

Freedom of Information Policy

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Policy Status	Statutory
Responsible member	Mrs Karen Evans
Governor	

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Poppy Hill Church of England Multi Academy Trust is committed to complying with the provisions of the Freedom of Information 2000 (FOI).

The FOI Act 2000 gives the public the right of access to all recorded information held by public authorities, subject to exemptions.

Access to information can only and will only be denied if there is an absolute exemption which applies to its disclosure or if a conditional exemption applies and the public interest assessment dictates that the information should not be disclosed.

The FOI is regulated by the Information Commissioner.

The Freedom of Information Act complements or supports the following legislation:

- Data Protection Act 2018, which gives individuals access to personal information held about them by schools;
- Environmental Information Regulations 2004 that gives access to information about the environment held by the government and public authorities.

In complying with its duty any public authority must take account of the Code of Practice in relation to Freedom of Information issued by the Ministry of Justice under Section 45 of the Act. The school will abide by the terms of Code of Practice whenever this is possible or appropriate.

1. Introduction and Scope

Poppy Hill Church of England Multi Academy Trust is committed to complying with the provisions of the Freedom of Information Act 2000 (FOI) and the Environmental Information Regulations 2004 (EIR). The FOI Act gives the public the right of access to all recorded information held by the Trust, subject to specific exemptions.

This policy applies to all employees, governors, contractors, and temporary staff working on behalf of the Trust. It does not cover Subject Access Requests, which are processed under the Data Protection Act 2018 and UK GDPR.

2. Relationship with Modern Legislation

This policy supports and complements the following current legislation:

- **Data Protection Act 2018 & UK GDPR:** Which replaced the Data Protection Act 1998. The Trust will carefully consider its responsibilities under the DPA 2018 before disclosing personal data about staff, governors, or pupils.
- **Environmental Information Regulations 2004:** Providing access to information regarding the environment.
- **Cabinet Office Codes of Practice:** The Trust will take account of the Codes of Practice issued under Section 45 of the Act (previously issued by the Ministry of Justice, now managed by the Cabinet Office).

3. Roles and Responsibilities

- **All Staff:** Responsible for ensuring any information request is dealt with in line with FOI requirements. Staff must recognize that recorded information is subject to full disclosure unless a statutory exemption applies.
- **Headteachers/Principals:** Must ensure adequate measures and guidance are in place locally to comply with this policy.
- **Contractors:** Third parties and contractors must confirm they will comply with the Act regarding information supplied by or held on behalf of the school.

4. Response Times and Procedures

- **Statutory Deadline:** The Trust will respond to all valid requests promptly. In accordance with the Freedom of Information Act, the statutory response

period is **20 working days** (excluding school holidays, up to a maximum of 60 working days).

- **Advice and Assistance:** The Trust will provide help to individuals to ensure their requests are valid and clearly defined.

5. Right to Refuse a Request

The Trust may refuse a request in the following circumstances:

- **Cost Limit:** If the administrative cost of locating and retrieving the information exceeds the "appropriate limit" of £450 (calculated as 18 hours of work at a flat rate of £25 per hour).
- **Vexatious/Repetitious:** If the request is deemed vexatious or is a duplicate of a previously answered request.
- **Exemptions:** If the information is subject to an absolute or conditional exemption under the FOI Act or EIR. If using a conditional exemption, the Trust will provide a written refusal notice explaining why the public interest in withholding the information outweighs the interest in disclosure.

6. Review and Complaints

If you are dissatisfied with the handling of your request, you have the right to an Internal Review. This should be requested within 40 working days (updated from 20 to align with ICO best practice) of the initial response.

Complaints should be addressed to: GDPR Administrator

Poppy Hill Church of England Multi Academy Trust

Church Road, Henlow, Bedfordshire, SG16 6AN .

If the outcome of the internal review is not satisfactory, you may apply directly to the Information Commissioner's Office (ICO): Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

The trust will maintain a record of all complaints and their outcomes.

References and related documents

- Freedom of Information Act 2000 Environmental Information Regulations 2004
- Protection of Freedoms Act 2012
- Data Protection Act 1998 Human Rights Act 1998
- Data Protection Policy Records Management Policy
- Council Publication Scheme Complaints Process