



## **Freedom of Information Act Policy**

### **Introduction**

The Freedom of Information Act 2000 gives be a legal right for any individual to ask any person employed at Wellacre Academy for access to information held by the Academy. The main principle behind freedom of information legislation is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to.

### **Published Information**

Wellacre Academy is committed to proactively publishing information and follows the Information Commissioner's Office (ICO) Model Publication Scheme for governing bodies of maintained schools in England. This information is published on the Academy website at [www.wellacre.org](http://www.wellacre.org) and includes policies, procedures, reports and financial information. If a member of the public wants information that is not published on the website or under the scheme, they can still request it.

### **Right to Request Information**

The request must be in writing, which includes fax or email and contact details are available on the academy website at [www.wellacre.org](http://www.wellacre.org). All requests for information that are not covered by the General Data Protection Regulations 2018 (i.e. from individuals to see their own personal information) or Environmental Information Regulations 1992 are covered by FOIA. The Act recognises the need to preserve confidentiality of sensitive information in some circumstances and sets out a number of exemptions.

There will only be four reasons for not complying with a valid request for information under FOI;

- ◆ the information is not held;
- ◆ the cost threshold is reached (in the region of £500 @ £25 an hour);
- ◆ the request is considered vexatious or repeated, or
- ◆ If an exemption applies: The exemptions can be found in Part II of the Freedom of Information Act, at sections 21 to 44.

## Gathering Information

All staff should direct requests to the Academy Leadership Team who will, under the guidance of the Principal, comply with the request. **The Academy Leadership Team will;**

- ◆ ensure that a well-managed records management and information system exists in order to comply with requests;
- ◆ ensure a record of refusals and reasons for refusals is kept, allowing the governing body to review its access policy on an annual basis.

## Transferring the Request

If the information is held by another public authority, such as Trafford Local Authority, the request may be transferred to them. Wellacre Academy must notify the enquirer that we do not hold the information and to whom we have transferred the request. Wellacre Academy should answer any parts of the enquiry in respect of information the college does hold.

## Could a third party's interests be affected by disclosure?

Consultation of third parties may be required if their interests could be affected by release of the information requested, and any such consultation may influence the decision. We will not consult where we are not going to disclose the information because we will be applying an exemption. Consultation will be necessary where;

- ◆ disclosure of information may affect the legal rights of a third party, such as the right to have certain information treated in confidence or rights under Article 8 of the European Convention on Human Rights;
- ◆ the views of the third party may assist you to determine if information is exempt from disclosure, or
- ◆ the views of the third party may assist Wellacre Academy to determine the public interest.

## Complaints Procedures

Any written (including E mail) expression of dissatisfaction – even if it does not specifically seek a review – should be handled through the Academy's existing complaints procedure which should be fair and impartial.