



# The Three Rivers

Learning Trust

<b>Name of Policy</b>	<b>Freedom of Information</b>
<b>Policy Number</b>	<b>NS12</b>
<b>The Three Rivers Learning Trust</b>	
<b>Named Person(s)</b>	<b>Mark Tait</b>
<b>Review Committee</b>	<b>Board</b>
<b>Last review date</b>	Autumn 2018
<b>Next review date</b>	Autumn 2021

<b>Key Changes</b>	<ul style="list-style-type: none"><li>• Updated legislation to link to GDPR</li></ul>
<b>Sources</b>	DfE, School Bus, Muckles
<b>Statutory/Non-Statutory</b>	Non-statutory

## **Statement of intent**

As an educational provider, our school has an obligation to publish a Freedom of Information Statement, outlining how we will meet our duties under the Freedom of Information Act 2000 and associated regulations. The development and effective implementation of this policy fulfils that requirement.

More specifically, this policy outlines:

- how our school will respond to requests from individuals for information covered by the Freedom of Information Act; and
- the school's policy and procedure for the disclosure of recorded information held by the school.

It also clarifies our position regarding the appropriate limit to the costs incurred by the school in obtaining any requested information, and on charging fees for its provision.

### **1. Legal framework**

1.1 This policy has due regard to the following legislation:

- the Freedom of Information Act 2000; and
- the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

### **2. Accepting requests for information**

2.1 We will only accept a Freedom of Information request 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

2.2 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

### **3. General right of access to information held by the school**

3.1 Provided that the request complies with section 2 of this policy, we will, no later than 20 working days from receipt of the request, comply with our duty to:

- Confirm or deny to any person making a request for information to the school, whether we hold information of the description specified in the request.
- Provide the documentation, if we confirm that we hold the requested information.

3.2 We will not comply with section 3.1 of this policy where:

- We reasonably require further information to meet a freedom of information request, have informed the applicant of this requirement, but were 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 Part 2 of the 2000 Act.
- 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.
- The request is for information which is already published or publically available, and we can direct the requester to its location.

We may also not be able to disclose information if that information contains personal data and to do so would be a breach of the principles of the General Data Protection Regulation (EU) 2016/679.

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

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

### **4. The Appropriate Limit**

4.1 We will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450.

4.2 When determining whether the cost of complying with a freedom of information request is within the appropriate limit, we will take account only of the costs we reasonably expect to incur in relation to:

- Determining whether we hold the information.
- Locating the information, or a document which may contain the information.
- Retrieving the information, or a document which may contain the information.

- Extracting the information from a document containing it.

4.3 Costs related to the time spent by any person undertaking any of the activities outlined in section 4.2 of this policy on behalf of our school, are to be estimated at a rate of £25 per person per hour.

4.4 Where multiple requests for information are made to the school within 60 consecutive working days of each other, either by a single person or by different persons who appear to be acting in concert, the estimated cost of complying with any of the requests is to be taken to be the total costs to the school of complying with all of them.

## **5. Charging fees**

5.1 We may, within 20 working days, give an applicant who has requested information from the school a written notice stating that a fee is to be charged for our compliance.

5.2 Fees charged will not exceed the total cost to the school of:

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

5.3 Where a fee is to be charged, we will not comply with section 3 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.

5.4 We will not take into account any costs which are attributable to the time spent determining whether exemptions apply, redacting exempt information, or carrying out a public interest test, where this is necessary.

5.5 When calculating the twentieth working day in which to respond to a freedom of information request, the period beginning with 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.

## **6. Means by which communication is to be made**

6.1 Where, on making a request for information, the applicant expresses a preference for communication by any one of the following means, the school 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.

## **7. Providing advice and assistance**

7.1 We will meet our 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 us.

## **8. Publication scheme**

8.1 Our school will meet its duty to adopt and maintain a publication scheme which specifies the information which it will publish on the school website, and whether the information will be available free of charge or on payment.

8.2 Our publication scheme will be reviewed and, where necessary, updated on an annual basis.

## **9. Monitoring and evaluation**

9.1 This policy will be reviewed on an annual basis in line with our school's policy review schedule.

[Appendix 1: Publication scheme](#)

[Appendix 2: Suggested Response Wording](#)