Trust

Policy on Information available under The Freedom of Information Act 2000

Designated Person: Strategic Lead Officer

Reviewed by: Policy Committee

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Version: 1.0

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This policy should be read in conjunction with the following policies:

- TGAT Subject Access Request Policy
- TGAT Data-Protection Policy
- TGAT Data-Breach Management Policy

1. Background

1.1. The Trust is committed to complying with, and implementing the provisions of, the Freedom of Information Act 2000 (FOIA) and related legislation. This provides a general entitlement to any person to be able to access information held by the Trust, subject to exemptions and conditions laid down by law.

2. Scope

2.1. This policy applies to all information held by the Trust regardless of how it was created or received. It applies irrespective of the media on which the information is stored and whether the information is recorded on paper or held electronically. The Act's powers are fully retrospective and thus information is accessible no matter how old it may be. Similarly, information in draft form will also be accessible under the Act.

2.2. It should be noted that access to personal information (that is information from which a living individual can be identified) is still governed under the UK GDPR and Data Protection Act 2018. Requests for access to such information will be governed in line with the requirements of this legislation.

2.3. It should be noted that a request for copies of an individual's personal data held by the Trust should not be the subject of a request under The Freedom of Information Act. This type of information should be requested using a Subject Access Request.

3. Dealing with requests

3.1. The Trust will offer advice and assistance to anybody wishing to make a request for information. We are committed to dealing with requests within statutory guidelines, which means that a response will be made no more than 20 working days from the date of request whichever occurs first. This may be extended in specific circumstances, for example, on legal advice in connection with the public interest test. Repeated or vexatious requests for information will be refused. The Trust will claim exemptions as appropriate whilst maintaining a commitment to openness, scrutiny, and the public interest. The Trust will put in place an appropriate procedure for measuring the public interest when considering a qualified (also known as "non-absolute") exemption which requires such a test.

- 3.2. Any request in writing will be considered a Freedom of Information request including those received by email and fax. There is no need for requests to indicate that they are made under the Act and all requests will be dealt with under this policy. The Trust reserves the right to refuse requests where the cost of locating, retrieving, and editing (where necessary) the information would exceed the statutory maximum (currently £450). The Trust may charge a fee for complying with requests, as calculated in accordance with FOIA regulations.
- 3.3. The Trust recognises that requests for environmental information may be made over the telephone and that different exemptions apply.

4. Adopting and maintaining publication schemes

- 4.1. The Trust has adopted the ICO Publication Scheme in accordance with Section 19 of the Freedom of Information Act and is committed to updating and maintaining information to keep it current and relevant. This allows requestors to more easily access routine and standard information.
- 4.2. The publication scheme can be viewed at: <https://ico.org.uk/media/for-organisations/documents/1153/model-publication-scheme.pdf>.
- 4.3. If you are unsure whether a request would be covered by the publication schemes, please contact us at GDPR@tgat.org.uk. Trust staff will give advice and assistance on how to use the scheme as appropriate.

5. Relationship with UK GDPR and Data Protection Act 2018

- 5.1. The Trust is under a legal duty to protect personal data under UK GDPR and Data Protection Act 2018. We will carefully consider our responsibilities under this Act before releasing personal information about living individuals, including current and former employees and pupils.

6. Responsibilities

- 6.1. The Trust has a responsibility to make information available in accordance with the Freedom of Information Act. Responsibility for compliance with this and related policies will rest with the TGAT Board, who will delegate those responsibilities to the Strategic Lead Officer. Complaints regarding the use of this policy should be directed to the Governing Body (for complaints regarding requests made to an individual Trust establishment) or to the TGAT Board (for requests made to the Trust centrally).

6.2. All Trust staff have a responsibility to ensure that any request for information they receive is dealt with under the Act and in compliance with this policy. They are also responsible for good information handling practice and for implementing records management policies and procedures as appropriate to their post.

7. Contact details (including those emanating from staff)

7.1. A request made to the Trust establishment should be made directly to that establishment. Email and telephone contact details are available on the respective websites.

7.2. Requests made to the Trust centrally should be made via the mechanisms below:

- Email: GDPR@tgat.org.uk
- Written: The Strategic Lead Officer, The GORSE Academies Trust, C/O John Smeaton Academy, Smeaton Approach, Leeds, LS15 8TA
- Telephone: 0113 487 8888

7.3. Further advice and information about the Freedom of Information Act, including full details of exemptions and advice on the public interest test, is available from the Information Commissioner's website at www.ico.gov.uk

Document control:

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