



SIKH ACADEMIES TRUST
Faith Inspired Education

SAT FREEDOM OF INFORMATION POLICY

Date reviewed: Autumn 2024
Date of next review: Autumn 2025

FREEDOM OF INFORMATION

SCOPE OF THE POLICY

This policy applies to all schools in Sikh Academies Trust (SAT). Freedom of Information and the Freedom of Information Act 2000 (FOIA) gives the public a mechanism to access information about the activities of public authorities. The idea behind the legislation was to improve public confidence and trust by making public authorities accountable for their actions and decision-making.

1. How does FOIA apply to SAT?

Trusts and their academy schools are all public authorities under FOIA. SAT may receive FOI requests from parents wanting to access information they feel should be disclosed. For example, some parents have made requests to access the materials being taught in respect of personal, social and health education, following concerns that these have been provided by third party interest groups.

2. How we recognise a freedom of information request

- A freedom of information request (FOI Request) is any written request from a member of the public which asks to have access to information that we hold and includes the requester's real name and an address for correspondence.
- Anyone has the right to make a FOI request. The request does not have to mention FOIA or direct their request to a designated member of staff for it to be valid.
- It is important to remember that if a person is asking for their own personal data it should be dealt with as a data subject access request rather than a FOI request.
- Similarly, if a person is asking for environmental information, the request would be covered by the Environmental Information Regulations 2004 rather than FOIA.

3. How we respond to a FOI request?

- When we receive a FOI Request, we tell the requester whether we hold any information that falls within the scope of their request and provide that information to them unless there is a good reason not to.
- Schools have 20 school to respond to a FOI Request. There is no ability to extend the timescale for responding. The timescale for responding starts when SAT receives the request, not when it reaches the relevant member of staff who will deal with it.
- The ICO have published a request handling flowchart which can be accessed [here](#) which sets out the steps to consider when a FOI request is received.

4. What information is covered?

- FOIA only covers recorded information SAT holds. SAT does not have to make up an answer or find out information from elsewhere if we don't already have the relevant information in a recorded form.
- We can't refuse to provide the information on the basis that it is out of date, incomplete or inaccurate.
- We will normally disclose the information in the format we hold it at the time the request was made.
- It is a criminal offence to make changes or deletions to the information as a result of the request being received.

5. Can SAT refuse to answer?

- SAT can refuse an entire request if it would cost too much or take too much staff time to deal with the request, the request is vexatious or the request repeats a previous request from the same person.
- If we are refusing all or any part of a request, we will send the requester a written refusal notice. We will send a refusal notice if we are refusing to say whether we hold information at all, or where we confirm that we hold information is held but refuse to release it.

6. Are there any exemptions?

There are a number of exemptions that allow us to withhold information from a requester. These are limited and apply to very specific circumstances.

The following exemptions may be relevant to information you hold:

- section 21 - information already reasonably accessible;
- section 22 - information intended for future publication;
- section 40(2) - personal information of others;
- section 42 - legal professional privilege; or
- section 43 - prejudice to commercial interests.

7. Why is it important to get it right?

- If an individual is not happy with our response to their FOI request or if we fail to respond, they can complain to the ICO.
- The ICO may resolve any complaint informally, but they do have the power to issue a legally binding decision notice, an enforcement notice, an information notice or practice recommendation.
- Notwithstanding this, the ICO is unlikely to issue a fine for any non-compliance. This is due to their current strategic approach to the fining of public authorities in the current economic climate. However, any action that the ICO takes is likely to be published on its website which can be picked up by news outlets and may negatively impact your reputation.

8. When responding to requests we will

- Communicate with requests clearly and transparently.
- Double check that we have included the correct documents and the information being released does not contain unnoticed personal data or other sensitive details which we did not intend to disclose. This has been an issue for some public authorities and has resulted in a personal data breach.
- If we are redacting documents before responding, ensure the redaction is not reversible.
- Seek specialist legal advice as soon as possible.

9. Publication Scheme on information available under the Freedom of Information Act 2000: The Trustees are responsible for maintenance of this scheme.

10. How to Request Information

If you require any of the documents within the scheme, please contact b.riddell@sikhacademiestrust.com

11. FOI Information requests timeline

We will endeavour to respond to FOI requests within 20 working days.

12. FOI information payment

Requests for information may be charged depending on the amount of photocopying, posting and administration costs incurred. This could include the costs of materials, (for example, tape or black ink) or the use of specialist equipment for the specific activity of redaction.

Typical costs would be £30:

1. Photocopying 200 sheets @ 10p per sheet totalling £20.
2. Postage @ £10.

For requests of a copy of your child's records you will be required to deposit a payment of £30 in reception for photocopying, postage, and administration.

Your child's records will be posted within the statutory timeframes (once the payment has been received). An example of the timeframe: An applicant makes a request on 1 July. The school issues payment required notice on 9 July. The applicant pays the amount on July 15. The school has used 6 of the 20 working days allowed for a response and so it has 14 days after the day on which the applicant has paid (or 14 days after the cheque has cleared) to respond to the request.

13. Feedback and Complaints

We welcome any comments or suggestions you may have about this scheme. If you want to make a comment about this publication scheme or if you require further

assistance or wish to make a complaint, then initially this should be addressed to the Executive Headteacher at the school.

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint about a Freedom of Information request and you wish to take your complaint further, then this should be addressed to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom of Information Act 2000.

They can be contacted at: Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.