

## **Freedom of Information Policy**

### **Heart of Yorkshire Education Group**

#### **1. Purpose and Scope**

The Freedom of Information Act 2000 (“FOIA”) gives the public the right to request information held by public authorities. The purpose of this policy is to ensure that the Heart of Yorkshire Education Group (“Group”) complies with its statutory obligations under FOIA in a transparent, consistent and lawful manner.

This policy applies to all recorded information held by the Group. It is not limited to official documents, and it covers, for example, drafts, emails, notes, recordings of telephone conversations and CCTV recordings. It is not limited to information created by the Group, so it also covers, for example, letters received from members of the public, although there may be a good reason not to release them (see paragraph 6).

This policy applies to all staff, governors, agency staff, volunteers and contractors who create, receive or manage information on behalf of the Group.

This policy should be read alongside the Group’s Data Protection Policy.

#### **2. What is the Freedom of Information Act?**

##### **2.1. Purpose of the Act**

The FOIA is intended to give the public greater access to information about the workings of public authorities, thereby increasing transparency and accountability and improving the quality of public administration.

##### **2.2. Right of Access**

FOIA provides a general right of access to recorded information held by public authorities, subject to specific exemptions. The Act applies to information held at the date of the request.

##### **2.3. Publication Scheme**

The Act places a duty on public authorities to adopt and maintain a “Publication Scheme” setting out the classes of information that are routinely made available, the format in which they are published, and whether a charge applies. The Group’s Publication Scheme is maintained on its website and is reviewed and updated periodically to ensure accuracy and completeness.

### **3. Governance, Roles and Responsibilities**

The Governing Body has overall responsibility for ensuring that the Group complies with its obligations under FOIA. Oversight of compliance, risk and assurance is provided through the Audit Committee.

The Data Protection Officer (“DPO”) has operational responsibility for FOIA compliance, including:

- Receiving and logging FOI requests.
- Co-ordinating searches for information.
- Advising on exemptions and the public interest test.
- Ensuring statutory timescales are met.
- Maintaining records of requests, responses and outcomes.

Senior managers and information owners are responsible for:

- Promptly assisting with searches for information.
- Ensuring information is accurate, complete and appropriately retained.
- Escalating risks or concerns relating to disclosure.

### **4. How to Make a Freedom of Information Request**

Requests for information must be made in writing (including email) and should be submitted to:

Data Protection Officer

Heart of Yorkshire Education Group

Margaret Street

Wakefield

WF1 2DH

Email: [DPO@HeartofYorkshire.ac.uk](mailto:DPO@HeartofYorkshire.ac.uk)

They should also state the name of the applicant, provide an address for correspondence and describe the information requested clearly.

Requests do not need to refer to FOIA explicitly to be valid.

## **5. Handling of Requests**

The Group will respond to valid FOI requests promptly and in any event within 20 working days of receipt.

All requests will be logged and monitored to ensure compliance with statutory deadlines. Where clarification is required, the statutory timescale will pause in accordance with FOIA.

Where information is already publicly available, applicants will be directed to the published source.

## **6. Exemptions and Refusals**

FOIA contains a number of exemptions which permit information to be withheld in specific circumstances.

The Group will apply exemptions lawfully, consistently and transparently. Where a qualified exemption is relied upon, a documented public interest test will be carried out.

Decisions to withhold information, in whole or in part, will be approved by the DPO or an appropriately senior officer and will be clearly explained to the applicant, including details of their right to review.

## **7. Relationship with Data Protection and EIR**

FOI requests will be assessed to determine whether they relate to:

- Personal data (to be handled under data protection legislation), or
- Environmental information (to be handled under the Environmental Information Regulations 2004).

Where requests overlap regimes, the Group will apply the correct legal framework and advise the applicant accordingly.

The DPO should be consulted where necessary.

## **8. Records Management**

Effective records management is essential to FOIA compliance. The Group will maintain appropriate retention schedules and information management practices to ensure that information can be located efficiently and lawfully disclosed where required.

## **9. Training and Awareness**

The Group will ensure that relevant staff receive appropriate training and guidance on FOIA obligations, including how to recognise and escalate requests.

## **10. Monitoring, Reporting and Assurance**

The Group will monitor FOIA performance, including response times, use of exemptions and outcomes of internal reviews or Information Commissioner's Office ("ICO") complaints.

Summary information on FOIA activity will be reported periodically to senior management and the Audit Committee to support governance and assurance.

## **11. Review and Complaints**

### **11.1. Internal Review**

If an applicant is dissatisfied with the response to a request, they may request an internal review. This will be conducted by a senior manager who was not involved in the original decision.

### **11.2. Information Commissioner**

If the applicant remains dissatisfied, they may complain to the ICO.

## **12. Review of this Policy**

This policy will be reviewed periodically (and at least every three years) to ensure it remains compliant with legislation and reflects good practice. Any material changes will be approved through the Group's governance framework.