



Olive Academies

Freedom of Information Policy

Document control table	
Title	Freedom of Information Policy
Date updated and approved	July 2025
Approved by	OA Trustees
Date of next review	July 2027
Updates/revisions included:	Updated links Added Monitoring and Review section
Academies to note: This is an OA policy which should not be modified.	

Purpose and scope

Olive Academies Trust ('the trust') is subject to the [Freedom of Information Act 2000 \(FOI\)](#) as a public authority, and as such, must comply with any requests for information in accordance with the principles laid out in the Act.

Under the Freedom of Information Act 2000, any person has a legal right to ask for access to information held by the trust.

They are entitled to be told whether the trust holds the information, and to receive a copy, subject to certain exemptions and payment of any reasonable charges. Under the [UK General Data Protection Regulations \(UK GDPR\)](#) individuals have greater rights such as:

- The right to make a subject access request. Please refer to the Data Protection policy for more details on subject access requests.
- The right to object if processing their personal data is causing unwarranted and substantial distress or damage

Under the UK GDPR, individuals' rights are strengthened and expanded. The trust recognises that individuals should be told about their rights in privacy notices and when responding to subject access requests. Please refer to the Data Protection Policy for more details on individual rights.

The trust routinely makes information available to the public on the multi-academy trust or one of the trust's academy/ school web sites. Requests for other information are dealt with in accordance with statutory guidance as while the Act assumes openness, it recognises that certain information is sensitive and there are exemptions to protect this information.

The FOI Act is fully retrospective, so that any past records which the trust holds are covered by the Act. To this end trust has a data retention policy, which guides the trust as to how long it should keep records. The data retention policy is published on the trust website.

The trust recognises that it is an offense to wilfully conceal, damage or destroy information in order to avoid responding to an enquiry.

Requests for personal data are still covered by the UK General Data Protection Regulations.

Individuals can request to see what information the trust holds about them. This is known as a Subject Access Request (SAR) and must be dealt with in accordance with the trust's Data Protection Policy.

Requests for information about anything relating to the environment such as air, water, land, the natural world or the built environment and any factor or measure affecting these are covered by the Environmental Information Regulations. Requests under EIR are dealt with in the same way as those under FOI Act, but they do not need to be written and can be verbal.

This policy and procedure applies to all staff, schools and academies across the trust.

Legal Framework

This policy has due regards to the following legislation:

- [The UK General Data Protection Regulation \(UK GDPR\)](#)
- [The Data Protection Act 2018](#)
- [The Freedom of Information Act 2000](#)
- [The Freedom of Information and Data Protection \(Appropriate Limit and Fees\) Regulations 2004](#)

This policy also has due regard to guidance including, but not limited to, the following:

- [Gov.uk 'Freedom of Information Code of Practice' 2000](#)
- [ICO \(2021\) 'Definition document for the governing bodies of maintained and other state-funded schools in England'](#)
- [ICO \(v1.2 2015\) 'Model publication scheme'](#)
- [ICO 'Duty to provide advice and assistance \(Section 16\)'](#)
- [ICO 'Time limits for compliance under the Freedom of Information Act \(Section 10\)'](#)

Links to other policies

This policy will be viewed in conjunction with the following trust policies:

- Data Protection Policy
- Freedom of Information
- Record Management Policy

Obligations and duties

The trust recognises its duty to provide advice and assistance to anyone requesting information. It will respond to straightforward verbal requests for information and will help enquirers to put more complex verbal requests into writing so that they can be handled under the FOI Act.

The trust recognise its duty to tell enquirers whether or not it holds the information they are requesting (the duty to confirm or deny) and provide access to the information held in accordance the Freedom of Information Act unless an exemption applies.

Responsibilities

The trustees have delegated the day-to-day responsibility for compliance with the FOI to the Data Protection Officer (DPO).

The Trust's DPO is: Kuda Mika (kuda.mika@oliveacademies.org.uk)

All staff need to be aware of the process for dealing with requests and comply with this policy and procedure.

Publication scheme

The trust has adopted the model publication scheme and the definition document for schools approved by the Information Commissioner. This can be found by clicking on the following link:

<https://ico.org.uk/media2/for-organisations/documents/1153/model-publication-scheme.pdf>

The definition document for schools which includes examples of the types of information all educational establishments would be expected to make available are available on the ICO website:

<https://ico.org.uk/media2/for-organisations/documents/definition-documents-2021/4018892/dd-schools-eng-20211029.pdf>

Identifying requests

Many requests may be dealt with by providing the requested information in the normal course of business. If the information is included in the publication scheme, this will be given out automatically, or a link provided to where the information can be accessed.

If the information is personal to the requester this will be managed as per the UK General Data Protection Regulations. Any other non-routine request for information should be dealt with under the Freedom of Information Act e.g.

- If you cannot provide the requested information straight away; or
- the requester makes it clear they expect a response under the Act.

Dealing with requests under the FOI Act

Requests must be made in writing, (which can include email), and should include the enquirers name and correspondence address, and state what information they require.

They do not have to mention the Act, nor do they have to say why they want the information, although this may help speed up the response and ensure the response covers the information required.

Should a request be made, it is advised that the central info email is used to request this –

info@oliveacademies.org.uk

Vexatious Requests

The trust recognises that it has a duty to respond to all requests (the trust reserves the right to seek legal advice prior to responding to a request), telling the enquirer whether or not the information is held, and supplying any information that is held, except where exemptions apply or where a request is considered vexatious as defined on the Information Commissioner's website: www.ico.gov.uk specifically in Section 14 of the FOIA.

“...that the starting point is that vexatiousness primarily involves making a request which has no reasonable foundation, that is, no reasonable foundation for thinking that the

information sought would be of value to the requester or to the public or any section of the public. The decision maker should consider all the relevant circumstances in order to reach a balanced conclusion as to whether a request is vexatious”.

The ICO also advise:

In some cases, it will be easy to recognise that a request is vexatious. For example, the tone or content of the request might be so objectionable that it would be unreasonable to expect *(the)* authority to tolerate it, no matter how legitimate the purpose of the requester or substantial the value of the requested information.

Such as where threats have been made against employees, or offensive language used. *(The ICO)* do not expect you to make allowances for the value or purpose of the request under these kinds of circumstances.

Therefore, if *(an authority)* are dealing with a request which *(they)* believe to be clearly vexatious, *(they)* should not be afraid to reach a decision that section 14(1) applies.

However, in most cases, the question of whether section 14(1) applies is likely to be less clear-cut. *(Authorities)* need to carefully consider whether there are sufficient grounds for refusing the request under section 14(1). Before doing so though, *(the ICO)* recommend that *(the authority)* consider whether there are any viable alternatives to dealing with the request under section 14. Some of the potential options are outlined in the [‘Are there alternative approaches?’](#) section of the ICO guidance.

When deciding whether a request is vexatious, the trust will consider several factors, including but not limited to:

- how much work complying with the applicant’s requests create
- an applicant’s tone and manner when communicating with the trust
- if a request appears obsessive
- whether there is any value in the request.

The trust understands that it is the request that is considered vexatious, not the requester. If after refusing a request as vexatious, the trust receives a subsequent request from the same person, it can refuse it only if it also meets the criteria for being vexatious.

The trust will find a request vexatious in legitimate circumstances but will exercise care when refusing someone’s rights in this way.

Where a request is not classed as vexatious, the trust will respond within the specified 20 school days, or 60 working days if this is shorter and in accordance with the request handling flow chart document:

[Flowchart of request handling under FOIA](#) - and the [latest guidance on the ICO website](#).

For all subject access requests (SARs), the trust will respond within 30 days as per UK GDPR. However, this can be extended by a further two months if the request is complex or numerous requests are made. The trust will inform the requester if an extension is required including the reasons for the delay. It should be noted that the trust will charge a reasonable fee if the request is manifestly unfounded or excessive, in

particular because of its repetitive character. If appropriate the trust will request identification to be provided to ensure information security. More information on subject access requests is available in our Data Protection policy.

In all cases all responses must be approved by the Director of Resources and Data Protection Officer prior to being sent.

Exemptions

Certain information is subject to either absolute or qualified exemptions. The exemptions can be found in the [ICO guidance](#). Common exemptions that might apply include:

- information already reasonably accessible (Section 21)
- information that has been sent to the academy (but not the academy's own information) which is confidential (Section 41)
- information that the academy intends to publish at a future date (Sections 22 and 22A)
- information that would prejudice the commercial interests of the academy and/or a third party (Section 43)
- information that could prejudice the physical health, mental health or safety of an individual (particularly related to safeguarding information) (Section 40)
- information that could prejudice the effective detection and prevention of crime (Section 31)
- information which, in the opinion of the chair of trustees, would prejudice the effective conduct of the trust. (Section 36) (Form for ['Recording Qualified Person's Opinion'](#) to assist with obtaining the chair's opinion.)

There are some exemptions which are qualified. This means that even if the exemption applies to the information, you also must carry out a public interest weighting exercise, balancing the public interest in the information being released, as against the public interest in withholding the information. This is known as the public interest test. Refer to the ICO guide on the use of the [Public Interest Test](#).

The trust will maintain a register of requests where it has refused to supply information, and the reasons for the refusal. The register will be retained for five years from the date of the request.

Charging

The trust reserves the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450. However, the trust will not charge for a subject access request (SAR).

The trust reserves the right to charge a fee for complying with requests for information under the FOI Act. The fees are calculated according to the FOI Act regulations, and the person notified of the charge before the information is supplied.

Complaints

Any comments or complaints will be dealt with through the trust's normal complaints procedure as published on our website.

If, on investigation, the trust's original decision is upheld, then the trust recognises its duty to inform the complainant of their right to appeal to the Information Commissioner's Office. This can be done via the ICO's online form: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Records

Record	Where kept	Retention time (Min)	Disposal authority
Register of Requests (as per template in Appendix 1)	Trust Portal	Five Years	FD/DPO
Original Written Requests	Trust Portal	Five Years	FD/DPO
Response to Requests	Trust Portal	Five Years	FD/DPO
Correspondence Related to Freedom of Information Requests	Trust Portal	Five Years	FD/DPO

Distribution

Electronic copies of this procedure are available on the trust and its school/academy websites.

Monitoring and Review Process

This Freedom of Information Policy will be reviewed every two years, or sooner if there are significant changes to legislation or guidance. The review will be conducted by the Trust's Head of Governance in consultation with the Data Protection Officer. Final approval of any amendments will be made by the Trust Board to ensure continued compliance with the Freedom of Information Act 2000 and alignment with the Trust's values and operational practices.

Template register for Freedom of Information Requests

[illegible]