



Policy: Freedom of Information

Policy reference no: 009

Date: September 2025

Person responsible for policy: Rachelle Ayland, Trust Business Manager

Authorised by: Board of Trustees

Review date: December 2027

This Policy applies to all schools within the Primary QuEST Multi-Academy Trust. Primary QuEST is a Church of England Trust which seeks to ensure all pupils flourish, together in a supportive and caring environment.

Flourishing together through LIFE

1. Introduction

The Primary QuEST Trust is committed to the aims of the Freedom of Information Act 2000 (which is referred to as FOIA in the rest of this document) and is committed to transparency in its dealings with the public. The underlying principle of this policy is that the public have a right to access recorded information held by the Trust and its schools subject to exemptions contained within the relevant legislation.

2. Background and Legislation

The FoIA applies to all public authorities and came into force on 1 January 2005. It provides the public with a statutory right of access to recorded information held by authorities, subject to certain exemptions, within twenty working days. The Act is fully retrospective and applies to all information that falls within the scope of the Act. Section 19 of the Act also obliges the academy to make information proactively available in the form of an approved "publication scheme".

In addition, individuals currently have a statutory right of access to their own "personal data" under the General Data Protection Regulations 2018 (GDPR). The Environmental Information Regulations (EIR) 2004 provide a statutory right of access to "environmental information", as defined in those regulations.

The Government's Information Commissioner enforces these three information regimes. Each regime contains certain categories of exempt information, where information can be withheld. Any decision to withhold information under an exemption can be referred by the applicant to the Information Commissioner, who can overturn any decision to withhold information. For the purposes of this policy, the "public" is defined as any individual or organisation anywhere in the world and an "information request" refers to any request for recorded information made under the FoIA, EIR or GDPR.

3. Delegated responsibilities

Overall responsibility for ensuring that the Schools meet the statutory requirements of the FoIA, EIR and GDPR lies with the PQ Trust Board. They will delegate the day-to-day responsibility of implementation to the Head teacher and Local Advisory Boards. The Head teacher is assisted by the Trust Business Manager who fulfils the role of 'Fol Officer'.

All Trust and School staff are responsible for ensuring that they handle requests for information in compliance with the provisions of the various Acts, taking advice from the Fol Officer where necessary.

4. Scope

This policy applies to all recorded information held by the Trust and its schools that relates to the business of the Trust and its schools. This includes:

- Information created and held by the Trust and/or its schools
- Information created by the Trust and/or its schools and held by another organisation on their behalf
- Information held by the Trust and/or its schools provided by third parties, where this relates to a function or business of the schools (such as contractual information) and
- Information held by the Trust and/or its schools relating to Trustees and members of Local Advisory Boards where the information relates to the functions or business of the Trust and/or its schools.

This policy does not cover personal written communications (such as personal e-mails sent by staff).

5. Requesting information

The Trust has a duty under both the FoIA and EIR to provide advice and assistance to applicants making information requests. Although no such duty exists under the GDPR, the same level of care will be provided.

The three information regimes contain different provisions that permit charges to be made for responding to information requests. The Trust or individual schools may charge a fee for complying with requests, as calculated in accordance with FoIA regulations. If a charge is to be made, the Trust/school will give written notice to the applicant before supplying the information requested. The Trust/school will charge for the cost of copying and transmitting information, and may need to charge for the time taken in reaching decisions regarding whether information is covered by an exemption. Where the Trust/school estimates that the cost of locating the information will exceed the statutory threshold of £450, it will consider whether or not to comply with the request. The Trust/school is not obliged to comply with such a request but may choose to do so.

Section 19 of the FoIA obliges the Trust and schools to make information pro-actively available in the form of a "publication scheme". This scheme will list categories, or "classes" of information that will routinely be made available without the need for a specific information request. The Trust/school will indicate in the scheme where it wishes to charge for providing particular categories of information.

The Freedom of Information Act contains 23 exemptions whereby information can be withheld. There are two categories; absolute and non-absolute. The Trust and its schools will only withhold information if it falls within the scope of one or more of these exemptions. Where an absolute exemption applies, the Trust and its schools can automatically withhold the information. However, where the exemption is non-absolute the information can only be withheld where it is decided that the public interest is best served by withholding the information. Certain exemptions also contain a "prejudice test", which means that the exemption can only be claimed if disclosing the information would prejudice the interest protected by the exemption. The Trust and its schools will only withhold information covered by the exemption. Complete files or documents will not be withheld just

because part of the information is covered by an exemption. The Trust and its schools will only apply an exemption where it has reason to believe that prejudice might occur to the interest protected by the exemption. In addition, wherever a "public interest" exemption is being considered, the Trust and its schools will only withhold that information which it can demonstrate that the public interest will be best served by withholding. When considering withholding information under a non-absolute exemption the Trust and its schools will take into account whether the release of the information would:

- promote further understanding of current issues of public debate;
- promote the accountability of decisions taken by the Trust and its schools and the spending and allocation of public money;
- bring to light matters of public safety;
- allow the public to understand and challenge decisions made by the Trust and its schools;
- be otherwise in the public interest.

Where information is withheld under an exemption in most cases the reason behind the decision will be made clear to the applicant, citing the exemption under which the information is being withheld. The applicant will also be given details of the right to challenge the decision and the right of appeal to the Information Commissioner's Office.

Where a staff member plans to apply an exemption, he/she will consider whether other schools hold similar information. If this is considered likely, he/she may contact the relevant school(s) to ensure that a consistent response is provided to the applicant.

The Trust and its schools will also refuse to supply information under the FoIA, where the request is considered "vexatious" or "repeated" and under the EIR, where the request is considered 'manifestly unreasonable'.

Requests for information should be made to the Headteacher of the individual school if the information requested is specific to one school or to the Trust Business Manager of the Primary QuEST Trust if the information relates to the Trust or all schools within the Trust.