



Freedom of
Information Policy

April 2018



celtic cross
education

1. INTRODUCTION

- 1.1. Under the Freedom of Information Act 2000, any person has a legal right to ask for access to information held by the school/trust. They are entitled to be told whether the school/trust holds the information and to receive a copy subject to certain exemptions.

2. ELIGIBILITY

- 2.1. Anyone can make a request for information. The request must be made in writing and should include the enquirer's name, correspondence address, what information they seek and in what format they require the information. They do not need to say why they want the information.
- 2.2. Requests for personal data are covered by the General Data Protection Regulation. Individuals can request to see what information the school/trust holds about them and this is known as a Subject Access Request. The trust's Data Protection Policy provides further information about this.

3. OBLIGATIONS AND DUTIES

- 3.1. The Board of Directors recognises the duty to provide advice and assistance to anyone requesting information. The school/trust will respond to simple verbal requests for information and will help enquirers to put more complex requests into writing so that they can be handled under the Act.
- 3.2. The Board of Directors recognises the duty to tell enquirers whether or not the school/trust holds the information they are requesting (the duty to confirm or deny). The school/trust will provide access to the information the school/trust holds in accordance with the procedures laid down in this policy and the Act.
- 3.3. The Freedom of Information Act requires the trust to publish information proactively and to adhere to the model publication scheme prepared and approved by the Information Commissioner. Information that is available under this scheme includes:

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

Information which will not be made available under this scheme includes:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, 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.

4. RESPONSIBILITIES

- 4.1. The Board of Directors has delegated the day-to-day responsibility for compliance with the Act to the Lead Professional in each school, reporting to the CEO.

5. DEALING WITH REQUESTS

- 5.1. The school/trust will respond to all requests within 20 working days, in accordance with the time-scales set out in the Act. If the school/trust needs more time to deal with the request, then it will contact the enquirer to provide a new timescale and explain the reason for this. All requests will be sent to the Data Protection Officer: Mrs Kathryn Trudgeon by email: kathryn.trudgeon@celticcross.education

6. EXEMPTIONS

- 6.1. Certain information is subject to either absolute or qualified exemption under the Act.

- 6.2. Absolute exemptions are not subject to any public interest test and act as an absolute bar to disclosure of information, some of which include:

- a) Information that is accessible by other means;
- b) Information that is contained in court records;
- c) Information which could be obtained under the General Data Protection Regulation or where release of the information would breach the data protection principles;
- d) Information provided to the school/trust in confidence;
- e) Where disclosure of the information is prohibited by law.

- 6.3. Qualified exemptions are subject to a public interest test. This means that the information must be disclosed unless public interest favours non-disclosure. There are many qualifying exemptions, some of which include:

- a) Information intended for future publication;
- b) Where disclosure of information would or would be likely to endanger physical or mental health, or endanger the safety of the individual;
- c) Where disclosure of information would or would be likely to prejudice commercial interest.

- 6.4. The school/trust will apply the public interest test before any qualified exemptions are applied in accordance with guidelines set out in the Act.

7. CHARGING

- 7.1. The school/trust reserves the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450.

7.2. The school/trust also reserves the right to charge a fee for complying with requests for information under the Act. Fees may include communication costs such as photocopying, printing and postage and will be calculated according to the statutory regulations. The school/trust will notify the enquirer of this before the information is supplied.

8. COMPLAINTS

8.1. Any comments or complaints will be dealt with through the school's/trust's normal complaints procedure. If, after investigation, the school's/trust's original decision is upheld then the school/trust will inform the complainant of their right to appeal to the Information Commissioner's Office.

8.2. Appeals should be made in writing to:

FOI/EIR Complaints Resolution
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

9. DISCLOSURE LOG

9.1. A Disclosure Log shall be maintained by the Data Protection Officer: Mrs Kathryn Trudgeon (kathryn.trudgeon@celticcross.education) detailing all information requests received and what responses were made and when, including when a request has been refused and the reasons for the refusal. The school/trust will also register details of requests where a complaint has been made and the outcome of the resultant investigation.

9.2. The Disclosure Log will be retained for 5 years from the date of the request.