



Freedom of Information Act
Policy

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2. Version control

Date	Version	Revision	Owner
19/06/18	1.0	New Policy	Future Generation Trust Policy Team

3. Introduction

The Future Generation Trust is committed to the Freedom of Information Act 2000 and to the principles of accountability and the general right of access to information, subject to legal exemptions. This policy outlines our response to the Act and a framework for managing requests.

4. Background

The Freedom of Information Act 2000 (FoI) came fully into force on 1 January 2005. Under the Act, any person has a legal right to ask for access to information held by the Trust. They are entitled to be told whether the Trust holds the information, and to receive a copy, subject to certain exemptions.

The information which the Trust routinely makes available to the public is included in the Publication Scheme. Requests for other information should be dealt with in accordance with the statutory guidance. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information.

The Act is fully retrospective, so that any past records which the Trust holds are covered by the Act. A Retention Schedule is produced by the Records Management Society of Great Britain, to guide schools on how long they should keep school records. It is an offence to wilfully conceal, damage or destroy information in order to avoid responding to an enquiry, so it is important that no records that are the subject of an enquiry are amended or destroyed.

Requests under FoI can be addressed to anyone in the Trust; so all staff need to be aware of the process for dealing with requests. Requests must be made in writing, (including email), and should include the enquirers name and correspondence address, and state what information they require. They do not have to mention the Act, nor do they have to say why they want the information. There is a duty to respond to all requests, telling the enquirer whether or not the information is held, and supplying any information that is held, except where exemptions apply. There is no need to collect data in specific response to a FoI enquiry. There is a time limit of 20 days excluding Trust holidays for responding to the request.

5. Scope

The FoI Act joins the Data Protection Act and the Environmental Information Regulations as legislation under which anyone is entitled to request information from the Trust.

Requests for personal data are still covered by the Data Protection Act. (DPA). Individuals can request to see what information the Trust holds about them. This is known as a Subject Access Request, and must be dealt with accordingly.

6. Obligations and Duties

The Trust recognises its duty to

- provide advice and assistance to anyone requesting information. (We will respond to straightforward verbal requests for information, and will help enquirers to put more complex verbal requests into writing so that they can be handled under the Act.)
- tell enquirers whether or not we hold the information they are requesting (the duty to confirm or deny), and provide access to the information we hold in accordance with the procedures laid down by the Trust.

7. Publication Scheme

The Future Generation Trust has adopted the Model Publication Scheme for Schools approved by the Information Commissioner.

The FGT Publication Scheme is published on our website: www.futuregenerationtrust.co.uk

8. Dealing with Requests

We will respond to all requests in accordance with current guidelines.

If we wish to apply a qualified exemption to a request, we will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information.

9. Public Interest Test

Unless it is in the public interest to withhold information, it has to be released. We will apply the public interest test before any qualified exemptions are applied.

10. Charging

We reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum.

11. Responsibilities

The governing body of the Trust has delegated the day-to-day responsibility for compliance with the FoIA to the Executive Headteacher and the Headteacher of each academy.

12. Complaints

Any comments or complaints will be dealt with through the Trust's normal complaints procedure, which is also published on our website.

If on investigation the Trust's original decision is upheld, then the Trust has a duty to inform the complainant of their right to appeal to the Information Commissioner's office.

Appeals should be made in writing to the Information Commissioner's office. They can be contacted at:

<https://ico.org.uk/make-a-complaint/>

or

FOI/EIR Complaints Resolution

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

13. Monitoring and Review

The Future Generation Trust has overall responsibility for this policy and for reviewing its effectiveness. This policy and all arrangements will be reviewed every three years.

Policy adopted on: 12 July 2018

Review date: July 2021

Signed: Fliss Dale

Designation: Chair of Trust Board