



FREEDOM OF INFORMATION POLICY

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Colleagues affected by this Policy:	All stakeholders
Person responsible for the Policy:	Chief Operating Officer
Approved by/ date:	CEO September 2026
Next review:	Sept 2028 or until advised by DPO
Source	HY Education

INTRODUCTION

1. This is the Freedom of Information Policy (“Policy”) of The Sea View Trust (“the Trust” / “we” / “us”).
2. The Freedom of Information Act 2000 (“FOIA”) promotes transparency and accountability by providing public access to recorded information held by public authorities. It does this by requiring public authorities to publish certain information about their activities and by giving any person the right to request information they hold. “Information” means recorded information held in any form. Public authorities are not required to create new information in order to comply with a request; they are only required to consider information already in existence at the time the request is received.
3. FOIA also contains a number of exemptions which may permit or require a public authority to withhold information in particular circumstances.
4. Requests by individuals for their own personal data and requests for environmental information are subject to separate legal regimes. Such requests will be dealt with under the Trust’s data protection procedures or the Environmental Information Regulations 2004, as applicable. Where a request engages more than one legal regime, each part will be handled under the applicable legislation.
5. This Policy applies to the Trust and all academies operated by it. All staff must comply with this Policy and the Trust’s procedures for recognising, referring and handling requests for information.
6. This Policy does not form part of any employee’s contract of employment and may be amended at any time.

7. This Policy will be reviewed in accordance with its documented review date. It may be reviewed and updated sooner where necessary, including because of operational changes, court or regulatory decisions, changes in legislation or changes in regulatory guidance.

HOW TO MAKE A REQUEST AND TIME LIMITS

8. A request for information under FOIA must be made in writing and should be submitted by email to [insert email address] or by post to [insert address]. The request must include the applicant's real name, an address for correspondence and a clear description of the information requested.
9. The Trust will respond to requests promptly and, in any event, within the applicable statutory time limit. This will ordinarily be 20 school days, or 60 working days if this is shorter.
10. Where a qualified exemption applies and additional time is reasonably required to consider the balance of the public interest, we may extend the time for reaching a final decision. We will notify the requester within the original time limit, identify the exemption being relied upon, explain why additional time is required and provide a reasonable estimate of when a substantive response will be issued.

ADVICE AND ASSISTANCE

11. The Trust will, so far as it is reasonable to expect us to do so, provide advice and assistance to any person who proposes to make, or has made, a request for information. This may include circumstances where:
 - 11.1 we require further information to identify or locate the information requested. Where clarification is reasonably required, the time limit for responding will not begin until sufficient clarification has been received;

- 11.2 we do not hold the requested information but reasonably believe that it may be held by another public authority, in which case we may provide the requester with that authority's contact details; or
 - 11.3 we estimate that compliance with the request would exceed the applicable cost limit, but the requester may be able to refine or narrow the request so that it can be answered within that limit.
12. We will only transfer a request to another public authority with the requester's agreement.

COST LIMIT

13. Under section 12 FOIA, the Trust is not required to comply with a request where it reasonably estimates that the cost of compliance would exceed the appropriate limit prescribed by legislation, which is currently £450.
14. When estimating whether the cost limit would be exceeded, we may take account of the time reasonably expected to be spent:
- 14.1 determining whether the information is held;
 - 14.2 locating the information or records containing it;
 - 14.3 retrieving the information or records; and
 - 14.4 extracting the requested information from those records.

15. Staff time will be calculated at the statutory rate, which is currently £25 per person per hour. This means that the cost limit will ordinarily be exceeded where the permitted activities are estimated to require more than 18 hours of staff time. We may aggregate related requests where they seek the same or similar information and the conditions prescribed by the applicable fees regulations are met.
16. Where we estimate that the cost limit would be exceeded, we will provide reasonable advice and assistance to help the requester refine or narrow the request so that it may be capable of being answered within the cost limit.

CHARGING FEES

17. The Trust may charge a fee where permitted under FOIA and the applicable fees regulations. Where we intend to charge a fee, we will issue a fees notice within the applicable statutory time limit, setting out the amount payable and how it has been calculated.
18. Any fee will ordinarily be limited to the reasonable costs of producing and communicating the information, including the costs of printing, photocopying, reproducing information and postage. We may also charge costs reasonably incurred in complying with the requester's preference about the form or format in which the information is provided. We will not ordinarily charge for staff time spent searching for, locating or retrieving information, or considering whether an exemption applies.
19. The Trust is not required to provide the information until the fee has been paid. The period between issuing the fees notice and receiving payment will be disregarded when calculating the time limit for responding to the request. If the fee is not paid within three months, the Trust will not be required to comply with the request.

RESPONDING TO REQUESTS

20. In accordance with section 1 FOIA, we will inform the requester in writing whether we hold the information requested and, where we do, communicate that information to them. These duties are subject to the exemptions and other provisions contained within FOIA, including circumstances in which we are not required to confirm or deny whether information is held.
21. Information held by another person or organisation on behalf of the Trust will be treated as held by the Trust for the purposes of FOIA. Information which the Trust holds solely on behalf of another person or organisation will not ordinarily be treated as held by the Trust for these purposes.

MEANS OF COMMUNICATION

22. Where the requester states a preference for receiving information in a particular form or format, we will aim to meet that preference so far as it is reasonably practicable to do so. In reaching a decision, we may consider the cost and complexity of providing the information in the requested form or format and the resources available to us. Where no preference is stated, we will provide the information by any means which are reasonable in the circumstances.

VEXATIOUS AND REPEATED REQUESTS

23. Under section 14 FOIA, the Trust is not required to comply with a request where the request is vexatious.
24. FOIA does not define what constitutes a vexatious request, although guidance is available from the Information Commissioner's Office. We will consider each request on its own facts, taking account of its circumstances and current regulatory guidance. Any decision to refuse a request as vexatious will be considered carefully. However, section 14 is not limited to exceptional circumstances and does not need to be treated as a measure of last resort.

25. There may be circumstances where a request is so unreasonable or objectionable that it is clearly vexatious. This may include an abusive or offensive request which causes an unjustifiable level of distress, or a request made in the context of threats against staff. In other cases, the position may be less immediately apparent. A request may be considered vexatious where the request, or the effect of complying with it, would be likely to cause a disproportionate or unjustified level of disruption, irritation or distress. In reaching a decision, we may consider matters including:

25.1 the burden which the request would place upon the Trust and its staff;

25.2 the purpose and value of the request;

25.3 the language and tone of the request;

25.4 any harassment of, or distress or disruption caused to staff;

25.5 the number, nature and subject matter of other requests or correspondence received from the requester or persons acting together; and

25.6 the wider history and context in which the request has been made.

26. The Trust is also not required to comply with a request which is identical or substantially similar to a request previously made by the same person and with which the Trust has already complied, unless a reasonable interval has passed since the previous request was answered.

27. Where we decide that a request is vexatious or repeated, we will ordinarily issue a written refusal notice confirming that section 14 FOIA applies and setting out the requester's rights of internal

review and complaint to the Information Commissioner's Office. We may decide that it is unreasonable to issue a further refusal notice where we have previously notified the requester that an earlier request was vexatious or repeated. Each request will nevertheless be considered on its own facts.

EXEMPTIONS

28. FOIA contains a number of exemptions which may permit or require the Trust to withhold information or, in some circumstances, decline to confirm or deny whether information is held. We will consider the application of any exemption on the particular facts and circumstances of the request and in accordance with current regulatory guidance.
29. Some exemptions are absolute. Other exemptions are qualified and require us to consider whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
30. Where only part of the requested information is exempt, we will disclose any non-exempt information which can reasonably be separated from the exempt information.

REFUSAL NOTICES

31. Where we refuse to comply with a request, or withhold all or part of the information requested, we will issue a written refusal notice within the applicable statutory time limit unless FOIA provides that a notice is not required.
32. The refusal notice will identify the provision of FOIA relied upon and explain why it applies. Where a qualified exemption is relied upon, we will also explain the factors considered in determining where the balance of the public interest lies. We may omit information from the refusal notice where providing it would involve the disclosure of information which FOIA permits us to withhold.

33. The refusal notice will explain how the requester may request an internal review and will inform them of their right to complain to the Information Commissioner's Office if they remain dissatisfied following the review.

INTERNAL REVIEW

34. If the requester expresses dissatisfaction with the outcome of their request or the way in which it has been handled, we will treat this as a request for an internal review. This includes where the requester believes that we have misunderstood the request, hold further relevant information or have failed to respond within the applicable time limit. A complaint which does not concern the handling or outcome of a request for information will be dealt with under the Trust's general complaints procedure.
35. A request for an internal review should be made in writing to [insert email address or postal address] within 40 working days of the date of our response. We may decline to accept a request made after this period.
36. The internal review will involve a fresh consideration of the handling of the request and the decision reached. This will include considering whether all relevant information held when the request was received was identified and whether any exemption was correctly applied. Wherever possible, the internal review will be conducted by a person who was not involved in handling the original request and who is more senior than the original decision-maker.
37. We will acknowledge the request for an internal review and ordinarily provide the outcome within 20 working days. In exceptional circumstances, the review may take up to 40 working days. If additional time is required, we will explain the reason and provide a revised target date.

38. We will inform the requester in writing of the outcome. Where the review concludes that information previously withheld should be disclosed, we will ordinarily provide that information at the same time. If this is not possible, we will tell the requester when it will be provided.

39. The outcome will inform the requester of their right to complain to the Information Commissioner's Office if they remain dissatisfied. Information about making a complaint is available at www.ico.org.uk.

PUBLICATION SCHEME

40. The Trust has adopted the Information Commissioner's model publication scheme. The scheme sets out our commitment to make certain classes of information routinely available to the public.

41. Details of the information we publish, how it can be accessed and whether any charge applies are contained within the Trust's Guide to Information, which is available at [insert link] or on request from [insert email address or postal address].

42. We will regularly review the information made available under the publication scheme and update it where appropriate. Where requested information is already reasonably accessible through the publication scheme, we may direct the requester to the relevant published information.

CHANGES TO THIS POLICY

43. We reserve the right to change this policy at any time and notification of any changes will be communicated accordingly.