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1. Introduction

- 1.1 This policy is intended to clarify the framework to be used by the Griffin Schools Trust (GST), and any school within the Trust, when managing requests for information under the Freedom of Information Act 2000 (FOIA).
- 1.2 It is GST's intention to be as open and transparent as possible through the publication of documents on the GST website. Information relating to each school within the Trust will be published on their websites.
- 1.3 The FOIA does not give people access to their own personal data. If a member of the public wants to see information that a public authority holds about them, s/he should make a subject access request under the Data Protection Act 1998.

2. Responsibilities

- 2.1 The day-to-day responsibility for the provision of advice, guidance, publicity and interpretation of this policy is delegated to the Head or Head of School.
- 2.2 All staff must ensure they have read this policy and understood what is expected of them when a request for information is received.

3. Requests for Information

- 3.1 Any person has a legal right to request information held by GST or its schools without stating why s/he want the information. S/he is entitled to be told whether GST or the school holds the information and to receive a copy, subject to certain exemptions. The Act recognises that certain information is sensitive and therefore there are exemptions in place to protect this information.
- 3.2 Requests for information must be made in writing, which can include email, and must include name, address and clearly state what specific information is being requested.
- 3.3 Requests made under the FOIA can be sent to any member of staff within GST headquarters or the school, however every request will be approved by either the Directors Leadership Team or Heads before being dispatched.
- 3.4 Where GST receives a request for information relating to an individual school or an individual within that school (past or present), this will be referred back to the school to investigate. The only exception to this is where the information relates to the Head or Governing Body.
- 3.5 Access to information can be in the form of extracts, summaries or access to the original document.
- 3.6 All requests for information under the FOIA should be recorded, including the outcome, any exemptions and fees incurred, who dealt with the request, dates the

request was received, if information was withheld or granted and any other significant pieces of information.

- 3.7 Wilfully concealing, damaging or destroying information in order to avoid answering a request is an offence and any individual found doing this could be subject to criminal proceedings.
- 3.8 Requests for information should be dealt with promptly and no later than 20 working days after the date of receiving the request, excluding school and bank holidays. If more time will be needed to deal with the request, this should be communicated to the person making the request.
- 3.9 When dealing with a request for information, the following should be considered:
- Is this a valid FOIA request for information?
 - Does the school or Trust hold the information?
 - Has the information requested already been made public?
 - Is the request vexatious, manifestly unreasonable or repeated?
 - Can the school transfer a request to another body?
 - Could a third party's interest be affected by disclosure and does the information include third party information?
 - Does an exemption apply?
 - Does the documentation require redaction for confidentiality?
 - Is a charge applicable?
 - Does the estimated cost of complying exceed £450 limit?
 - Can this be completed within the time limit?
- 3.10 Where information has previously been withheld or granted, it must not be assumed that any subsequent requests for the same information will have the same outcome. Sensitivity of information decreases with age and the impact of any disclosure will be different depending on when the request is received. Therefore, for each request, it will be necessary to consider the harm that could result at the time of the request and, while taking into account any previous exemption applications.

4. Withholding Information

- 4.1 Information cannot be withheld for a valid request unless one of the following applies:
- an exemption
 - the information sought is not held
 - the request is considered vexatious or repeated
 - the cost of compliance exceeds the threshold.
- 4.2 Certain information is subject to either absolute or qualified exemptions. When a qualified exemption applies, the public interest test will be used to determine if public interest in applying the exemption outweighs the public interest in disclosing the information. Details of the public interest test can be found via https://ico.org.uk/media/for-organisations/documents/1183/the_public_interest_test.pdf

4.3 There are eight absolute exemptions listed under the FOIA. Even where an absolute exemption applies it does not mean the information can't be disclosed as long as a decision has been taken, taking into account all the facts of the case. Absolute exemptions are:

- Information accessible to the enquirer by other means
- Information dealing with security matters
- Court records
- Parliamentary Privileges
- Prejudice to the effective conduct of public affairs
- Personal information
- Information provided in confidence
- Prohibition on disclosure.

4.4 With qualified exemptions, even if it is decided that an exemption applies, there is a duty to consider the public interest in confirming or denying that the information exists and in disclosing the information. Qualified exemptions are listed here, although not all are anticipated to relate to FOI requests made to GST:

- Information available by other means
- Information intended for future publication
- National security or Defence
- International relations or Relations within UK
- The economy
- Investigations and proceedings conducted by public authorities
- Law enforcement
- Audit functions
- Formulation of government policy
- Prejudice to the conduct of public affairs
- Communications with the Queen
- Health and safety
- Environmental information
- Personal information
- Legal professional privilege
- Commercial interests.

4.5 When considering if an exemption to disclose the information should apply, bear in mind that the presence of confidential markings such as Restricted, Confidential and Private does not constitute an exemption and is not in itself sufficient grounds to withhold the information.

5. Payment for Requested Information

5.1 GST has the right to charge a fee for supplying any requested information. This fee will be calculated based on the guidelines provided within the FOIA.

- 5.2 When a decision has been made to charge for the requested information, written confirmation will be sent to the person making the request. It is not required to comply with the request for information until the fee has been paid in full within three months of the notice being received.
- 5.3 When working out the fee, the following will be taken into account:
- *The prescribed costs* (any costs reasonably incurred by the school)
 - *The disbursements* (any costs directly and reasonably incurred by the school)
- No fee will be more than the total sum of the prescribed costs and the disbursements.
- 5.4 There is a maximum payment threshold of £450. If the estimated cost of complying with the request for information exceeds this threshold, GST or the school are not required to comply with the request.
- 5.5 Where two or more requests are made by different people who appear to be acting together or as part of a campaign, the estimated cost of complying with any of the requests is to be the estimated total cost of complying with them all, provided that:
- the two or more requests referred to in that section are for information which is on the same subject matter or is otherwise related
 - the last of the requests is received before the twentieth working day following the date of receipt of the first of the requests
 - it appears the requests have been made in an attempt to ensure that the prescribed costs of complying separately with each request would not exceed the appropriate limit.

6. Complaints and Appeals

- 6.1 Any complaints will be dealt with in accordance with the GST complaints procedure.
- 6.2 Following the GST Complaints procedure, subsequent appeals should be made in writing to the Information Commissioner's Office at:
- Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

7. Review

- 7.1 This policy will be reviewed every three years by the Griffin Schools Trust Board.