

THE HOWARD PARTNERSHIP TRUST FREEDOM OF INFORMATION POLICY

Date of Review: June 2025	Responsible Body: The Howard Partnership Trust
Review period: Annual	Trust/Committee: Audit & Risk
Next due for review: June 2026	Executive Lead: COO
Status: Statutory	Publication: Website

Purpose: The THPT Freedom of Information Policy ensures that employees of the Trust understand that academies have a duty to provide advice and assistance to anyone requesting information under the Freedom of Information Act (FOIA), with guidance on the extent of information which can be released.

This policy has been created in conjunction with THPT Freedom of Information Act Publication Scheme.

Right to request information

Any person has a legal right to make a request in writing to a school for access to information held by that school (in relation to Environmental Regulations this can be a verbal request).

There are five reasons for not complying with a valid request of information under FoI:

- i. the information is not held;
- ii. it would cost too much or take too much staff time to deal with the request - the current threshold is £450;
- iii. the request is considered vexatious or repeated;
- iv. if personal data is released contrary to GDPR or DPA 2018
- v. one or more of the exemptions apply.¹

¹ Further information on reasons for refusing to disclose information, including the application of exemptions is available on the ICO website: <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>

Adhering to a Request for Information

The Trust will follow ICO and DfE guidelines in establishing the requirement to comply with the request.

1. Requests for information may be covered under three categories:
 - Requests for personal data under the General Data Protection Act (GDPR) 2018
 - Environmental Information Regulations (EIR) enquiries relating to air, water, land, natural sites, built environmental, flora, fauna, health and any associated decisions and activities.
 - FOI enquiries concerned with all other information and the reasoning behind decisions and policies.
2. A valid FOI request should be in writing with the enquirer's name and address (email address is acceptable) with sufficient description of information requested. Verbal enquiries are not covered under FOIA.
3. The school must hold the information which is related to the business of the school.
4. If the information requested is already in the public domain, this will be signposted to the enquirer.
5. The Trust has no obligation to comply with vexatious requests; these may be designed to cause inconvenience, harassment or expense rather than to obtain information, and would require a substantial diversion of resources or would otherwise undermine the work of the Trust.
6. If the information is held by another body, the enquirer will be advised accordingly.
7. Third parties may be consulted if their interests could be affected by the release of the information requested.
8. If there are real concerns about disclosing the information, an exemption may be appropriate; there are more than 20 exemptions which are mainly intended to protect sensitive or confidential information. Once an exemption has been identified, the public interest test must be applied to determine whether upholding the exemption outweighs the public interest in disclosing it. Unless it is in the public interest to withhold the information it must be released.
9. Personal information is exempt under FOIA. However, if the person making the request is the subject of that personal information, they will be entitled to receive it under the terms of the Data Protection Act by a Subject Access Request (SAR).

10. Third party personal information is exempt from release and may be redacted.
11. The Trust will respond to straightforward enquiries free of charge but may issue charges if significant costs will be involved. In this instance a notice of fees will be issued to the enquirer to be paid prior to complying with the request. There is no obligation to respond to the request if the cost will exceed the appropriate limit.
12. Compliance with a request will be within 20 working days, excluding non-school days. The 20 days starts from the receipt of any additional details of the request.
13. A refusal of a request will be notified in a detailed refusals' notice.
14. Requests made under the Data Protection Act or Environmental Information Regulations will be responded to in accordance with the relevant regulations.
15. All enquirers will be informed of the right to appeal to the Information Commissioner's Office.
16. All requests are directed to the DPO who logs details on GDPRIS and monitors the responses before they are sent.

Related documents

THPT Freedom of Information Act Publication Scheme
DfE Academies and Freedom of Information - Department advice for Academies.
Information Commissioner's Office guidance on Freedom of Information Act
THPT Data Protection Policy
THPT SAR Procedures
THPT Record Management Policy