



Sola Fide C of E Multi Academy Trust

Freedom of Information Policy

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Freedom of Information Policy

Sola Fide Multi Academy Trust (SFMAT) will comply with:

The terms of the Freedom of Information Act 2000, and any subsequent relevant legislation, to ensure all information held by SFMAT is treated in a manner that is fair and lawful.

This policy should be used in conjunction with our Acceptable Use Policy (Internet) and Data Protection Policy.

Data Gathering and Storage

Information will only be gathered and stored for specified purposes.

In order to be able to respond to requests for information we will implement effective records management policies to enable staff to identify whether data is held and, if it is, locate it quickly and easily.

Information held by the Trust will be regularly reviewed with a view to archiving or destruction, where appropriate.

Publication Scheme

See Sola Fide Multi Academy Trust Freedom of Information Publication scheme.

Dealing with Requests for Information

Theoretically any request for information is a request under the Freedom of Information Act. However, Sola Fide Multi Academy Trust has taken the decision that it will not consider any request that forms part of the normal pattern of work to be a Freedom of Information request. Only those requests which are considered to be outside the normal remit of the service provided will be recorded as Freedom of Information requests. Sola Fide Multi Academy Trust will assist applicants in making their request to have access to information held by the school.

Assistance will be given to applicants whose requests need to be transferred to another public authority (e.g. school, LA, hospital). The Trust will also exercise its duty to confirm or deny the existence of requested data, subject to any exemptions that may apply.

The Head of School for each academy is responsible for ensuring requests are fulfilled within the stipulated deadline and recording details of the request on the school's tracking database.

Persons requesting data will be supplied with a copy of our complaint's procedure.

Copies of data supplied will be retained for two years from the date it was put into the public domain.

Timescales

The school will supply data requested within 20 working days (or in line with the Information Commissioner's current policy during school holidays where a variation applies), subject to any exemptions that may apply, and the estimated cost of complying with the request falling within the current defined charge limit.

The response time will start from the time the request is received. If further information is required from you before we can deal with your request, we shall contact you as soon as is practicable using the correspondence address provided. We do not have to deal with your request until further information is received. Where a fee is to be made (see below), we are not required to deal with your request until payment has been received. The 20 school day countdown will only begin or restart once the further information and /or payment has been received. All requests for information will still be dealt with in compliance with the 20-day deadline, whether they are recorded as Freedom of Information requests or not.

If a response will take longer than ten working days an acknowledgement will be sent to the requester informing them when the information will be supplied. This acknowledgement does not allow the school to exceed the overall 20-day deadline.

Charges relating to requests for information

The charge limit is currently £450, calculated at 18 hours work at a flat rate of £25 per hour, as set by the Department for Constitutional Affairs. If the estimated cost of complying with the request does not exceed this amount the school is not entitled to make a charge for fulfilling the request. If our estimated cost of complying with your request **does** exceed £450, we will advise you accordingly and/or suggest a narrowed version of your request that could be handled within this limit. Should you wish us to provide the information as initially requested, we are entitled to charge for the actual communication costs (e.g. printing, photocopying, postage) and staff time at £25 per hour per person.

If a fee is payable, we will notify you as soon as practicable. If we do not receive payment within three months of issuing this notice, we are no longer obliged to respond to your request.

Right to refuse to comply with a request for information

There are only four reasons we may refuse to comply with a valid request for information under the Freedom of Information Act:

1. The information is not held by us. If after reasonable enquiry, we are able to confirm that we do not hold the information requested, we will advise you accordingly using the correspondence address provided.
2. The cost threshold is reached (£450). See "Charges relating to requests for information" above.

3. The request is considered vexatious or repeated. There is no obligation for us to comply with vexatious requests. This is a request designed to cause inconvenience, harassment or expense rather to obtain information, and would require a substantial diversion of resources or would otherwise undermine our work.
4. One or more exemptions apply. (See Applying Exemptions below)

Applying Exemptions

A full list of exemptions can be found at the Information Commissioner's website. There are two types of exemption – absolute and qualified. In practice there are very few which are likely to be applied by the education sector.

The decision to apply absolute exemptions should not be taken by individual members of staff but should be made by a constituted group of at least three of the following: the CEO of Sola Fide, a member of the Members' Board, a Director, Head of School or Advocate.

Even if the group decides information should not be disclosed, a public interest test should be carried out when applying qualified exemptions, to decide whether the public interest in disclosure outweighs the objection to disclosure. If it does the information must be disclosed.

If there is any doubt as to whether information should be disclosed the Trust will seek advice from its solicitors.

Redactions

If a request is made for a document which contains exempt information (i.e. it contains information about a third party that would breach the Data Protection Act), the document may be issued by blanking out the relevant exempt information. This process is known as redacting.

Logging Requests Received

All academies will keep a record of all requests received for monitoring purposes, noting:

- a) the date the request was received,
- b) name and contact details of the person or organisation making the request,
- c) the date the request was fulfilled or refused,
- d) the reason for any exemption being applied,
- e) the reason for any failure to meet the 20-day deadline.

This policy will be included in the Staff Handbook and reviewed annually.

Complaints

Any complaints will be dealt with through our normal complaints' procedure.

If on investigation our original decision is upheld, then you have the right to appeal to the Information Commissioner's Office. Appeals should be made in writing to:

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

Data Protection Statement

The procedures and practice created by this policy have been reviewed in the light of our Data Protection Policy. All data will be handled in accordance with Sola Fide Church of England Multi Academy Trust's Data Protection Policy.

As such our assessment is that this policy:

Has Few/No GDPR Compliance Requirements			Has Moderate Level of GDPR Compliance Requirements			Has High Level of GDPR Compliance Requirements		
					X			

