

RMET

Statutory Requests for Information Policy

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Document Change History

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|---------------------------------|-----------------|--------------------------------|
| 30 th September 2024 | 1.0 | First Release |

1. Introduction

- 1.1. It is a legal requirement for all schools to comply with the Freedom of Information Act 2000 (FOI), the Environmental Information Regulations (EIR), the UK General Data Protection Regulations, the Data Protection Act 2018, and the Education (Pupil Information) (England) Regulations 2005.
- 1.2. This policy sets out the rules all staff, contractors and volunteers **must** follow when managing these statutory requests for information.

2. Legislation and Guidance

- 2.1 This policy has been developed in accordance with the following legislation/guidance:
 - Data Protection Act 2018 / UK GDPR
 - Freedom of Information Act 2000
 - Environmental Information Regulation 2005
 - Education (Pupil Information) (England) Regulations 2005

3. Statement of Equality

- 3.1. We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitments to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

4. Policy Rules

- 4.1. We must **correctly identify** the law which applies to the information being requested and manage the request in compliance with that law
- 4.2. Information should be **released** unless there is a strong legal justification for withholding it.
- 4.3. Whenever we **refuse** to provide information, we must clearly and fully explain the reasons why
- 4.4. We must provide **advice and assistance** to people making a request.
- 4.5. We must always try to **reply** as quickly as possible, but always within the legal deadline.
- 4.6. All employees must promptly **provide** all relevant information to a request co-ordinator if asked for it
- 4.7. If we decide to **charge** for information, we must do so in accordance with a published policy.
- 4.8. Where reasonable and practical, we must provide the information in the **format** requested by the requester.
- 4.9. When we respond to a request, we must tell the requestor about our **internal review** process.
- 4.10. When responding to a complaint, we must advise the requestor that they may **complain to the Information Commissioner's Office (ICO)** if they remain unhappy with the outcome.
- 4.11. We must maintain an up-to-date **Publication Scheme** available on our website to meet our obligations under FOI/EIR

5. How must I comply with these policy rules?

- 5.1. We have related policies, procedures and guidance which tell you how to comply with these rules. These include:
 - Records Management Policy

- Data Protection Rights Procedure
 - Publishing for Transparency Procedure
 - Subject Access Request Procedure
 - Statutory Requests for Information Guidance
 - Retention Schedule
- 5.2. If you are unsure how to comply you must seek advice and guidance from your Data Protection Lead.

6. What if I need to do something against this policy?

- 6.1. If you believe you have a valid business reason for an exception to these policy points, having read and understood the reasons why they are in place, please raise a formal request by contacting the Trust Data Protection Lead.

7. Breach Statement

- 7.1. Breaches of Information Policies will be investigated and may result in disciplinary action. Serious breaches of Policy may be considered gross misconduct and result in dismissal without notice, or legal action being taken against you.

8. Monitoring Arrangements

- 8.1. This policy will be reviewed by the Data Protection Lead every year on the review cycle.
- 8.2. At every review, the policy will be approved by the Trust Board.

9. Links with other Policies

- 9.1. This Statutory Requests for Information policy is linked to the following policies:
- Records Management Policy