



POLICY	Freedom of Information Policy
STATUS/DATE OF THIS VERSION	December 2022
APPROVED BY	Board of Trustees
RATIFIED BY	Board of Trustees 06 December 2022
REVIEW	2023

This policy is operated by all the schools in Unity Education Trust (as listed below).

There may be sections that are specific to one school and these will be added by the school either as an annex or in place of yellow highlighted sections below.

Any queries about the policy should be directed, in the first instance, to the Headteacher/Head of School:

- **Beeston Primary**
- **Garvestone Primary**
- **Grove House Infant**
- **Kings Park Infant**
- **Northgate High School and Dereham Sixth Form College**
- **The Pinetree School**
- **The Short Stay School for Norfolk**
- **Churchill Park**
- **Greyfriars Primary**
- **Highgate Infant School**
- **Kings Oak Infant School**
- **Wimbotsham and Stow Primary**
- **Magdalen Primary**
- **St Germans Primary**
- **Great Dunham Primary**
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If you would like to discuss anything in this policy, please contact:

Data Protection Officer: Data Protection Education Ltd.

Telephone: 0800 0862018

Email: dpo@dataprotection.education

Contents

1.	Error! Bookmark not defined.
2. ABOUT THIS POLICY	4
3. THE FREEDOM OF INFORMATION ACT	4
4. FREEDOM OF INFORMATION PRINCIPLES	5
5. ACCEPTING REQUESTS FOR INFORMATION	6
6. GENERAL RIGHT OF ACCESS TO INFORMATION HELD BY THE TRUST	6
7. THE APPROPRIATE LIMIT	7
8. CHARGING FEES	8
9. MEANS BY WHICH COMMUNICATION IS TO BE MADE	8
10. PROVIDING ADVICE AND ASSISTANCE	8
11. BREACH OF POLICY AND STANDARDS	11
12. COMPLAINTS PROCEDURE	11
13. PUBLICATION OF INFORMATION	12
14. CHANGES TO THIS POLICY	12

1. POLICY OBJECTIVES

UET fully supports the objectives of the Act and will take all necessary steps to ensure that its duty under the Act is observed and that all information collected and used by it is managed in line with the Act.

We will ensure:

- A general right of access to recorded information we hold, subject to certain conditions and exemptions;
- That we adopt and maintain a Publication Scheme, in accordance with the Information Commissioner's guidance, which relates to the publication of certain types of information;
- That we provide access to all information described in our Publication Scheme which we will endeavour to keep as up to date as possible;
- That we will respond to written requests for information that are not covered by our Publication Scheme. We will inform applicants whether or not we hold the requested information, and if held we will supply it unless there is a justifiable reason or any of the Act's exemptions apply;
- That we provide adequate and relevant advice and assistance to applicants to aid them in their application;
- In circumstances where information is covered by an exemption, we will give consideration as to whether the information should be released;
- In cases where information is exempted from disclosure, except where an absolute exemption applies, we will:
- Inform the applicant whether we hold the information requested, unless a neither confirm nor deny response is required, and;
- Communicate that information to him or her, unless the public interest in maintaining the exemption in question outweighs the public interest in disclosure.

2. ABOUT THIS POLICY

2.1. This policy sets out how the Trust/school will respond to a request under the Freedom of Information Act 2000.

2.2. This policy applies to the information held by the Trust/School or held by other parties on behalf of the Trust/School that is governed by the Freedom of Information Act 2000 (the Act). To promote a culture of openness and accountability, and to comply with the Act, we have a responsibility to ensure that this information is either routinely made available or provided on request, unless there is a legitimate reason for withholding it.

3. THE FREEDOM OF INFORMATION ACT

3.1 The Freedom of Information 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; and
- members of the public are entitled to request information from public authorities.

3.2 The Act covers any recorded information that is held by a public authority in England, Wales and Northern Ireland, and by UK-wide public authorities based in Scotland. Information held by Scottish public authorities is covered by Scotland's own Freedom of Information (Scotland) Act 2002.

3.3 Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

3.4 For a request to be dealt with according to the Freedom of Information Act, the requester must:

- contact the relevant authority directly;
- make the request in writing, for example in a letter or an email. They can make a verbal or written request for environmental information;
- give their real name; and
- give an address to which the authority can reply. This can be a postal or email address.

A requester does not have to:

- mention the Freedom of Information Act or Environmental Information Regulations, although it may help to do so;
- know whether the information is covered by the Freedom of Information Act or the Environmental Information Regulations; or
- say why they want the information.

4. FREEDOM OF INFORMATION PRINCIPLES

4.1 The main principle behind freedom of information legislation is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to.

This means that:

- everybody has a right to access official information. Disclosure of information should be the default – in other words, information should be kept private only when there is a good reason and it is permitted by the Act;
- an applicant (requester) does not need to give you a reason for wanting the information. On the contrary, you must justify refusing them information;
- you must treat all requests for information equally, except under some circumstances relating to vexatious requests and personal data

- The information someone can get under the Act should not be affected by who they are. You should treat all requesters equally, whether they are journalists, local residents, public authority employees, or foreign researchers; and
- because you should treat all requesters equally, you should only disclose information under the Act if you would disclose it to anyone else who asked. In other words, you should consider any information you release under the Act as if it were being released to the world at large.

5. ACCEPTING REQUESTS FOR INFORMATION

5.1. The Trust will only accept a request for information which meets all of the following criteria:

- It is in writing
- It states the name of the applicant and an address for correspondence
- It describes the information requested

5.2. A request will be treated as made in writing if it meets all of the following requirements:

- It is transmitted by electronic means
- It is received in legible form
- It is capable of being used for subsequent reference

5.3. The Trust will publish details of its procedures for dealing with requests for information on the UET website, which includes:

- A contact address and email address
- A telephone number
- A named individual to assist applicants with their requests

6. GENERAL RIGHT OF ACCESS TO INFORMATION HELD BY THE TRUST

6.1. Provided that the request complies with section 5 of this policy, the Trust will, no later than 20 working days from receipt of the request, comply with its duty to:

- Confirm or deny to any person making a request for information to the Trust, whether it holds information of the description specified in the request.
- Provide the documentation, if the Trust confirms that it holds the requested information.

6.2. The Trust will not comply with section 6.1 of this policy where:

- The Trust reasonably requires further information to meet a freedom of information request, has informed the applicant of this requirement, but was not subsequently supplied with that further information.
- The information 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.

6.3. Where information is, or is thought to be, exempt, the Trust will, within 20 working days, give notice to the applicant which:

- States the fact.
- Specifies the exemption in question.

6.4 The information provided to the applicant will be in the format that they have requested, where possible.

6.5 Where it is not possible to provide the information in the requested format, the Trust will assist the applicant by discussing alternative formats in which it can be provided.

6.6 The information provided will also be in the language in which it is held, or another language that is legally required. If the Trust is required to translate any information, it will do so.

6.7 If, under relevant disability and discrimination regulations, the Trust is legally obliged to provide the information in other forms and formats, it will do so.

7. THE APPROPRIATE LIMIT

Information published on our website is free, although you may incur costs from your Internet service provider. If you don't have Internet access, you can access our website using a local library or an Internet café.

Single paper copies are also available normally free of charge. However, if your request means that we have to do a lot of photocopying or printing, or pay a large postage charge, or is for a priced item such as some printed publications or videos we will let you know the cost before fulfilling your request.

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with the terms of the Re-use of Public Sector Information Regulations 2015, where they apply, or with regulations made under section 11B of the Freedom of Information Act, or with other statutory powers of the public authority.

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

8. CHARGING FEES

8.1. The Trust may, within 20 working days, give an applicant who has requested information from the Trust, a written notice stating that a fee is to be charged for the Trust's compliance.

8.2. Charges may be made for disbursements, such as the following:

- Photocopying
- Postage and packaging
- Costs directly incurred as a result of viewing information

8.3. Fees charged will not exceed the total cost to the Trust of:

- Informing the person making the request whether we hold the information.
- Communicating the information to the person making the request.

8.4. Where a fee is to be charged, the Trust will not comply with section 6 of this policy unless the requested fee is paid within a period of three months, beginning with the day on which the fees notice is given to the applicant.

8.5. The Trust will not take into account any costs which are attributable to the time spent by persons undertaking any of the activities mentioned in section 5.3 above.

8.6 When calculating the 20th working day in which to respond to a freedom of information request, the period beginning the day on which the fee notice is given to the applicant and ending with the day on which the fee is received, will be disregarded

9. MEANS BY WHICH COMMUNICATION IS TO BE MADE

9.1. Where, on making a request for information, the applicant expresses a preference for communication by any one of the following means, the Trust will, as far as is practicable, give effect to that preference:

- The provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant.
- The provision to the applicant of a reasonable opportunity to inspect a record containing the information.
- The provision to the applicant of a digest, or summary of the information, in permanent form or in another form acceptable to the applicant.

10. PROVIDING ADVICE AND ASSISTANCE

10.1. The Trust will meet its duty to provide advice and assistance, as far as is reasonable, to any person who proposes to make, or has made, requests for information to the Trust.

10.2. The Trust may offer advice and assistance in the following circumstances:

- If an individual requests to know what types of information the Trust holds and the format in which it is available, as well as information on the fees regulations and charging procedures.
- If a request has been made, but the Trust is unable to regard it as a valid request due to insufficient information, leading to an inability to identify and locate the information.
- If a request has been refused, e.g. due to an excessive cost, and it is necessary for the Trust to assist the individual who has submitted the request.

10.3. The Trust will provide assistance for each individual on a case-by-case basis; examples of how the Trust will provide assistance include the following:

- Informing an applicant of their rights under the Freedom of Information Act 2000
- Assisting an individual in the focus of their request, e.g. by advising of the types of information available within the requested category
- Advising an applicant if information is available elsewhere and how to access this information
- Keeping an applicant informed on the progress of their request

10.4. In order to provide assistance as outlined above, the Trust will engage in the following good practice procedures:

- Make early contact with an individual and keep them informed of the process of their request.
- Accurately record and document all correspondence concerning the clarification and handling of any request.
- Give consideration to the most appropriate means of contacting the applicant, taking into account their individual circumstances.
- Discuss with the applicant whether they would prefer to receive the information in an alternative format, in cases where it is not possible to provide the information requested in the manner originally specified.
- Remain prepared to assist an applicant who has had their request denied due to an exemption.

10.5 The Trust will give particular consideration to what level of assistance is required for an applicant who has difficulty submitting a written request.

10.6 In circumstances where an applicant has difficulty submitting a written request, the Trust will:

- Make a note of the application over the telephone and then send the note to the applicant to confirm and return – the statutory time limit for a reply would begin here.
- Direct the individual to a different agency that may be able to assist with framing their request.
- NB. This list is not exhaustive and the Trust may decide to take additional assistance measures that are appropriate to the case.

10.7 Where an applicant's request has been refused either because the information is accessible by other means, or the information is intended for future publication or research, the Trust, as a matter of good practice, will provide advice and assistance.

10.8 The Trust will advise the applicant how and where information can be obtained, if it is accessible by other means.

10.9 Where there is an intention to publish the information in the future, the Trust will advise the applicant of when this publication is expected.

10.10 If the request is not clear, the Trust will ask for more detail from the applicant in order to identify and locate the relevant information, before providing further advice and assistance.

10.11 If the Trust is able to clearly identify the elements of a request, it will respond following usual procedures and will provide advice and assistance for the remainder of the request.

10.12 If any additional clarification is needed for the remainder of a request, the school will ensure there is no delay in asking for further information.

10.13 If an applicant decides not to follow the Trust's advice and assistance and fails to provide clarification, the Trust is under no obligation to contact the applicant again.

10.14 If the Trust is under any doubt that the applicant did not receive the advice and assistance, the Trust will re-issue it.

10.15 The Trust is not required to provide assistance where an applicant's request is vexatious or repeated, as defined under Section 14 of the Freedom of Information Act 2000.

10.16 The Trust is also not required to provide information where the cost of complying with a request exceeds the limit outlined in the Freedom of Information Act 2000. In such cases, the Trust will consider whether any information can be provided free of charge if the applicant refuses to pay the fee.

10.17 A record will be kept by the Trust's CEO or Head of Services in the UET offices of all the advice and assistance provided.

11. BREACH OF POLICY AND STANDARDS

11.1 Disciplinary action may be taken in accordance with the Trust's disciplinary procedures against any employee who knowingly or recklessly:

- Alters, defaces, blocks, erases, destroys or conceals any record held by the School, with the intention of preventing the disclosure of all, or any part, of the information that has been requested as part of a Freedom of Information request;
- Contravenes any instruction contained in, or following from, this Policy and Standards.

11.2 We expect that similar disciplinary procedures will be applied by any of our contractors which deal with the Trust/school's information and data on the Trust/school's behalf.

12. COMPLAINTS PROCEDURE

12.1 Where a request for information is refused for any reason, we will notify the applicant and give the reasons. For exemptions we will state which exemption has been claimed, and unless apparent, why that exemption applies, specifying the public interest factors (for and against disclosure) if applicable. We will not simply repeat the wording of the exemption unless the explanation would involve the disclosure of information which would itself be exempted information.

12.2 When communicating any decision made in relation to a request under the Act's general right of access, we will notify the applicant of their rights of complaint. A person dissatisfied with the way in which their request has been handled may ask for an internal review of the way in which their request was dealt with, and, if still dissatisfied, may apply directly to the Information Commissioner for a decision.

13. PUBLICATION OF INFORMATION

13.1. The organisation maintains and publishes a publication scheme on its website outlining classes of information that will be made routinely available, including policies and procedures.

13.2. Classes of information specified in the publication scheme will be made available quickly and easily on request.

13.3. The organisation will not publish any personal information, including photos, on its website without the permission of the affected individual.

13.4. When uploading information to the organisation website, staff will be considerate of any metadata or deletions which could be accessed in documents and images on the site.

14. CHANGES TO THIS POLICY

We may change this policy at any time. Where appropriate, we will notify data subjects of those changes.