

# Freedom of Information Procedures



Document Management	
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<b>Approved By:</b>	Board of Directors
<b>Responsible For:</b>	Company Secretary

Revision Log	
Date	Version No. Brief Detail of Change
October 2022	V1 - no changes
January 2025	V2 - Clarification of school days -vs- working days
January 2026	V3 - Scheduled review. Updated to include vexatious requests and exemptions

## Introduction

This document outlines Swale Academies Trust's commitment to the principles of openness and transparency by complying with the Freedom of Information Act 2000.

## How do I make a request?

You must make a Freedom of Information request in writing by letter or email.

You should include:

- *Your real name, or the name of the person or organisation you are acting on behalf of*
- *A contact address/email address*
- *A detailed description of the information you want, including dates if relevant*
- *Any preference for the format for receiving the information*

For **postal requests**, please send to the following address:

FOI Request  
Swale Academies Trust  
Ashdown House  
Johnson Road  
Sittingbourne  
Kent ME10 1JS

**Email requests** should be sent to: [enquiries@swale.at](mailto:enquiries@swale.at)

## How long does it take?

We will respond to your request within 20 school days, or 60 working days if this is shorter. The first day will be considered as:

- The first school/working day *after* the request is received; or
- When the clarification needed to answer your request has been received.

A 'school day' will be any day on which there is a session and the pupils are in attendance. This does not, therefore, include school holidays or staff development days (inset/teacher training days).

'Working days' means any day other than a Saturday, Sunday or public holiday.

## How much does it cost?

Swale Academies Trust reserves the right to charge for large, complicated or time consuming FOI requests and an estimation of costs will be provided.

The method of calculating charges is in accordance with the Freedom of Information and Data Protection (appropriate limits and fees) Regulations 2004.

When estimating the cost of complying with a written request for Information, the Trust will take into account the staff time involved in the following activities:

- Determining whether the information is held;
- Locating the information or a document that may contain the information;
- Retrieving and extracting the information, or a document that may contain the information.

The cost of the above activities will be calculated by applying an hourly rate of £25 per person, plus any relevant disbursements.

## Campaign requests

If the Trust receives two or more related requests within a period of 60 consecutive working days, from a person or different persons who appear to be acting in concert or in pursuance of a campaign, the costs of complying with the individual requests will be aggregated.

## Vexatious Requests

The Trust reserves the right to refuse any part of a request deemed vexatious, including the obligation to confirm or deny if the information exists. A request may be considered vexatious if:

- it is intended to cause disproportionate disruption or unjustifiable distress;
- it is unreasonable in nature, characterised by hostile or abusive tone;
- it is repetitive, seeking information that has already been provided;
- it is a speculative 'fishing expedition' requiring the extensive sifting of data without a clear or legitimate purpose.

## Exemptions

The Freedom of Information Act defines a range of exemptions that may be applied in order to refuse part or all of a request, including confirmation of whether or not the information is held.

Absolute exemptions include requests for information:

- that is already reasonably accessible;
- in court records;
- that includes personal data of living third parties where there is no lawful basis identifiable to share it;
- where information is provided to us by a third party and disclosure could lead to a breach of confidence.

Qualified exemptions include requests for information:

- intended for future publication;
- related to criminal investigations;
- that could prejudice law enforcement agencies;
- that could endanger a person's physical or mental health or safety;
- covered by legal professional privilege;
- that could prejudice commercial interests.

If an exemption is qualified, we will determine whether the public interest in applying the exemption outweighs the public interests in disclosure.

## Contact us

If you have any questions, concerns or would like more information about anything mentioned in this procedure, please contact the Company Secretary in the first instance: [enquiries@swale.at](mailto:enquiries@swale.at)

Our DPO service is provided by:

Invicta Law Ltd, 1 Abbey Wood Road, Kings Hill, West Malling, Kent, ME19 4YT [dpo@invicta.law](mailto:dpo@invicta.law)