

# Freedom of Information Policy

Approved by: Governors

Approved on: 19/06/2024

STA Contact: Headteacher

Revision due: 3 YEARS



## **1. Introduction**

The School is a “public authority”.

The Freedom of Information Act 2000 (FOIA) provides public access to information held by public authorities.

The Environmental Information Regulations 2004 (EIR) provides public access to environmental information as defined in the Regulations.

FOIA and EIR promote openness and transparency.

Information is provided in two ways:

1. It is mandatory to publish certain information (publication scheme); and
2. Any person is entitled to request information which subject to the application of any exemptions must be provided free of charge.

The Act does not give people access to their own personal data. Subject Access Requests are dealt with in accordance with the GDPR Policy.

## **2. Aim**

This Policy will ensure:

The School complies with its duties under the FOIA and EIR and handles requests under the correct regime.

The School has a system in place which will result in proactive publication of what information is available.

Any person knows they can make a request and who to contact.

All appropriate staff will be able to recognise and respond appropriately to a valid request for information.

That there is awareness amongst staff, contractors or others having contact with the School that the duties under FOIA and EIR may impact on the ability to guarantee confidentiality of information

## **3. Scope**

This Policy applies to:

All recorded information held by the School or by a third party on the Schools behalf.

Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

## **4. Roles and Responsibilities**

The Governing Body of the School has overall responsibility for ensuring compliance with the Freedom of Information Act. The Headteacher has day to day responsibility for FOI /EIR compliance and the Business Manager is the point of contact for enquiries.

All staff will be trained on recognising a request for information.

A designated member of staff is responsible for handling request for information.

Requests should be made to The School Business Manager.

## **5. Publication Scheme**

The School has adopted the Model Publication Scheme for Schools as approved by the Information Commissioner.

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## 6. Requests handling

The School will ensure that:

Advice and assistance is provided to the requestor if required.

Responses will be provided promptly and within the statutory time limit of 20 School days. A 'School' day will be any day on which there is a session and the pupils are in attendance. In the alternative the School will respond within 60 working days if that is shorter.

Information will only be withheld in accordance with the exemptions specified by legislation. The reasons for applying the exemption will be provided to the requester.

Care will be taken to ensure that personal data is not unlawfully disclosed in response to a request for information made under FOIA or EIR.

Information provided to the School from third parties may be the subject of a request for information. In considering whether exemptions apply, the School will seek to consult with the third party but the legal responsibility for deciding whether or not the information should be released rests with the School.

Any requests for internal reviews will be dealt with in accordance with the Schools Complaint Policy and will be responded to within twenty School days as recommended by the Information Commissioner.

If the School's original decision is upheld, then the School has a duty to inform the complainant of their right to appeal to the Information Commissioner's Office.

Appeals should be made in writing to the Information Commissioner and addressed to:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

## 7. Freedom of Information Act – Procedures

Copies of reference documents, such as policy statements and procedural guidance will be provided free of charge.

We will normally confirm within 5 working\* days whether or not we hold the information you request and, if we do, we will provide it within 20 working\* days.

\*Please note: Working days refers to term time only as contained in Statutory Instrument 3364.

Your request must be in writing (letter, email or fax) to ensure that we have a clear statement of what is requested.

In some circumstances we may withhold the information you have requested under one of the exemptions applicable under the legislation.

If you do not accept our reasons for declining to disclose the information requested you should write to the Chair of Governors at the school in the first instance. If you are not happy with their response, you may wish to contact the Information Commissioner at:

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The Information Commissioners Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone 0303 123 1113

or use the Web Chat form on the ICO Website

Whilst we will provide most information free of charge, we may charge a fee for photocopying/printing/faxing/postage of longer documents. If you ask for information in an expensive alternative format, we may charge for this, subject to legislation, such as the Disabilities Discrimination Act. (See '**Charges**' below).

If we intend to charge for the provision of information, we will tell you in advance what the charge will be (through a fees notice) and will provide the information when we receive payment (cash or cheque). The time allowed for us to provide the information (20 working\* days) does not include the period between the issuing of the fees notice and the receipt of the payment.

We may be unable to provide the information you request for any for the following reasons:

- We do not hold the information
- We are applying an exemption to the disclosure
- It would cost the School more than £450.00 to provide the information (this figure is set by Government and is based on the work exceeding 18.5 man hours to gather the information).

If we are unable to provide the information we will do all we can to advise you as to how you might obtain the information elsewhere or in a different way to keep the cost down.

## **8. Charges**

The general charge for photocopying, printing and faxing or emailing information as an attachment is 10p per sheet for black and white and 15p per sheet for colour. Postage charges will be at the appropriate rate. For more substantial items, the fee charged depends on whether we estimate that it would cost more or less than £450.00 to provide the information.

In the vast majority of cases the cost will be under £450.00 and we will then charge only for photocopying, printing, faxing and postage. We may also charge for any work required to put the information into the required format, which could involve, for example:

- summarising the information;
- putting the information onto CD, video or audio cassette;
- translating the information into a different language.

We will not normally charge for providing information in an alternative format where this is requested on grounds of disability.