



# Freedom of Information Policy and Publication Scheme

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Staff lead:	Rebecca Beaver
Approved by:	FGB

# **Freedom of Information Policy**

## **1. Introduction**

Chancel Primary School is committed to the Freedom of Information Act 2000 and to the principles of accountability and the general right of access to information, subject to legal exemptions. This policy outlines our response to the Act and a framework for managing requests.

## **2. Background**

The Freedom of Information Act 2000 (Fol) came fully into force on January 1 2005. Under the Act, any person has a legal right to ask for access to information held by the school. They are entitled to be told whether the school holds the information, and to receive a copy, subject to certain exemptions.

The information which the school routinely makes available to the public is included in the Publication Scheme (see Appendix). Requests for other information should be dealt with in accordance with the statutory guidance. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information.

The Act is fully retrospective, so that any past records which the school holds are covered by the Act. The DfES has issued a Retention Schedule produced by the Records Management Society of Great Britain, to guide schools on how long they should keep school records. It is an offence to wilfully conceal, damage or destroy information in order to avoid responding to an enquiry, so it is important that no records that are the subject of an enquiry are amended or destroyed.

Requests under Fol can be addressed to anyone in the school; so all staff need to be aware of the process for dealing with requests. Requests must be made in writing, (including email), and should include the enquirers name and correspondence address, and state what information they require. They do not have to mention the Act, nor do they have to say why they want the information. There is a duty to respond to all requests, telling the enquirer whether or not the information is held, and supplying any information that is held, except where exemptions apply. There is no need to collect data in specific response to an Fol enquiry. There is a time limit of 20 days excluding school holidays for responding to the request.

For further information and guidance, see the DfES "Freedom of Information Act 2000 – A Guide for Maintained Schools on Full Implementation from January 2005." This can be found on [Teachernet](#), under Freedom of Information in the A-Z of School Leadership.

## **3. Scope**

The Fol Act joins the Data Protection Act and the Environmental Information Regulations as legislation under which anyone is entitled to request information from the school.

Requests for personal data are still covered by the Data Protection Act. (DPA). Individuals can request to see what information the school holds about them. This is known as a Subject Access Request, and must be dealt with accordingly.

Requests for information about anything relating to the environment – such as air, water, land, the natural world or the built environment and any factor or measure affecting these – are covered by the Environmental Information Regulations (EIR). They also cover issues relating to Health and Safety. For example queries about chemicals used in the school or on school land, phone masts, car parks etc.

would all be covered by the EIR. Requests under EIR are dealt with in the same way as those under FoIA, but unlike FoIA requests, they do not need to be written and can be verbal.

If any element of a request to the school includes personal or environmental information, these elements must be dealt with under DPA or EIR. Any other information is a request under FoIA, and must be dealt with accordingly.

#### **4. Obligations and Duties**

The school recognises its duty to:

- provide advice and assistance to anyone requesting information. We will respond to straightforward verbal requests for information, and will help enquirers to put more complex verbal requests into writing so that they can be handled under the Act.
- tell enquirers whether or not we hold the information they are requesting (the duty to confirm or deny), and provide access to the information we hold.

#### **5. Publication Scheme**

Chancel Primary School has adopted the Model Publication Scheme for Schools approved by the Information Commissioner.

The Publication Scheme and the materials it covers will be readily available, and is included as an appendix to this policy.

#### **6. Dealing with Requests**

We will respond to all requests in accordance with procedures. We will ensure that all staff are aware of the procedures.

#### **7. Exemptions**

Certain information is subject to either absolute or qualified exemptions. When we wish to apply a qualified exemption to a request, we will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information.

We will maintain a register of requests where we have refused to supply information, and the reasons for the refusal. The register will be retained for 5 years.

#### **8. Public Interest Test**

Unless it is in the public interest to withhold information, it has to be released. We will apply the Public Interest Test before any qualified exemptions are applied.

#### **9. Charging**

We reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450.

#### **10. Responsibilities**

The day-to-day responsibility for compliance with the FoIA lies with the Headteacher.

#### **11. Complaints**

Any comments or complaints will be dealt with through the school's normal complaints procedure. The school will maintain records of all complaints and their outcome.

If on investigation 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's office. They can be contacted at:

FOI/EIR Complaints Resolution  
**Information Commissioner's Office**  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

### **Equality Information**

This policy is underpinned by the Equality Information and Objectives Policy for Chancel Primary School which is available on request.

As a dyslexia friendly school we take into account the needs of children with specific learning difficulties.

This policy applies to the whole of Chancel Primary School, including the Early Years Foundation Stage.

The policy will be disseminated widely to all staff members, governors and parents and it will be reviewed every three years.

Approved by Governing Body (sign): \_\_\_\_\_

Dated: \_\_\_\_\_

## **APPENDIX 1 - The Freedom of Information Act 2000 Publication Scheme**

This model publication scheme has been prepared and approved by the Information Commissioner. It has been adopted without modification by Chancel Primary without further approval and will be valid until further notice.

This publication scheme commits a school to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the school. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits a school:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the school and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the school makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

### **Classes of Information**

*Who we are and what we do.*

Organisational information, locations and contacts, constitutional and legal governance.

*What we spend and how we spend it.*

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

*What our priorities are and how we are doing.*

Strategy and performance information, plans, assessments, inspections and reviews.

*How we make decisions.*

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

*Our policies and procedures.*

Current written protocols for delivering our functions and responsibilities.

*Lists and Registers.*

Information held in registers required by law and other lists and registers relating to the functions of the school.

### *The Services we Offer.*

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

### **The method by which information published under this scheme will be made available**

The school will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a school, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, the school will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where a school is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

### **Charges which may be made for Information published under this scheme**

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge. Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to

information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

### **Written Requests**

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

### **How to request information**

If you require a paper version of any of the documents within the scheme, please contact the school by telephone, email, fax or letter. Contact details are set out below –

Email: [headteacher@chancel.staffs.sch.uk](mailto:headteacher@chancel.staffs.sch.uk)

Tel: **01889 256137**

Fax: **01889 256138**

Contact Address: **Wolseley Road, Rugeley, Staffs., WS15 2EW**

### **Paying for information**

Single copies of information covered by this publication are provided free unless stated otherwise. If your request means that we have to do a lot of photocopying or printing, or pay a large postage charge, or is for a priced item such as some printed publications or videos, we will let you know the cost before fulfilling your request. Where there is a charge, this will be indicated by a £ sign in the description box.