

# Freedom of Information Policy



This policy applies to Lockington CE VC School

<b>Effective Date:</b>	February 2017
<b>Date Reviewed:</b>	February 2017
<b>Date Due for Review:</b>	February 2020
<b>Contact:</b>	Julie Cattle (Headteacher)
<b>Contact Number:</b>	01430 810240
<b>Approved By:</b>	Governing Body

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## **1. Introduction:**

The Freedom of Information Act 2000 (FOIA) regulates the right to obtain and publish information for schools under the control of the local authority. It states that public authorities, including schools, must be clear and proactive about information that they make public.

Academies are also under a duty to comply with the FOIA and academy trusts are to adopt a straightforward and clear approach to

This document covers information already published and information which is to be published in the future. We publish the majority of documents on our school website but they can also be made available in paper form.

The FOIA presumes openness. But it recognises the need to protect sensitive information in certain circumstances and provides for certain exemptions. Even where certain exemptions apply, information must still be released if it is in the public interest to do so.

## **2. This policy complies with:**

Freedom of Information Act 2000

Department for Education - Academies and Freedom of Information (Departmental Advice for Academies) January 2014

Data Protection Act 2000

## **3. Maintained Schools:**

We ask that all information requests be made in writing to the schools address, this will be provided at the end of the document as well as on the school website. All freedom of information requests should be clearly marked "**FREEDOM OF INFORMATION REQUEST**". We aim to acknowledge requests within five school days however the maximum amount of time we should take to respond it 20 days.

If there is any doubt on the scope of information requested clarification will be sought from the applicant. Requests will be responded to within the prescribed timescales. In some cases the disclosure of information may affect the rights of a third party. In such circumstances the school will ensure that disclosure of such information will be in line with FOIA and Data Protection legislation.

The FOIA recognises the need to preserve confidentiality of sensitive information in some circumstances and sets out a number of exemptions. There are only four reasons for not complying with a valid request for information under FOIA:

- The information is not held;
- The cost threshold is reached (£450);
- The request is considered vexatious or repeated;
- One or more of the exemptions apply (see later in document)

Where the school receives a request to be dealt with under FOIA and some or all of the information is not held by the school and it is believed that another public authority may hold that information,

then the school will ask the applicant if they wish the request to be transferred to the other authority once the information, held by the school has been disclosed. If the school is unable to facilitate the transfer of the request for information to another authority then, where possible, the applicant will be offered advice to enable him/her to pursue the request.

The school will comply with its obligations on requests transferred by another public body in the same manner it would had the request been received directly by the school.

#### **4. Academies (if relevant)**

From September 2010 for converting schools, and January 2011 for academies that opened before September 2010, there will be a legal right for any person to make a request to an academy for access to information held by that academy. Academies are under a duty to provide advice and assistance to anyone requesting information. Enquirers do not have to say why they want the information and the request does not have to mention FOIA. The request must be in writing, which includes fax or email.

The enquirer is entitled to be told whether the academy holds the information (this is known as the duty to confirm or deny) and, if so, to have access to it. Access can include providing extracts of a document or a summary of the information sought, or access to the original document. The FOIA recognises the need to preserve confidentiality of sensitive information in some circumstances and sets out a number of exemptions. There are only four reasons for not complying with a valid request for information under FOIA:

- The information is not held;
- The cost threshold is reached (£450);
- The request is considered vexatious or repeated;
- One or more of the exemptions apply (see later in document)

Academies will aim to respond to the applicant as soon as possible, but the maximum time limit for responding is 20 working days, this excludes non-school days. If we have been unable to respond during these 20 days, the applicant should telephone the school to chase up the request.

#### **5. Categories of Information:**

Who we are and what we do:

- School prospectus
- Website address
- Names of the board of governors
- Times of the school day and term dates
- Name of the head-teacher and senior leadership team
- Location and contact information

What we spend and how we spend it:

- Annual budget plan and financial statements

- Teachers pay document – note this will be a general list of the rates of pay and will not disclose salaries of individual teachers.
- School fund statements
- Three year financial plan

What our priorities are and inspection updates:

- Most recent OFSTED report
- Performance management policy
- Child welfare and protection policy
- Inclusion policy
- Health and safety inspection reports
- School facilities audit

How we make decisions:

- Admissions policy
- Minutes of Governing Body meetings and sub-committee meetings

Policies (these are examples, this list is not exhaustive):

- Attendance
- Capability of staff
- Whistleblowing
- Health and safety
- Anti-bullying
- Equality
- Individual curriculum policies, e.g. ICT, arts and literacy
- Charging and remissions

Non-curricular services:

- Breakfast club
- After school clubs
- Charity events
- Monthly and weekly newsletters

## **6. Exempt Information:**

Part 2 FOIA provides a list of situations where the school would be unable to comply with a request for information, some of the circumstances which are relevant to information published by the school are listed below.

- Where the information is reasonably accessible by other means.
- Where the information is intended for future publication and is in the stages of drafting.
- If the information would be likely to prejudice the economic and financial interests of the UK or part of the UK.
- If the information pertains to investigations and proceedings which are being conducted by the local authority.

- Disclosing information would endanger the physical or mental health of an individual or would endanger the safety of an individual.
- Where there is legal professional privilege.
- If the information would damage the commercial interests of the school.

## 7. Right of Access to Information:

In line with the FOIA and the Data Protection Act, there is a general right of access to information held by the school. Any person making a request for information to the school is entitled to be informed in writing, whether the school holds information of the description specified and, if so, to have the information communicated to them.

We will endeavour to ensure that all requests for information are dealt with promptly and effectively. However in some instances, the school may require more information to identify and locate the information which has been requested, any delay in access to information will always be communicated to the applicant.

## 8. Fees:

We do not normally charge for disclosing information but depending on the nature of the information we may charge a fee for obtaining it. This may be when the document is particularly long or when there needs to be photocopies of the document made. Where a fees notice has been given, we are not obliged to oblige with an information request, unless the fee has been paid within 3 months of the school giving notice of it.

## 9. Information Commissioner

It is the Information Commissioner's role to promote the protection and release of public information, when it is in the public interest. If parents/carers have any further questions about Data Protection or FOI requests, they may wish to contact the IC's office.

Helpline- 01625 545 745

Website- [www.ico.gov.uk](http://www.ico.gov.uk)

Postal address (England only)- Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

**Signed**

Headteacher		April 2017
Chair of Governors		April 2017

