



Freedom of information policy

This policy was approved by the Trustees on 31st January 2024

..... **Chair of Trustees**

Adopted on 1st February 2024

This policy will be reviewed on or before 31st January 2027

1 Introduction

- 1.1 This policy covers requests for information under the Freedom of Information Act 2000 (“**FOIA**”). It also covers enquiries relating to matters under the Environmental Information Regulations 2004 (“**EIR**”), namely enquiries about air, water, land, natural sites, built environment, flora and fauna, and health, and any decisions and activities affecting any of these.
- 1.2 This policy does not cover enquiries or subject access requests under the Data Protection Act 2018 or the UK General Data Protection Regulation i.e. where the enquirer asks to see what personal information Excelsior Multi Academy Trust (the “**Trust**”) holds about them. These enquiries will be dealt with under the Data Protection Policy which can be found on the Trust’s website.

2 Responsibilities of the Trust

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

3 Publication Scheme

The Trust has adopted the Information Commissioners’ Office model publication scheme. Further details on what the Trust provides access to can be found on the Trust’s website www.excelsiormat.org

4 Right of Access

- 4.1 Any person can make a freedom of information request for information that the Trust holds. The request must be in writing (which can include email) and state the requestor’s name and correspondence address (including email address). It should clearly describe the information being requested with enough detail to enable us to identify and locate the information. Where a request is for environmental information which can be released under the EIR, this request can be made verbally. We would request however that any request is made in writing as set out in 4.2 below.
- 4.2 Please help us to provide your information as quickly as possible by sending the request to enquiry@excelsiormat.org or by post to:
- Excelsior MAT, The Loft, Colmers Farm Primary School, Leybrook Road, Birmingham, B45 9PB.
- 4.3 A response will be provided as soon as possible but in any event within 20 school days (or 60 working days, if shorter) for information provided under FOIA. Where information is to be provided under the EIR this will be provided within 20 working days.
- 4.4 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 your enquiry and close the matter down.

5 Exemptions

- 5.1 Requested information may not be provided if one of the following applies:
- The Trust does not hold the information;

- There is a relevant exemption available;
 - The request is above the cost limit (being £450 or 18 hours of a staff member's time).
 - Where additional clarity or a fee has been requested but has not been provided in the time specified; or
 - 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 also be relevant.
- 5.3 We will inform you if one or more 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 costs limit has been exceeded.

6 Internal Review

- 6.1 Where a requester 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. The internal review must be requested within two months of the decision notice being sent. The internal review will usually be dealt with by someone more senior than the member of staff that provided the initial response. A requester will in most cases receive the outcome of the internal review within 20 school days.
- 6.2 Where a requester wishes to have an internal review of an EIR request, this should be requested in writing within 40 working days of any breach of a requirement under the EIR. Once an internal review request is received, we aim to conclude the review and communicate the outcome of this within 20 working days.
- 6.3 If a requester is still not happy with the response following an internal review, they can complain to the Information Commissioner.

Appendix 1 - Identifying and processing a request for information

TYPE OF REQUEST	SUBJECT ACCESS REQUEST	EDUCATION RECORD	FREEDOM OF INFORMATION
WHICH LAW APPLIES?	Data Protection Act 2018	Education (Pupil Information) Regulations 2005	Freedom of Information Act 2000
DOES THE EXCELSIOR SCHOOL HAVE TO RESPOND?	✓	X	✓
WHAT IS THE REQUEST FOR?	Personal data	Pupil record	Any recorded information held by a public authority
WHO CAN MAKE A REQUEST?	Anyone, parents can make requests for their child's data	Parents	Any individual or organisation
WHO CAN IT BE MADE TO?	Any employee of any organisation	Any employee of a maintained or special school	Any employee of a public authority
DOES IT HAVE TO BE IN WRITING?	X	✓	✓
CAN YOU CHARGE?	Usually not, although there are exceptions	X	You can charge for printing and postage costs
HOW LONG DO YOU HAVE TO RESPOND?	One calendar month	15 school days	20 school days