

THE RISE TRUST



Freedom of Information Policy

Record of Updates

FREEDOM OF INFORMATION POLICY	
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5	September 2024	Charges increased
6	November 2025 (July 2026)	Reviewed using OneWest model policy (updated CEO name)

Policy summary

This policy provides The RISE Trust's standards which must be maintained to comply with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR). The policy also refers to further legislation where appropriate. Hereafter, unless otherwise specified, 'FOIA' encompasses FOIA and EIR.

The policy applies to all Trustees, employees, contractors, agents, consultants, partners or any other servants of the organisation, who manage and handle personal information held by, or on behalf of the organisation.

The RISE Trust is committed to implementing the provisions of FOIA and related legislation. The Act gives a right of access to both individuals and organisations to all types of recorded information held by the organisation. Information can be held in all types of format, including paper documents, electronic, visual and any other type of records that are held at the time of the request. FOIA also places certain obligations on the organisation in relation to datasets, which in this instance are collections of factual raw data gathered as part of delivering services and functions. FOIA does not require the organisation to create information to adhere to a request that it does not already hold.

This policy does not cover Subject Access Requests (requests for access to information about a living individual that could identify them). These requests are usually exempt from the FOIA under Section 40 and should be processed in accordance with the UK General Data Protection Regulation and the Data Protection Act 2018.

The Information Commissioner's Office (ICO) regulates FOIA in the UK and a copy of their guidance note about this legislation can be accessed at www.ico.org.uk.

Contents

Policy summary	2
Contents.....	3
1. Scope	4
2. Purpose	4
3. Introduction	4
4. Our obligations.....	5
5. Publication scheme	5
6. How to obtain information through the publication scheme.....	7
7. Requests for information	7
8. Exemptions	8
9. Roles and responsibilities	9
10. Training and awareness	10
11. Monitoring and review	10
12. Appendix A - letter	11

1. Scope

This policy applies to all employees, Trustees, contractors or any other servant of the organisation, who manage and handle personal information held by, or on behalf of the organisation.

It applies to all information the organisation holds at the time of the request, ie all the information created, received and maintained by staff and members of the organisation in the course of their work. Information can be held in all types of format, including paper documents, electronic, visual and any other type of records that are not about living individuals.

This policy does not cover Subject Access Requests (requests for access to information about a living individual that could identify them). These requests are usually exempt from the FOI Act under section 40 and should be processed in accordance with the UK General Data Protection Regulation.

2. Purpose

The purpose of this policy is to provide a framework to ensure that the organisation fully endorses and adheres to the principles of Freedom of Information defined in FOIA. Compliance with FOIA will be achieved by making sure that we have an up-to-date publication scheme and that requests for information are dealt with as set out in this policy.

Compliance with this policy will facilitate compliance with other information related legislation; this includes our Data Protection policy, Information Security policy, and Retention Schedule.

This policy is part of a suite of Information Governance policies.

3. Introduction

The RISE Trust is committed to implementing the provisions of FOIA. Since 1 January 2005 there has been a general right of access to all types of recorded information held by all public bodies, subject to certain exemptions, and a response is required within a set deadline. The Information Commissioner's Office (ICO) regulates FOIA in the UK and a copy of their guidance note about this legislation can be accessed at www.ico.org.uk. Recorded information includes paper records, emails, instant messenger, text messages, information stored on computer, audio or video cassettes, microfiche, maps, photographs, handwritten notes or any other form of recorded information. FOIA also places certain obligations on the organisation in relation to datasets, which in this instance are collections of factual raw data gathered as part of delivering services and functions. The section 45 code of FOIA gives recommendations for public authorities about their handling of requests.

The organisation already makes a considerable amount of information available to the public via its website.

Generally, requests for information need to be responded to within 20 working days. To ensure compliance, information needs to be well managed to enable us to determine if it

exists and be able to locate it promptly. The code of practice on the management of records under section 46 of FOIA provides guidance on practices to be followed.

All requests for information are recorded centrally by the CEO, with a unique identification reference number.

Our obligations

The RISE Trust will, through appropriate procedures and controls comply, with FOIA, and see this as an opportunity to enhance public trust and confidence.

The RISE Trust will seek to satisfy all FOIA requests promptly and within 20 working days. However, if necessary, this timescale will be extended to give full consideration to a Public Interest Test. If we do not expect to meet the deadline, we will inform the requestor as soon as possible of the reasons for the delay and when they can expect a reply.

The RISE Trust will continue to protect the personal data entrusted to us, by disclosing that information only in accordance with the provisions of Data Protection legislation.

The RISE Trust will maintain a comprehensive 'Publication Scheme' that provides information which is accessible without the need for a formal FOIA request.

The RISE Trust will provide advice and assistance to facilitate their use of FOIA. We will publish our procedures and assist requesters to clarify their requests, so that they can obtain the information that they require.

The RISE Trust will aim to supply the information in the requested format. Where the requestor asks for us to provide a response using a document attached to the email, we reserve the right to ask for the content to be submitted in the main body of the email as, in accordance with Information Security best practice, we are unable to open attachments sent by external email.

The RISE Trust will apply the exemptions provided in the Act; where qualified exemptions exist, we will disclose the information unless the balance of the public interest lies in withholding it. We will consult with third parties before disclosing information that could affect their rights and interests. However, as per FOIA, The RISE Trust must take the final decision on disclosure.

The RISE Trust will record all FOIA requests and responses and will monitor our performance in handling requests and complaints.

The RISE Trust will charge (where applicable) for information requests in line with the [Freedom of Information and Data Protection \(Appropriate Limit and Fees\) Regulations 2004](#).

We will adopt good information and record management practices in line with the Lord Chancellor's "[Code of Practice on The Management of Records](#)", as per Section 46 of the FOI Act.

The RISE Trust will ensure that all permanent and contract staff are aware of their obligations under FOIA and will include FOIA education in the induction of all new staff.

4. Publication scheme

The RISE Trust's Publication Scheme publishes information divided into the following classes, as recommended by the Information Commissioner (ICO) and follows the Model Publication Scheme [model-publication-scheme.pdf](#):

Who we are and what we do

The RISE Trust is a charitable company limited by guarantee. The directors of the company are also charity trustees for the purpose of charity law and under the company's articles are known as members of the management committee. Details of all trustees can be found on the websites of Companies House and the Charities Commission. The day-to-day responsibility of the services rests with the Chair of Trustees and Chief Executive Officer. We operate in partnership with other agencies such as Health, Social Services and local schools.

The RISE Trust provides services for children and young people in North Wiltshire and runs a pre-school in Chippenham.

What we spend and how we spend it

Financial information and current audited accounts can be found on the websites for Companies House and the Charity Commission.

What our priorities are and how we are doing

Performance data for The RISE Trust services and pre-school can be provided on request. Ofsted reports can be found on The RISE Trust website. The RISE Trust action plans are available from management staff and Trustees.

How we make decisions

Decisions are made in meetings of the Trustees and by senior managers in weekly meetings. Minutes of meetings are available on request from The RISE, The Oaks, Chippenham.

Our policies and procedures

Current policies are available on The RISE Trust website – www.therisetrust.org
They are all available on request.

Lists and registers

These can be found in our Retention Schedule.

The services we offer

Advice and guidance on children and parenting is available on The RISE Trust website and through social media. Information on individual children is only available to parents or guardians of that child.

The following information is not usually covered by the publication scheme:

- Information prevented from disclosure or by law or by an exemption under the FOIA or data protection legislation
- Information in draft form
- Information no longer readily available including that which has been archived or is difficult to access for similar reasons.

Any information held by The RISE Trust that is not published in the model ICO publication scheme can be requested, and its disclosure will be considered in accordance with the relevant legislation. Details of how to make such requests are available on the website: www.therisetrust.org in our Freedom of Information policy.

Section 19 of the FOI Act now means that The RISE Trust must publish any datasets released under the FOI Act in its Publication Scheme. The RISE Trust will also consider publishing electronic dataset information made available under the EIR in the same way. Where possible, these datasets will be made available in a form that is capable of re-use. Where The RISE Trust alone owns the Copyright of the dataset details of the terms under which the information can be re-used will also be advised in the Publication Scheme. Any regular datasets that it is reasonable for The RISE Trust to make will also be regularly added to the scheme.

5. How to obtain information through the publication scheme

Where possible, we will provide the information detailed in our Publication Scheme on our website. If this is not the case or if a copy in another format is required, we will advise how the information can be accessed in these other formats in the scheme.

If an appointment is required to view information, the organisation will provide details about how to make an appointment.

If the publication scheme or documents available through it are required in another form to comply with disability legislation, we will, if possible, provide the requested format. Information is generally published in the language in which it is held. If copies are requested in other languages, The RISE Trust will translate if legally required to do so.

6. Requests for information

The Act provides individuals and organisations, from anywhere in the world, with the right to requests access to information held by The RISE Trust. These are known within the organisation as FOI requests (although also encompassing requests made under EIR). The requester does not have to state that the request is being made under FOIA. Any request for information not able to be answered as part of normal day to day business, or where the requester asks for it to be handled under FOIA, will be treated as a potential FOIA request.

If we decide to deal with a request for information under another information request regime or as a combination of regimes, we will advise accordingly. An example is when a request for someone's own personal information is made under FOIA. In this instance, the request would be considered under the UK General Data Protection Regulation, and treated as a Data Subject Access Request.

A valid FOIA request must:

- Be in writing
- Provide enough information to determine the information requested, however there is no legal requirement to state why the information is required.
- Include the requester's name and either a postal or email address
- State whether the response should be in either hard copy or by email

Requests should be sent by email to danielleb@therisetrust.org, or in writing to

The RISE Trust
The RISE Trust Community Hub
The Oaks
Chippenham
Wiltshire
SN15 1DU

We aim to respond as soon as possible within the statutory time limits. However, this time may be extended if an exemption applies where we need to carry out a public interest test. Working days are considered to be any day other than a Saturday, Sunday, trust-published holiday or training days, Christmas Day, Good Friday, Boxing Day or a day which is a UK bank holiday under the Banking and Financial Dealings Act 1971. If we are unable to provide some or all of the information, we will explain why in writing within 20 working days, advising which exemption applies and why.

In instances where The RISE Trust believes information to be held by another public body it will advise the applicant with the name and contact details of the public authority to be contacted.

7. Exemptions

FOIA have a series of exemptions that may prevent the right of access of information and which therefore may prevent release including:

- Information already reasonably accessible to applicant by other means, ie on the website
- Information intended for future publication
- Environmental information
- Information provided in confidence

Some exemptions are “absolute” either in whole or part. This means that the requested information does not need to be disclosed under any circumstances. Others are “qualified” exemptions, which are also subject to a prejudice test either in whole or part. This means that a public interest test will be carried out, and the information will only be withheld if the public interest in not disclosing is greater than the public interest in disclosing.

Some of the qualified exemptions are also subject to a prejudice test, which must be carried out before the information can be considered exempt. This test considers whether harm will or is likely to be caused if the information is released.

Prejudice Tests are considered by the Qualified Person; for The RISE Trust, the Qualified Person is the Chair of Trustees / Chief Executive Officer. We will explain in our response if we have carried out a public interest or prejudice test and, if we are withholding information, why this is the case.

In some cases, if an exemption applies and permits it, we may also decide to not say whether hold we hold the requested information. This would be the case if, for example to say we hold the information would reveal something of the content. Again, we will explain this in our response.

8. Roles and responsibilities

The **RESPONSIBLE PERSON (CEO)** is the Senior Information Risk Owner (SIRO) for The RISE Trust and has the overall responsibility for FOIA in ORGANISATION. The role of the SIRO is to ensure that FOIA is managed effectively through continued implementation of this policy. The SIRO is also responsible for:

- Approving and promoting the implementation of the policy.
- Monitoring and reviewing the effectiveness of the policy.
- Ensuring that officers with responsibilities for FOIA functions are supported in their work in terms of commitment and resources.
- Ensuring that Freedom of Information is suitably recognised in the setting and monitoring of budgets.

It is the role of the **SENIOR LEADERSHIP TEAM** to manage the effective implementation of this policy. Their responsibilities are to:

- Include the roles and responsibilities of the FOIA representatives within current and future job descriptions.
- Ensure staff are trained to an appropriate level and aware of their responsibilities in compliance with the FoI Act and associated Codes of Practice, including ensuring requests are met within timescales.
- Maintain awareness for Freedom of Information in the course of The RISE Trust's business activities
- Ensure all staff adhere to the policy.
- Feedback on policy implementation.
- Recognise FOIA issues in service planning and resource allocation.

The **CEO** will oversee the day-to-day operation of FOIA procedures including:

- Managing all Freedom of Information requests, ensuring all requests are logged and acknowledged, and all information collated.
- Save and maintain all relevant documentation from each Freedom of Information requests into the relevant case file in compliance with S.46 of the FoI Act.
- Monitor requests to ensure deadlines for responses are met.
- Manage the content of the Freedom of Information public and staff webpages, including any relevant information about how to make a request, with contact details clearly stated on the website.
- Ensure the correct records management procedures are followed in accordance with Section 46 of the FOI Act.
- Consult with the CHAIR OF TRUSTEES for further advice and guidance including information about exemptions.

All staff, whether or not they create, receive or maintain information, have responsibilities under FOIA. It is the duty of the full ORGANISATION workforce to ensure they are fully aware of this policy and their responsibilities. All employees must:

- Complete the Freedom of Information training.
- Pass all FOIA requests immediately to the CEO for logging.
- Respond promptly when contacted for any information in response to a FOIA request.
- Ensure that records are maintained in accordance with The RISE Trust's Retention Schedule.
- Always provide an alternative contact email when Out of the Office.

9. Training and awareness

The Senior Leadership Team will need to ensure that Trustees and employees are appropriately trained and understand their responsibilities as set out in this policy. Staff should undertake refresher training annually.

Freedom of Information awareness training is included in our mandatory staff induction programme.

10. Monitoring and review

This policy is effective immediately.

This policy will be reviewed every two years or where necessary when there are changes to legislation.

Responsibility for this policy remains with the CEO.

[Your full address]
[Phone number]
[The date]

The RISE Trust
The RISE Trust Community Hub
The Oaks
Chippenham
Wiltshire
SN15 1DU

Dear Sir or Madam

Subject access request

[Your full name and address and any other details to help identify you and the information you want.]

Please supply the information about me I am entitled to under the Data Protection Act 1998 and General Data Protection Regulations 2018 relating to: [give specific details of the information you want, for example

- your personnel file;
- emails between 'A' and 'B' (between 1/6/16 and 1/9/18);
- your medical records (between 2016 & 2018) held by Dr 'C' at 'D' hospital;
- copies of statements (between 2016 & 2018) held in account number xxxxx).

If you need any more information from me, or a fee, please let me know as soon as possible.

It may be helpful for you to know that a request for information under the and General Data Protection Regulations 2018 should be responded to within 28 days.

If you do not normally deal with these requests, please pass this letter to your Data Protection Officer. If you need advice on dealing with this request, the Information Commissioner's Office can assist you and can be contacted on 0303 123 1113 or at ico.org.uk

Yours faithfully
[Signature]