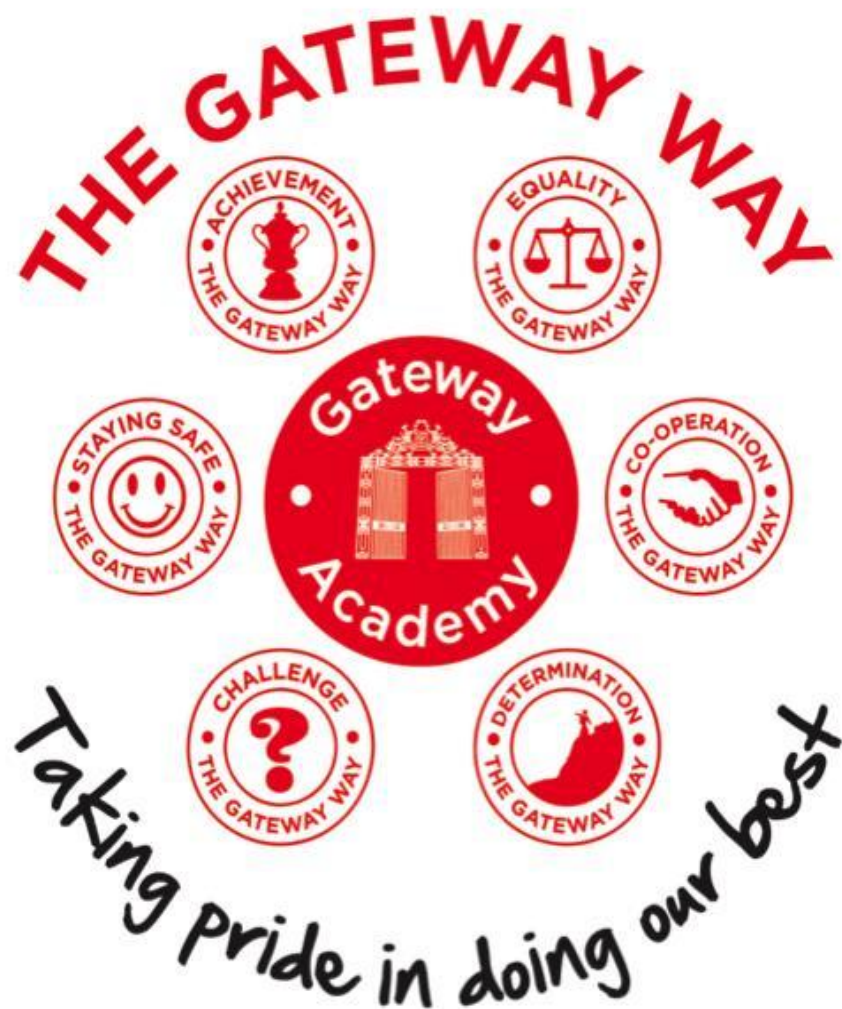


# GATEWAY ACADEMY



## Freedom of Information Policy

Approved by: Lisa Breslin and Claire Cleary

Last reviewed on: September 2026

Next review due by: September 2027

## INTRODUCTION

Gateway Academy is committed to openness, transparency and accountability.

As an Academy, Gateway Academy is a public authority for the purposes of the Freedom of Information Act 2000 (FOIA) and is therefore required to make certain information available routinely and to respond appropriately to requests for recorded information.

The Academy also has responsibilities under the Environmental Information Regulations 2004 (EIR) in relation to environmental information and under data protection legislation in relation to personal data.

This policy explains:

- how the Academy complies with the Freedom of Information Act 2000;
- how requests for information will be handled;
- the Academy's approach to environmental information requests;
- the circumstances in which information may be withheld or charges made; and
- the information the Academy makes routinely available through its Publication Scheme and Guide to Information.

This policy should be read alongside the Academy's Data Protection Policy, Records Management and Retention Policy and other relevant policies.

## LEGAL AND REGULATORY FRAMEWORK

This policy has been prepared with regard to the following legislation and guidance, as applicable:

- Freedom of Information Act 2000;
- Environmental Information Regulations 2004;
- UK General Data Protection Regulation (UK GDPR);
- Data Protection Act 2018;
- Data (Use and Access) Act 2025;
- Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004;
- Re-use of Public Sector Information Regulations 2015;
- ICO Model Publication Scheme;
- ICO guidance on Freedom of Information and Environmental Information Regulations;
- ICO guidance and template Guide to Information for schools; and
- relevant statutory Codes of Practice issued under the Freedom of Information Act.

The Academy will have regard to updated guidance issued by the Information Commissioner's Office (ICO) and government where relevant.

## THE ICO MODEL PUBLICATION SCHEME

Gateway Academy adopts the **ICO Model Publication Scheme**.

The Publication Scheme commits the Academy to:

- proactively publish or otherwise make available information that falls within the classes set out in the scheme;
- specify the information that it holds and makes routinely available;
- make information available in accordance with the commitments contained within the scheme;
- explain how information can be obtained;
- review and update routinely published information regularly;
- publish details of any charges that may be made;
- make the Publication Scheme and Guide to Information available to the public; and
- make datasets available for re-use where required by law and reasonably practicable.

The Academy's Guide to Information is set out later in this policy.

Information will not normally be made routinely available through the Publication Scheme where:

- the Academy does not hold the information;
- the information is exempt from disclosure under FOIA or subject to an exception under EIR;
- disclosure is prohibited by another law;
- the information is readily and publicly available elsewhere;
- the information is archived, out of date or otherwise inaccessible; or
- it would be impractical or disproportionately resource-intensive to prepare the information for routine publication.

Where only part of a document is exempt, the Academy will consider whether the remainder can reasonably be made available in redacted form.

## **PART A – REQUESTING INFORMATION**

### **FREEDOM OF INFORMATION REQUESTS**

A request under FOIA must:

- be made in writing, including by email;
- state the name of the applicant and an address for correspondence, which may be an email address; and
- describe the information requested sufficiently clearly to enable the Academy to identify and locate it.

Requests do not need to refer specifically to the Freedom of Information Act to be valid.

Requests should be sent to the Academy office using the contact details published on the Academy website.

A request received by any member of staff will be treated as received by the Academy and should therefore be passed promptly to the appropriate person for handling.

## ENVIRONMENTAL INFORMATION REQUESTS

Requests for environmental information are dealt with under the **Environmental Information Regulations 2004**, rather than FOIA.

Unlike FOI requests, an EIR request may be made **verbally or in writing**.

Where a verbal request is received, the Academy will make an appropriate written record of the request to ensure that it is understood and handled correctly.

Environmental information may include information relating to matters such as:

- land, air, water and the natural environment;
- energy;
- waste;
- emissions;
- buildings and land use;
- environmental policies and measures; and
- factors affecting, or likely to affect, the environment.

## REQUESTS FOR PERSONAL INFORMATION

Requests made by an individual for **their own personal data** will normally be dealt with as a **Subject Access Request** under data protection legislation rather than under FOIA.

Requests by parents or carers for information about a child may also fall under data protection legislation or relevant education legislation, depending upon the nature of the information and the circumstances.

The Academy will determine the correct legal framework under which a request should be considered. A requester does not need to identify the correct legislation themselves.

## RESPONSE TIMES

### Freedom of Information requests

The Academy will respond to a valid FOI request promptly and normally no later than **20 school days or 60 working days**, whichever is shorter.

The timescale begins on the first working day following receipt of a valid request.

Where clarification is reasonably required to identify and locate the information requested, the Academy may ask the requester to clarify the request. The statutory timescale will begin once sufficient clarification has been received.

Where permitted by FOIA, additional time may be required to consider the public interest test. Where this applies, the requester will be informed.

## **Environmental Information requests**

The Academy will normally respond to an EIR request as soon as possible and no later than **20 working days** after receipt.

In exceptional circumstances, where the volume and complexity of the information make it impracticable to respond within 20 working days, this period may be extended to a maximum of **40 working days**. The requester will be informed of any extension and the reasons for it within the initial 20-working-day period.

## **DUTY TO ADVISE AND ASSIST**

The Academy will provide reasonable advice and assistance to people making requests for information.

Where a request is unclear, too broad or is likely to exceed the appropriate cost limit, the Academy will, where reasonably possible, help the requester to clarify, refine or narrow the request.

The Academy will not deliberately interpret a request more narrowly than is reasonable in order to avoid disclosure.

## **INFORMATION ALREADY AVAILABLE**

Where the requested information is already reasonably accessible to the requester, for example because it is published on the Academy website or another public website, the Academy may direct the requester to that information.

Where appropriate, the Academy will provide sufficient information to enable the requester to locate it.

## **EXEMPTIONS UNDER THE FREEDOM OF INFORMATION ACT**

FOIA contains exemptions that may permit or require the Academy to withhold information.

These may include, depending upon the circumstances:

- personal information protected by data protection legislation;
- information whose disclosure could prejudice the prevention or detection of crime;
- information whose disclosure could endanger health or safety;
- legally privileged information;
- commercially sensitive information;
- information provided in confidence where the relevant legal requirements are met;
- and
- other information protected by an exemption contained within FOIA.

Some FOIA exemptions are absolute, while others are qualified.

Where a qualified exemption applies, the Academy will consider the **public interest test** and determine whether the public interest in maintaining the exemption outweighs the public interest in disclosure.

The Academy will consider each request on its individual circumstances.

Where information is withheld, the Academy will normally issue a written refusal notice explaining the relevant exemption and, where applicable, the outcome of the public interest test.

Where reasonably practicable, information that can properly be disclosed will still be provided even if other information within the same document must be redacted.

## **EXCEPTIONS UNDER THE ENVIRONMENTAL INFORMATION REGULATIONS**

The EIR contain exceptions which may permit environmental information to be withheld.

There is a presumption in favour of disclosure under the EIR.

Where an EIR exception is relied upon, the Academy will apply the public interest test where required and provide a written refusal notice explaining its decision.

The FOIA £450 appropriate cost limit does **not** automatically apply to EIR requests. Where an environmental information request would impose an unreasonable burden, the Academy will consider the request in accordance with the relevant provisions of the EIR and current ICO guidance.

## **VEXATIOUS, REPEATED OR MANIFESTLY UNREASONABLE REQUESTS**

The Academy may refuse a request where the relevant legislation permits it to do so.

Under FOIA, this may include requests that are vexatious or repeated within the meaning of the Act.

Under EIR, a request may in certain circumstances be refused where it is manifestly unreasonable.

Any decision to rely upon these provisions will be made on the circumstances of the particular request and in accordance with current ICO guidance.

## **COST LIMIT FOR FOI REQUESTS**

Under section 12 of FOIA, the Academy is not obliged to comply with a request where it reasonably estimates that the cost of complying would exceed the statutory appropriate limit of £450.

For the purpose of calculating whether the appropriate limit would be exceeded, staff time is calculated at the statutory rate of £25 per hour, giving an equivalent limit of 18 staff hours.

Only permitted activities will be included in this calculation, including the time reasonably expected to be spent:

- determining whether the information is held;
- locating the information or records containing it;
- retrieving the information or records; and
- extracting the requested information.

Where section 12 applies, the Academy will provide reasonable advice and assistance to help the requester consider whether the request could be refined so that information can be provided within the appropriate limit.

## **CHARGES**

Information available electronically through the Academy website will normally be provided free of charge.

Where information is supplied in hard copy, the Academy may charge reasonable costs for:

- photocopying or printing;
- postage; and
- other costs permitted by legislation.

The Academy's standard charge for black-and-white photocopying or printing is **£0.05 per sheet**.

Where colour copying or other unusually expensive reproduction is requested, the Academy will advise the requester of the cost in advance.

Postage may be charged at cost.

Any fee charged for information made available under the Publication Scheme will be justified, transparent and kept to a minimum.

Where legislation permits a fee to be charged for responding to a particular request, the Academy will inform the requester before incurring the relevant charge.

## **FORMAT AND ACCESSIBILITY**

Where reasonably practicable, information will be provided in the format requested.

The Academy will take reasonable steps to ensure that people are able to access information and will consider its duties under equality legislation when responding to requests.

Where information is available electronically, this will normally be the preferred method of disclosure unless another format is reasonably required.

## **COPYRIGHT AND RE-USE**

Providing information in response to an FOI or EIR request does not necessarily transfer copyright or other intellectual property rights to the requester.

Where applicable, re-use of information and datasets will be dealt with in accordance with the relevant legal framework, including the Re-use of Public Sector Information Regulations 2015 and the dataset provisions of FOIA.

## **PART B – REVIEWS AND COMPLAINTS**

### **INTERNAL REVIEW – FREEDOM OF INFORMATION**

If a requester is dissatisfied with the way an FOI request has been handled, they may ask the Academy to conduct an internal review.

Requests for an internal review should be made in writing and should explain, where possible, the reason for dissatisfaction.

The review will, wherever practicable, be conducted by a senior person who was not involved in the original decision.

The Academy will aim to complete an internal review promptly and in accordance with current ICO guidance.

The outcome of the review will be provided in writing.

If the requester remains dissatisfied following the internal review, they may complain to the **Information Commissioner's Office (ICO)**.

### **REVIEW – ENVIRONMENTAL INFORMATION REGULATIONS**

A requester who considers that the Academy has failed to comply with the EIR may ask the Academy to reconsider its decision.

A request for reconsideration must normally be made in writing within **40 working days** of the date on which the requester believes the Academy failed to comply with the Regulations.

The Academy will reconsider the matter and notify the requester of the outcome as soon as possible and no later than **40 working days** after receiving the complaint.

Where possible, the review will be undertaken by someone who was not involved in the original decision.

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

### **INFORMATION COMMISSIONER'S OFFICE**

Further information about information rights or making a complaint is available from the Information Commissioner's Office.

**Information Commissioner's Office**

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

**Telephone:** 0303 123 1113

Current contact and complaints information is available through the ICO website.

**PART C – GUIDE TO INFORMATION****Class One – Who We Are and What We Do**

This class includes organisational information, structures, locations and contacts.

Gateway Academy will make available, where held and appropriate:

- Academy contact details;
- names and contact details of the CoHeadteachers and other appropriate senior contacts;
- staffing structure and information about staff roles;
- information about the Board of Trustees and governance arrangements;
- Articles of Association and relevant governance documents;
- trustee appointment information;
- Academy session times;
- term dates;
- curriculum information;
- Academy ethos and values; and
- other organisational information required to be published.

Where possible, this information will be available through the **Gateway Academy website**. Information not published online may be available on request, subject to any applicable exemptions.

**Class Two – What We Spend and How We Spend It**

This class includes financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.

Information made available, where held and appropriate, may include:

- annual accounts and financial statements;
- financial information required to be published by academy trusts;
- relevant financial audit information;
- information about capital funding;
- procurement information;
- significant contracts;
- information about relevant expenditure;
- executive pay information required to be published;

- staff pay and grading structures where appropriate and subject to data protection requirements;
- trustees' allowances and expenses where applicable; and
- other financial information required to be published.

Information will be published on the Academy website or made available through relevant government services where appropriate.

Personal information will not be routinely published where disclosure would be contrary to data protection legislation or another applicable exemption.

### **Class Three – What Our Priorities Are and How We Are Doing**

This class includes strategies, plans, performance information, inspections and reviews.

Information made available may include:

- Academy development priorities;
- published pupil performance information;
- information available through government school performance services;
- the Academy's latest Ofsted inspection report;
- relevant post-inspection information where applicable;
- Pupil Premium information;
- PE and Sport Premium information;
- relevant equality information and objectives; and
- other published plans, reports and performance information.

Information will normally be available through the Academy website, Ofsted or relevant government websites.

### **Class Four – How We Make Decisions**

This class includes decision-making processes and records of decisions.

Information made available, where appropriate, may include:

- admissions arrangements;
- governance arrangements;
- agendas and approved minutes of meetings of the Board of Trustees and relevant committees;
- consultations;
- proposals concerning significant changes to the Academy; and
- other records of significant decisions where suitable for public disclosure.

Information that is confidential, relates to named individuals, contains personal data or is otherwise exempt from disclosure will not be routinely published.

Where possible, non-exempt information may be provided in redacted form.

### **Class Five – Our Policies and Procedures**

Current policies and procedures made routinely available may include those relating to:

- safeguarding and child protection;
- behaviour;
- anti-bullying;
- attendance;
- admissions;
- special educational needs and disabilities;
- equality;
- complaints;
- charging and remissions;
- curriculum;
- online safety and acceptable use;
- health and safety;
- data protection and privacy;
- CCTV;
- records management and retention;
- recruitment and employment, where appropriate; and
- other policies required to be publicly available.

Current public-facing policies will normally be available through the Academy website.

Internal employment, management, security or operational documents will not automatically be made publicly available simply because they fall within a broad policy category. Any request for such information will be considered under the relevant legislation.

### **Class Six – Lists and Registers**

This class covers currently maintained lists and registers that are suitable for public disclosure.

These may include, where held and appropriate:

- information contained in registers that the Academy is legally required to make publicly available;
- relevant curriculum information;
- information about the Academy's assets where appropriate;
- disclosure information where maintained and suitable for publication; and
- other registers required to be available for public inspection.

The Academy will not routinely publish information from registers where disclosure would compromise personal privacy, safeguarding, security or another legitimate interest protected by law.

The pupil attendance register is not included within this class.

Information about security arrangements, including detailed information that could compromise the effectiveness of CCTV or other security measures, will not be published where disclosure would create an unacceptable security or safeguarding risk.

### **Class Seven – The Services We Offer**

This class includes information about services provided by the Academy.

Information may include:

- curriculum provision;
- extra-curricular activities;
- breakfast, after-school or other extended-school provision;
- school clubs;
- newsletters and other publications;
- information for parents and carers;
- information about services for which a fee may be charged;
- support and services available to pupils and families; and
- other Academy services.

Information will normally be available through the Academy website or Academy office.

### **ADDITIONAL INFORMATION**

The Academy may proactively publish information that does not fall neatly within the seven classes above where it considers that publication supports openness and transparency.

This may include frequently requested information where proactive publication is likely to be useful to parents, carers and the wider public.

## **PART D – MAINTAINING THE SCHEME**

### **WEBSITE AND AVAILABILITY OF INFORMATION**

Wherever reasonably possible, information covered by the Publication Scheme will be made available through the Academy website.

Where information is not available online, a requester may contact the Academy office to ask whether it can be supplied electronically or in hard copy.

Where information is held on an external government or public-sector website, the Academy may provide a direct link to that information rather than duplicate it.

### **REVIEW OF PUBLISHED INFORMATION**

The Academy will regularly review the information made available through its Publication Scheme and Guide to Information.

Information will be updated where necessary and obsolete information will be removed or archived as appropriate.

Website links contained within or supporting the Guide to Information will be checked periodically to reduce the risk of links becoming outdated.

The Academy is not required to create information that it does not hold solely for the purpose of responding to an FOI request or populating the Publication Scheme.

## RESPONSIBILITIES

The **Board of Trustees** has overall responsibility for ensuring that the Academy meets its statutory responsibilities.

The **CoHeadteachers** are responsible for ensuring that appropriate arrangements are in place for the effective implementation of this policy.

All staff should:

- recognise that a written request for recorded information may constitute a valid FOI request even if it does not mention FOIA;
- forward requests promptly to the appropriate person;
- preserve information relevant to a request;
- assist with searches for information where required; and
- maintain appropriate confidentiality and information security.

Staff must not delete, alter or destroy information because it has been requested or because they believe it may be requested.

## RECORDS MANAGEMENT

Effective records management supports the Academy's ability to comply with information requests.

Records will be retained and disposed of in accordance with the Academy's Records Management and Retention Policy and applicable legal requirements.

Receipt of an information request does not require the Academy to retain every record indefinitely. However, information relevant to an active request, internal review, ICO investigation or legal proceedings must not be deliberately destroyed or altered.

## LINKS TO OTHER ACADEMY POLICIES

This policy should be read alongside, where relevant:

- Data Protection Policy;
- Privacy Notices;
- Records Management and Retention Policy;
- CCTV Policy;
- Safeguarding and Child Protection Policy;
- Complaints Policy;
- Charging and Remissions Policy;
- Equality Policy;
- Information Security / IT Acceptable Use Policy; and
- other relevant Academy policies and procedures.

## MONITORING AND REVIEW

This policy will normally be reviewed annually, or earlier where there is:

- a significant change to legislation;
- updated ICO or government guidance;
- a relevant ICO decision or regulatory development affecting the Academy; or
- a significant change to the Academy's arrangements.