Freedom of Information Policy

Approved by Governors: Summer 2024

To be reviewed: Summer 2027

Reviewed every three years

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Introduction

The Freedom of Information Act came into force fully on January 1 2005. This Act gives any person the right to ask a school for access to information which it holds. The aim of the FOI Act is to promote a culture of openness and accountability amongst public sector bodies.
The Act enables people to access information which does not fall either under the Data Protection Act of the Environmental Information Regulations 2004. (The Data Protection Act enables individuals to access information about themselves and the Environmental Information Regulations enables people to access information about the environment)

Section 1: Information Held (Scheme of Publication)

1.1 The following tables set out the information and records which are produced and kept by the school. Much of this information is sent / available to parents and falls into four broad categories:

School Prospectus
Governors' Documents
School Records and Policies
Other Information

1.2 School Prospectus – this section sets out information published in the school prospectus.

Class	Description
School Prospectus	The statutory contents of the school prospectus are as follows, (other items may be included in the prospectus at the school's discretion): 1. the name, address and telephone number of the school, and the type of school 2. the names of the head teacher and chair of governors 3. information on the school policy on admissions 4. a statement of The Federation of Great Ellingham & Rocklands Primary Schools ethos and values 5. the religious education provided, parents' right to withdraw their child from religious education and collective worship and the alternative provision for those pupils 6. information about the school's policy on providing for pupils with special educational needs 7. number of pupils on roll and rates of pupils' authorised and unauthorised absences 8. National Curriculum assessment results for appropriate Key Stages, with national summary figures

1.3 Governors' Documents

Class	Description
School Improvement Plan	This outlines the school's priorities and the time-scale for completion of tasks, together with success criteria
Instrument of Government	• The name of the school • The category of the school • The name of the governing body • The manner in which the governing body is constituted • The term of office of each category of governor if less than 4 years • The name of anybody entitled to appoint any category of governor
Minutes of meeting of governing body and its committees	Agreed minutes of meetings of the governing body and its committees *[current and last full academic school year]* **(*Personal information is exempt under the Data Protection Act)***

1.4 School Records and Policies - This section gives information about policies that relate to students, the school curriculum, and also individual pupil records

Class	**Description**
Home – school agreement	Statement of the school's expectations, the school's responsibilities, and the parental responsibilities
Curriculum	From September 2012 the curriculum to be taught in each year group will be available on the school's website.
Subject specific policies	Policies which outline the school's approach to the teaching of English, Mathematics, Science, ICT and Foundation subjects
Relationships and Sex	Statement of policy with regard to relationship & sex education
Special Education Needs Policy	Information about the school's policy on providing for students with special educational needs
Equality Scheme (incorporating how the school deals with prejudice-related discrimination)	Statement of measures the school has taken and intends to take to ensure equal access and opportunities for all and to ensure that discrimination – including prejudice-related discrimination - does not occur
Safeguarding (Child Protection Policy)	Statement of policy for Safeguarding and promoting the welfare of pupils at the school.
Use of Force and Restraint	Outlines the rights and responsibilities of staff relating to physical intervention
Behaviour and Anti- Bullying Policy	Positive behaviour policy and supporting appendices. Definitions of bullying, support and prevention strategies
Drugs and Alcohol Misuse Policy	Documents explaining the school's approach to dealing with any drug-related issue
Teaching and Learning Policy	Statement of policy with regard to Teaching and Learning strategies.
Assessment and Marking Policy	This policy outlines the school's approach to marking children's work and reporting on progress made
Health and Safety Policy (including risk assessments)	Outlines rights, responsibilities and procedures connected with Health and Safety
ICT	Details the school's expectations relating to the safe use of ICT, the school network and mobile phones
Attendance Policy	Outlines statutory responsibilities and the school's response
Pupil Records	Individual pupil records containing results of National tests, summative reports, correspondence with parents/guardians

1.5 Other information related to the school - This section contains information relating to staff and the school in general

Class	Description
Published reports of Ofsted referring expressly to the school	Published report of the last inspection of the school and the summary of the report
Information for Parents	Regular newsletters giving general information such as dates and contacts
Performance Management Policy	Statement of procedures adopted by the governing body relating to the performance management of staff
Governors' Visiting Policy	Outlines the agreed protocols for Governors visiting the school and how this links with the statutory requirements to monitor and evaluate
Continuing Professional Development	Details available upon request, unless relating to a specific individual's development whereby data protection laws takes precedence
Induction of NQTs and new staff	Documents the support and induction programme for staff who are new to the school
Leave of Absence Policy	This outlines statutory entitlements and the governors' agreed approach to leave of absence for staff (teaching and non-teaching)
Freedom of Information Policy	Detailing the information held and the school's responsibilities to requests for information

Section 2: The School's Responsibility

2.1 Schools are under a duty to provide advice and assistance to anyone requesting information and the enquirer is entitled to be told whether or not the school holds the information (except where certain exemptions apply)

2.2 Once the request for information is in writing, the school has 20 school days in which to reply

2.3 Where the information requested contains personal details of a third party, these must be removed in line with the Data Protection Act and the General Data Protection Regulation before a reply is sent

Section 3: Requests for Information

3.1 Requests for information must be made in writing enclosing a name and correspondence address. A request for information can be made by letter or e-mail, but must give a clear indication of the information which is being sought

3.2 The request for information can be made to any member of the school staff (teaching or non–teaching) and should be forwarded to the Headteacher as soon as possible

3.3 If the information requested is already held by another body, the school is within its rights to refuse the request, but will direct the enquirer to the appropriate source

Section 4: Responding to Requests

4.1 We will respond as follows:

- An acknowledgement letter /e-mail will be sent confirming whether or not the information requested is held by the school and can be disclosed (see exemptions)
- Our acknowledgement letter will indicate the fee to be charged, where applicable (postage, photocopying and staff-time)
- The twenty-day response time will operate from the point at which payment is **received** by the school
- The information requested will be provided in the form requested where this is "reasonably practical"
- If we refuse to provide information, reasons will be given for the refusal

4.2 Copies of the template letters are given in **Appendix B**

Section 5: Exemptions

5.1 There are four reasons for not responding to a request for information:

- the information is not held
- the cost threshold is reached
- the request is vexatious or repeated
- one or more exemptions apply

5.2 For the purposes of Freedom of Information, exemptions are as follows:

Absolute exemptions

- **the information is accessible by other means ie it already exists as part of a published policy or is provided by another body**
- **personal information** (this is covered by the Data Protection Act)
- **environmental information** (this is covered by the Environmental Information Regulations 1992)
- **information provided in confidence**
- **information prohibited from disclosure** (this is where the disclosure of information would be in breach of a court order or it would constitute a contempt of court)
- **information which deals with security matters**

Principal Qualified exemptions (the school will apply a public interest test in order to determine whether to confirm or deny that the information exists, or whether the information should be disclosed)

- **information intended for future publication** (ie it will be published at a particular point or is published annually)
- **investigations and proceedings conducted by public authorities** (information is exempt if it has at any time been held by the school for the purposes of criminal investigations or proceedings, such as determining whether a charged person is guilty, or investigations which may lead to a decision to institute criminal proceedings. The duty to confirm or deny does not apply to such information)
- **law enforcement:** information may be exempt if it is likely to prejudice:
    - the prevention and detection of crimes
    - the prosecution of offenders
    - the exercise of decisions relating to regulatory action
    - any civil proceedings brought by, or on behalf of the school
- **communications with the monarch**

- **health and safety** (where disclosure of information would or would be likely to affect the physical or mental well-being of any individual)
- **legal professional privilege** (any advice given by legal advisers, solicitors and barristers)
- **commercial interests** (information is exempt if it constitutes a trade secret or would be likely to prejudice the commercial interests of any person or body (including the school)
- **threshold fee** – where the estimated cost of complying with the request, including the cost of staff time to compile the information exceeds the threshold set (over £450)

Section 6: Key Personnel

6.1 Any member of the Federation of Great Ellingham & Rocklands School staff can accept a request for information as long as it fulfils the criteria set out in Section 3

6.2 The Governing Body is responsible for ensuring that a policy is in place and that its effectiveness is monitored; this includes providing a comprehensive Publication Scheme and Retention Policy

6.3 The School Secretary is responsible for recording the requests for information, the action taken and the responses made

6.4 The Headteacher has day to day responsibility for deciding whether a request is in line with the Freedom of Information Act and will delegate the collation of information appropriately

6.5 The governor with responsibility for the Freedom of Information Act will deal with any complaints which arise from the implementation of the policy

Section 7: Complaints

7.1 Any complaint will be handled initially through the school's own internal procedures. In the first instance, the complaint should be made in writing to the Headteacher

7.2 If the complaint cannot be resolved by the Headteacher, it can be referred to the governor with responsibility for Freedom of Information. The governor with this responsibility is the Chair of Governors. Correspondence should be sent to the school

7.3 Following this, if the complaint remains unresolved, there is a right of appeal to an Information Commissioner and subsequently to an Information Tribunal

They can be contacted at:

Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

or

Enquiry/Information Line: 01625 545 700

E **Mail: publications@ic-foi.demon.co.uk.** Website :

www.informationcommissioner.gov.uk

Appendix A

Letter 1

Dear ……

Re: Freedom of Information Act

Following your recent request for information, I am pleased to confirm the details below:

- Information Requested:
- Name and address supplied:
- Fee payable:
- Acceptable payment options

Upon receipt of the fee, the information will be dispatched within 20 school days.

If you have any questions or queries regarding these details, please do not hesitate to contact the school.

Yours sincerely

Letter 2

Dear ……

Re: Freedom of Information Act

Thank you for your recent enquiry. We are, however, unable to respond to your request for the following reason(s):

(Reference made to Section 5)

If you have any questions or queries regarding these details, please do not hesitate to contact the school.

Yours sincerely