



FREEDOM OF INFORMATION POLICY

**This policy applies to all schools in
The Lionheart Educational Trust**

**Approved by Trust Board:
September 2022 - September 2024**



1.0 Purpose

- 1.1 The Freedom of Information Act 2000 (the ‘FOIA’) and the Environmental Information Regulations 2004 (the ‘EIRs’) create public “right of access” to information held by public authorities. The act does this in two ways:
 - i) public authorities are obliged to publish certain information about their activities within a ‘Publication Scheme’; and
 - ii) members of the public are entitled to request recorded information from public authorities
- 1.2 For the purposes of the policy the Lionheart Educational Trust (“the Trust”) is a public authority as defined by the FOIA and the EIR’s.

2.0 Scope

- 2.1 For the purposes of this policy, the term “Staff” means all members of Trust staff including permanent, fixed term, and temporary staff, governors, secondees, any third-party representatives, agency workers, volunteers, interns, agents and sponsors engaged with the Trust in the UK or overseas.
- 2.2 This policy applies to all recorded information held by the Trust regardless of how it was created or received. It applies irrespective of the media on which the information is stored and whether the information is recorded on paper or held electronically.

3.0 Access to Information Regimes

- 3.1 When a request for information is received by the Trust, the Data Protection Team will determine which legislative regime applies.
- 3.2 The Freedom of Information Act provides public right of access to recorded information held by a public authority. It does not apply to personal information of which the requestor is the data subject. The FOIA contains a number of specific exemptions some of which are subject to a public interest test.
- 3.3 The Environmental Information Regulations deal specifically with information relating to ‘environmental information’; a very broad definition. The EIRs contain a number of exceptions for where information may be withheld from disclosure, some of which are subject to a public interest test.
- 3.4 The Data Protection Act 2018 and the UK GDPR provide individuals with rights in respect of their personal data, including a right of access. Any application for access to personal information of which the requester is the data subject will be classed as a request under data protection legislation and responded to accordingly.

4.0 Managing Requests

- 4.1 The Trust will offer advice and assistance to anybody wishing to make a request for information.



- 4.2 We are committed to responding to requests within statutory guidelines, which means that a response will be made no more than 20 working days from the date of request. Where an EIR request is complex and voluminous, the Trust may extend the response deadline by 20 working days;
- 4.3 For the purposes of this policy an FOI request is deemed to be a valid request if it is made in writing, includes the requestor's real name and address for correspondence and describes the information.
- 4.4 The Trust acknowledges that EIR do not specify how a valid request must be made. They can be verbal (i.e., spoken) or in writing, so a request could come by telephone, letter or email, or using social media platforms such as Facebook or Twitter.
- 4.5 Any request for information received by the Trust, which is not a business as usual request, should be forwarded to the Data Protection Team where it will be logged and managed under the appropriate legislative regime. Email: FOIA@lionhearttrust.org.uk
- 4.6 Repeated or vexatious requests for information will be refused.
- 4.7 The Trust reserves the right to charge a fee to cover our expenses when dealing with FOIA requests. In all circumstances a requester will be sent a fees notice before any costs are incurred.
- 4.8 The Trust reserves the right to refuse requests where the cost of locating, retrieving and compiling the information would exceed the statutory maximum (currently £450).

5.0 Publication Scheme

- 5.1 In accordance with Section 19 of the Freedom of Information Act the Trust has adopted the ICO model publication scheme.
- 5.2 The Publication Scheme contains many of the documents, policies, plans and guidance which are regularly asked for, the majority of these documents will be published via the websites of our schools.

6.0 Responsibilities

- 6.1 The Trust will follow the Code of Practice issued by the ICO when developing policies and procedures in relation to freedom of information.
- 6.2 Responsibility for compliance with this and related policies will rest with The Trust Board who will delegate those responsibilities to the Senior Information Risk Owner (SIRO).
- 6.3 The Data Protection Officer is responsible for responding to all requests for information under the appropriate legislation, and for ensuring the accuracy of any information issued.
- 6.4 All Trust staff have a responsibility to ensure that any request for information they receive is dealt with appropriately under the Act and in compliance with this policy
- 6.5 All Trust Staff are responsible for good information handling practice and for implementing records, management policies and procedures as appropriate to their post.



- 6.6 All Trust staff should have read and understood this policy and be clear of their obligations as set out in this policy.

7.0 Internal Review Procedure

- 7.1 If a requester is unhappy with:

- the way in which his/her request has been handled;
- is dissatisfied with the decision made regarding disclosure or non-disclosure of information; and/or
- is of the opinion that the Trust is not compliant with its Publication Scheme,

they are able to request an internal review. All responses issued by the Data Protection Team will provide the requester with details on how to request such an internal review.

- 7.2 The Senior Information Risk Officer has overall responsibility for the internal review procedure and will be the internal reviewer. In the event that the SIRO is not available to conduct the internal review, an alternative internal reviewer will be appointed, and the requester duly notified.

- 7.3 The internal reviewer will review the manner in which the request was dealt with and is empowered to either uphold or overturn the original decision.

- 7.4 The Trust will only consider requests for an internal review which are made within 2 months of the date of the response to the requester.

- 7.5 The requester will be notified of the outcome of the internal review within a reasonable timescale. The Trust aims to deal with internal reviews within 20 working days of receipt thereof. If it becomes clear at any stage of the internal review that the Trust will not be able to meet this target, the requester will be notified.

- 7.6 All requests for an internal review should be addressed to:

The Data Protection Officer
Lionheart Educational Trust,
C/O Beauchamp City Sixth Form,
South Albion Street,
Leicester
LE1 6JL

Telephone: 0116 2729148

E-mail: DPO@lionhearttrust.org.uk

8.0 Review

- 8.1 This policy will be reviewed periodically as it is deemed appropriate, to take account of changes in the law and guidance issued by the Information Commissioner. These reviews will be no less frequently than every two years. The policy review will be undertaken by the Director of IT for the Trust and ratified by the Trust Board.