Grove Learning Trust

Freedom of Information Policy

Ratified by Resources, Audit & Risk Committee
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Review

Next Review	Spring 2027

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1. Statement of Intent

As an educational provider, Grove Learning Trust and each school within it 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 our trust's policy and procedures for:

- The release and publication of private data and public records.
- Providing applicants with advice and assistance throughout the duration of their requests.

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

2. Legal framework

This policy has due regard to the following legislation:

- The UK General Data Protection Regulation (UK GDPR)
- The Data Protection Act 2018
- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

This policy also has due regard to guidance including, but not limited to, the following:

- Cabinet Office (2018) 'Freedom of Information Code of Practice'
- ICO (2013) 'Definition document for the governing bodies of maintained and other state-funded schools in England'
- ICO (2015) 'Model publication scheme'
- ICO (2016) 'Duty to provide advice and assistance (section 16)'
- ICO (2015) 'Time limits for compliance under the Freedom of Information Act (section 10)'

This policy will be viewed in conjunction with the following other trust/school policies:

- Data Protection Policy
- Subject Access Request Guidance

3. Accepting requests for information

The trust/school will only accept a request for information which meets all the following criteria:

- A written request (this includes requests sent to the trust/school's official social media accounts)

- the name of the applicant (not a pseudonym) and an address for correspondence
- An adequate description of the information requested

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

Where a request is submitted in a foreign language, the trust/school is not expected to obtain a translation of the request. For the request to be processed, the trust/school will ask the applicant to provide their request in English.

The trust/school will publish details of its procedures for dealing with requests for information on the website, which includes the following:

- A contact address and email address
- A telephone number
- A named individual to assist applicants with their requests

4. General rights of access to information held by us

Provided that the request meets the requirements set out in section 2 of this policy, the trust/school will comply with its duty to:

- Confirm or deny to any person making a request for information to the trust/school, whether it holds information of the description specified in the request.
- Provide the documentation if the trust/school confirms that it holds the requested information.

The duties outlined in 3.1 will be completed no later than 20 school days, or 60 working days if this is shorter, from receipt of the request.

Where a fee is charged, the timeframe within which the trust/school has to respond to the request begins from the day the fee is received.

The trust/school will not comply with section 3.1 of this policy where:

- The trust/school reasonably requires further information to meet a freedom of information request, has informed the applicant of this requirement, but was 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 section 2 of the Freedom of Information Act 2000.
- 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 requested information is not held by the school for the purposes of the Trust/school's business.

Where information is, or is thought to be, exempt, the trust/school will, within 20 school days, give notice to the applicant which:

- States that fact
- Specifies the exemption in question

If information falls within scope of a qualified exemption and the trust/school needs additional time to consider the public interest test, the trust/school may extend the deadline. In most cases, the extension will exceed no more than a further 20 school days; however, the actual length of the extension will be decided on a case-by-case basis.

Where a public interest test extension is required, the trust/school will write to the applicant to inform them of this, stating the following information:

- Which exemption(s) the extension relies on and why
- A revised deadline for when the applicant will receive their response

Where a deadline has to be further extended, the trust/school will write to the applicant again, stating the information outlined in 3.7.

Requests for information that is not recorded by the trust/school (e.g. requests for explanations, clarification of policy and comments on the school's business) will not be considered valid requests. In these cases, the applicant will be provided with an explanation of why their request will not be treated under the Freedom of Information Act 2000 and the trust/school will respond to the applicant through other channels as appropriate.

The information provided to the applicant will be in the format that they have requested, where possible.

Where it is not possible to provide the information in the requested format, the trust/school will assist the applicant by discussing alternative formats in which it can be provided.

The information provided will also be in the language in which it is held, or another language that is legally required.

If, under relevant disability and discrimination regulations, the trust/school is legally obliged to provide the information in other forms and formats, it will do so.

In some cases, a request may be dealt with under more than one access regime, e.g. if the request involves both information about the trust/school and personal information, it will be dealt with under the Freedom of Information Act 2000 and the Data Protection Act 2018.

Staff are made aware that it is a criminal offence to alter, deface, block, erase, destroy or conceal any information held by the Trust/school with the intention of preventing disclosure following a request.

5. The appropriate limit

The trust/school will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450.

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

- Determining whether it holds 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.
- 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 the school, are to be estimated at a rate of £25 per person per hour.

The trust/school is not required to search for information in scope of a request until it is within the cost limit.

If responding to one part of a request would exceed the cost limit, the Trust/school does not have to respond to any other parts of the request.

Where multiple requests for information are made to the trust/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 Trust/school of complying with all of them.

6. Charging fees

The trust/school may, within 20 school days, give an applicant who has requested information from the trust/school, a written notice stating that a fee is to be charged for the school's compliance.

Charges may be made for disbursements, such as the following:

- Production expenses, e.g. printing and photocopying
- Transmission costs, e.g. postage
- Complying with the applicant's preferences about the format in which they would like to receive the information, e.g. scanning to a CD

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.

Where a fee is to be charged, the trust/school 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.

Where a fee is paid by cheque, the trust/school has the right to wait until the cheque is cleared before commencing work.

Once a fee is received, the trust/school will inform the applicant of the revised response deadline, i.e. an additional 20 school days (or 60 working days).

Where the trust/school has underestimated the cost to be charged to an applicant, a second fees notice will not be issued; instead, the trust/school will bear the additional costs.

The trust/school will not take into account any costs which are attributable to the time spent by persons undertaking any of the activities mentioned in section 5.3 above.

When calculating the 20th school day in which to respond to a freedom of information request, the period beginning 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.

7. Means of communication

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

Where a preference is not stated by the applicant, the trust/school will communicate by any means which are reasonable under the circumstances. For example, where an applicant uses Twitter to make a request, the trust/school may respond via an alternative medium as Twitter restricts the length of a response.

8. Providing advice and assistance

The trust/school will meet its 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 the trust/school.

The trust/school may offer advice and assistance in the following circumstances:

- If an individual requests to know what types of information the Trust/school holds and the format in which it is available, as well as information on the fees regulations and charging procedures.
- If a request has been made, but the Trust/school is unable to regard it as a valid request due to insufficient information, leading to an inability to identify and locate the information.
- If a request has been refused, e.g. due to an excessive cost, and it is necessary for the Trust/school to assist the individual who has submitted the request.

The trust/school will provide assistance for each individual on a case-by-case basis; examples of how the Trust/school will provide assistance include the following:

- Informing an applicant of their rights under the Freedom of Information Act 2000
- Assisting an individual in the focus of their request, e.g. by advising of the types of information available within the requested category
- Advising an applicant if information is available elsewhere and how to access this information
- Keeping an applicant informed on the progress of their request

Where the Trust/school wishes to ask a different public authority to deal with a request by transferring it to them, this will only be done with the agreement of the applicant.

In order to provide assistance as outlined above, the trust/school will engage in the following good practice procedures:

- Make early contact with an individual and keep them informed of the process of their request.
- Accurately record and document all correspondence concerning the clarification and handling of any request.
- Give consideration to the most appropriate means of contacting the applicant, taking into account their individual circumstances.
- Discuss with the applicant whether they would prefer to receive the information in an alternative format, in cases where it is not possible to provide the information requested in the manner originally specified.
- Remain prepared to assist an applicant who has had their request denied due to an exemption.

The trust/school will give particular consideration to what level of assistance is required for an applicant who has difficulty submitting a written request.

In circumstances where an applicant has difficulty submitting a written request, the Trust/school will:

- Make a note of the application over the telephone and then send the note to the applicant to confirm and return – the statutory time limit for a reply would begin here.
- Direct the individual to a different agency that may be able to assist with framing their request.

NB. This list is not exhaustive, and the school may decide to take additional assistance measures that are appropriate to the case.

Where an applicant's request has been refused either because the information is accessible by other means, or the information is intended for future publication or research, the Trust/school, as a matter of good practice, will provide advice and assistance.

The trust/school will advise the applicant how and where information can be obtained if it is accessible by other means.

Where there is an intention to publish the information in the future, the trust/school will advise the applicant of when this publication is expected.

If the request is not clear, the trust/school will ask for more detail from the applicant in order to identify and locate the relevant information, before providing further advice and assistance.

If the trust/school believes the applicant has not provided their real name, the Trust/school will inform the applicant that the request will not be responded to until further information is received from the applicant.

If the trust/school is able to clearly identify the elements of a request, it will respond following usual procedures and will provide advice and assistance for the remainder of the request.

If any additional clarification is needed for the remainder of a request, the trust/school will ensure there is no delay in asking for further information.

Applicants are given two months to provide any requested clarification. If an applicant decides not to follow the trust/school's advice and assistance and fails to provide clarification, the trust/school is under no obligation to contact the applicant again.

If the trust/school is under any doubt that the applicant did not receive the advice and assistance, the Trust/school will re-issue it.

The trust/school is not required to provide assistance where an applicant's request is vexatious or repeated, as defined under section 14 of the Freedom of Information Act 2000.

Where the trust/school has already sent a refusal request in relation to a previous vexatious request, the Trust/school is not obliged to send another notice for future vexatious requests.

An ongoing evidence log is kept, recording relevant correspondence or behaviour that has been taken into account when a request has been classed as vexatious.

The trust/school is not required to provide information where the cost of complying with a request exceeds the limit outlined in the Freedom of Information Act 2000. In such cases, the trust/school will firstly provide the applicant with advice and assistance to help them reframe or refocus their request with a view of brining it within the cost limit. Then the school will consider whether any information can be provided free of charge if the applicant refuses to pay the fee.

If a request is refined, it will be treated as a new request.

A record will be kept by the Data Protection Officer (DPO) and Headteacher of all the advice and assistance provided.

9. Consultation with third parties

The trust/school may need to consult third parties about information held in scope of a request to consider whether it would be suitable to disclose the information. Situations where third parties may need to be consulted include the following:

- When requests relate to persons or bodies who are not the applicant and/or the trust/school
- When the disclosure of information is likely to affect the interests of persons or bodies who are not the applicant or the Trust/school

The trust/school will consider if a third party needs to be directly consulted about a request, particularly, if there are contractual obligations that require consultation before information is disclosed.

Third parties will also be consulted where the trust/school is proposing to disclose information relating to them or information that is likely to affect their business or private interests.

The views of third parties will be given appropriate weighting when deciding how to respond to a request. For example, if the third party created or provided the information, they may have a better understanding of its sensitivity.

It is ultimately the trust/school's decision as to whether information in scope of a request will be released following any relevant consultation.

Where the trust/school decides to release information following consultation with a third party, the third party will be informed in advance that the information is going to be disclosed.

Where the trust/school intends to release information that relates to a large number of third parties, the trust/school will consider whether it would be more appropriate to contact a representative organisation who can express views on behalf of the third parties, rather than contacting each party individually. If no representative organisation exists, the trust/school may also consider only notifying or consulting a sample of the third parties relating to the disclosure.

Decisions made in line with 8.7 will be made on a case-by-case basis.

10. Internal reviews

When responding to requests for information, the details of the trust/school's internal review process will be set out, including information about how applicants can request an

internal review. Applicants will also be informed of their right to complain to the Information Commissioners Office (ICO)if they are still dissatisfied following the outcome of the trust/school's internal review.

Requests for an internal review should be made in writing to the trust/school.

For a request for an internal review to be accepted, it must be made within 40 school days from the date the school issued an initial response to the request.

Upon receipt of an application, the trust/school will acknowledge an application and inform the applicant of the intended response date. Responses will usually be delivered within 20 school days of receipt of the application.

If an internal review is complex, requires consultation with third parties or the relevant information is of high volume, the trust/school may need to extend the usual response timeframe. In these cases, the trust/school will inform the applicant and provide an alternative response date. In most cases, the extension will exceed no more than a further 20 school days; however, the actual length of the extension will be decided on a case-by-case basis.

Where clarification is needed from an applicant regarding the review, the normal response period will not begin until clarification is received.

Wherever possible, the review will be undertaken by a different member of staff than the person who took the original decision.

During a review, the trust/school will evaluate the handling of the request; particular attention will be paid to concerns raised by the applicant.

The applicant will be informed of the outcome of the review and a record will be kept of such reviews and the final decision that is made.

If the outcome of the review is to disclose information that was previously withheld, the information will be provided to the applicant at the same time they are informed of the response to the review, where possible. If this is not possible, the applicant will be informed of when the information will be provided.

Within the response to a review, the applicant will be informed again of their right to complain to the ICO.

11. Publication scheme

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

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

12. Contracts and outsourced services

The trust/school will make clear what information is held by third party contractors on behalf of the trust/school.

Where a contractor holds information relating to a contract held with the trust/school on behalf of the trust/school, this information is considered in the same way as information held by a public authority and so is subject to the Freedom of Information Act 2000.

When entering into a contract, the trust/school and contractor will agree what information the trust/school will consider to be held by the contractor on behalf of the trust/school, this will be indicated in the contract.

Appropriate arrangements will be put in place for the trust/school to gain access to information held by the contractor on the trust/school's behalf, in the event that a freedom of information request is made. These arrangements will be set out in a contract, and will cover areas including the following:

- How and when the contractor should be approached for information and who the points of contact are
- How quickly information should be provided to the trust/school
- How any disagreement about disclosure between the trust/school and contractor will be addressed
- How requests for internal reviews and appeals to the ICO will be managed
- The contractor's responsibility for maintaining record keeping systems in relation to the information they hold on behalf of the trust/school
- The circumstances under which the Trust/school must consult with the contractor about disclosure and the process for doing so
- The types of information which should not be disclosed and the reasons for this confidentiality, where appropriate

In some situations, the trust/school may offer or accept confidentiality arrangements that are not set out within a contract with a third party. The trust/school and the third party will

both be aware of the legal limits placed on the enforceability of expectations of confidentiality and the public interest in transparency.

Such expectations outlined in 11.5 will only be created where it is appropriate to do so.

Contractors must comply with requests from the trust/school for access to information they hold on behalf of the Trust/school.

Requests for information held by a contractor on behalf of the trust/school will be responded to by the trust/school. If a contractor receives a request, this will be passed onto the Trust/school for consideration.

13. Monitoring and review

This policy will be reviewed on an annual basis, or in light of any changes to relevant legislation, by the DPO.

The next scheduled review date for this policy is Spring 2026.