

FREEDOM OF INFORMATION POLICY 2017/18

1 Introduction

- 1.1 One of the objectives of the Freedom of Information Act 2000 (referred to as FOIA in the remainder of this document) is that public authorities, including Academies, should be clear about the information that they will make public. This policy outlines the school's response to the FOIA.
- 1.2 FOIA provides the right, to any person, to ask for access to recorded information held by the school. They are entitled to be told whether the school holds the information, and to receive a copy of the information, subject to certain exemptions.
- 1.3 Information which the school intends to routinely make available to the public is included within its Publication Scheme ("the Scheme"). Requests for recorded information not contained within the Scheme shall be dealt with in accordance with statutory guidance.
- 1.4 Requests under FOIA 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 enquirer's name, and correspondence address and state the information they require. The enquirer does not have to mention the FOIA, nor do they have to say why they want the information.
- 1.5 The school is under 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 a time limit of 20 working days for responding to a request.
- 1.6 If any element of a request to the school includes the enquirer's personal data, or environmental information, these elements must be dealt with under the Data Protection Act 1998 or the Environmental Information Regulations 2004. Any other information is a request under FOIA and must be dealt with accordingly.

2 Aims and Objectives

- 2.1 The school aims to operate in an open and honest fashion, and to make available to parents, prospective parents and the wider community any information that, in the opinion of the Governing Body, will assist those inside and outside the school in their understanding of the ethos of the school and our hopes for our staff and students.

3. The Publication Scheme

3.1 The school has adopted the Model Publication Scheme for Schools approved by the Information Commissioner. <https://ico.org.uk/media/for-organisations/documents/1153/model-publication-scheme.pdf>

3.2 The Model Publication Scheme is informed by the Definition Documents for Schools in England <https://ico.org.uk/media/for-organisations/documents/1235/definition-document-schools-in-england.pdf>. The school will make information in this definition document available unless:

- it does not hold the information;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations 2004 exceptions, or its release is prohibited under another statute;
- the information is readily available and publicly available from an external website;
- the information is archived, out of date, or otherwise inaccessible; or
- it would be impractical or resource-intensive to prepare the material for routine release.

3.3 The classes of information available under the Model Publication Scheme are:-

- Who we are and what we do: organisational information, structures, locations and contacts
- What we spend and how we spend it: financial information about projected and actual income and expenditure, procurement, contracts and financial audit
- What our priorities are and how we are doing: strategies and plans, performance indicators, audits, inspections and reviews
- How we make decisions: decision making processes and records of decisions
- Our policies and procedures: current written protocols, policies and procedures for delivering our services and responsibilities
- Lists and registers: currently maintained lists and registers only
- The services we offer: information about the services the school provides, including leaflets, guidance and newsletters.

3.4 The School shall produce and publish the method by which specific information will be available so that it can be easily identified and accessed by members of the public.

4. Dealing with requests for information not within the Model Publication Scheme

4.1 The school shall respond to requests for information in accordance with the FOIA and the guidance of the Information Commissioner. It will consider if:-

- the request is valid under FOIA;
- it should be dealt with as an FOIA request;
- it is vexatious or repeated;
- the information sought can be identified;

- the information is held;
- there is a duty to confirm or deny;
- a public interest is to be applied;
- an exemption is to be applied;
- there is charge to be applied.

4.2 Certain information is subject to either absolute or qualified exemptions. Exemptions are listed at Part II of the FOIA, sections 21 to 44. The school will apply the exemptions in compliance with the FOIA and the guidance of the Information Commissioner.

4.3 The school recognises its duty to provide advice and assistance to anyone requesting information. It will respond to straightforward verbal requests for information, and will help enquirers to put more complex verbal requests into writing, or assist them in clarifying the information they seek.

5 Charging

5.1 The school reserves the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450.00.

6. Publication of staff and student information

6.1 Identification of staff:

Information regarding the home or family life of an individual, his or her personal finances or which consists of personal references will be afforded protection and held to be confidential. By contract, information which is about the Governing Body, Senior Management Team and Senior Post Holders acting in an official or work capacity will normally be provided to an enquirer upon request, unless there is a notified risk to the staff member concerned.

6.2 Identification of Governing Body:

The names of the Governing Body are placed within the public domain via the Register of Interests, Governing Body Minutes and via the Publication Scheme.

6.3 Register of Interests:

The Clerk to the Governing Body shall maintain a Register of Interests of the members of the Governing Body, the Senior Management Team, and all school staff with significant financial accountabilities as part of their remit. The Register is updated annually and shall be made available during normal office hours at the school to any person wishing to inspect it.

6.4 Identification of Students:

Information relating to students shall be afforded protection and held to be confidential in accordance with the Data Protection Act 1998, the principles of confidentiality and safeguarding.

7. Governing Body Confidential Minutes

- 7.1 Confidential information contained within the Governing Body Minutes and papers normally remain confidential for a period of six months after which such information may be released into the public domain. The Governing Body may, from time to time, determine in respect of specific issues that the period of confidentiality shall be for a longer period, or shall be indefinite, by producing minutes under Part II matters.

8. Complaints

- 8.1 Any comments or complaints will be dealt with through the school's normal complaints procedure. If upon investigation the school's original decision on a FOIA request is upheld, then the school will inform the complainant of their right to appeal to the Information Commissioner's Officer. Appeals should be made in writing to:

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

<https://ico.org.uk/concerns/>