



Procedure:	Freedom of Information
Owner:	Jodie McDonald
Approving Board:	Executive Group
Date of review:	January 2021
Date of next review:	January 2022
Publish Status:	Intranet
Relevant to:	All TDET
Version:	1.0

## **1. Introduction**

- 1.1 Thomas Deacon Education Trust will comply with the terms of Freedom of Information Act (FOIA) 2000 and any other relevant legislation to ensure requests for access to information held by the Trust and it's Academies are treated in a manner that is fair and lawful.
- 1.2 This policy covers requests for information under the Freedom of Information Act 2000. It also covers enquiries relating to matters under the Environmental Information Regulations 2004, namely enquiries about air, water, land, natural sites, built environment, flora and fauna, and health, and any decisions and activities affecting any of these.
- 1.3 This policy does not cover enquiries or subject access requests under the Data Protection Act 2018 or the General Data Protection Regulation i.e. where the enquirer asks to see that personal information TDET holds about them.
- 1.4 Thomas Deacon Education Trust will comply with information and guidance displayed on the Information Commissioner's website <https://ico.org.uk/>

## **2. Responsibilities of TDET**

- 2.1 TDET understands its responsibilities in relation to FOIA and is committed to applying them.
- 2.2 This policy is designed to set out the ways that persons can access their rights to information.

## **3. Publication Scheme**

- 3.1 TDET has adopted the Information Commissioners' Office model publication scheme.
- 3.2 Further details on what TDET provides access to can be found on the Information Commissioners' website <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/publication-scheme/>

## **4. Right of Access**

- 4.1 Any person can make a freedom of information request for information that TDET holds. The request must be in writing (which can include an email) and state the requestor's name and correspondence address (including email address).
- 4.2 It should clearly describe the information being requested with enough detail to enable us to identify and locate the information.
- 4.3 Please help us to provide your information as quickly as possible by sending the request to Simon Smith, Director of Resources ([simon.smith@tdet.education](mailto:simon.smith@tdet.education)) or by post to:  

TDET Head Office  
Queens Gardens  
Peterborough  
PE1 2UW
- 4.4 A response will be provided as soon as possible but in any event within 20 school days (or 60 working days, if shorter).
- 4.5 Where the original request is not clear and we are required to seek further clarity from you, the time for responding to your request will cease until we receive a further response from you. In the event that we do not receive a further response or the clarification requested within 2 months of our request for clarification we will assume you no longer wish to pursue the enquiry and close the matter down.

## **5. Exemptions**

- 5.1 Requested information may not be provided if one of the following applies:
  - TDET does not hold the information
  - There is a relevant exemption available; or

- The request is above the cost limit (being £450 or 18 hours of a staff member's time)
  - The request is considered vexatious or repeated
- 5.2 The exemptions that may be relevant depend on the request that has been made, but common exemptions include data protection, prejudice to the effective conduct of public affairs and information intended for future publication. There are other exemptions that may be relevant as well.
- 5.3 We will inform you if one of these apply in any decision notice. Where the cost limit applies, we will explain how to refine the request to bring it within the cost limit and why the cost limit has been exceeded.

## **6. Exemption**

- 6.1 Where a requestor is not happy with the response to a freedom of information request that has been made, they will be entitled to ask for an internal review of the decision.
- 6.2 The internal review must be requested within 2 months of the decision notice being sent.
- 6.3 The internal review will usually be dealt with by someone more senior than the member of staff that provided the initial response.
- 6.4 A requestor will in most cases receive the outcome of the internal review within 20 days.
- 6.5 If a requestor is still not happy with the response following an internal review, they can complain to the Information Commissioner:

FOI/EIR Complaints Resolution  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

## **7 Monitoring and Review**

This policy will be reviewed annually