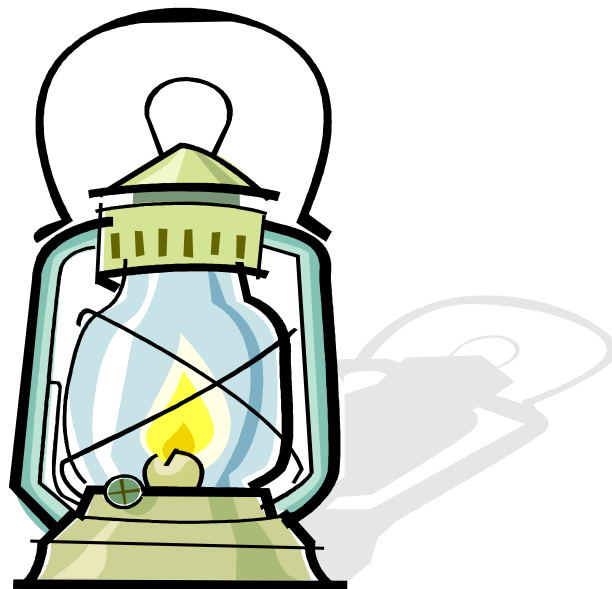




FREEDOM OF INFORMATION POLICY



“Shine like a lantern in the presence of the Lord.”


Approved by:	Head Teacher	Date: 04 – 09 – 2023
Signed		
Last reviewed on:	Autumn 2023	
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Name of School	St Bede's Catholic Primary School and Nursery
Policy review Date	Autumn 2018
Agreed by Governing Body	29 th November 2018
Date of next Review	Autumn 2020

FREEDOM OF INFORMATION POLICY

1. INTRODUCTION

2. St Bede's Catholic Primary School & Nursery is committed to transparency and improving accountability and fully supports the aims of the Freedom of Information Act 2000.
3. The Freedom of Information Act 2000 (The Act) came into force on 1st January 2005.
4. The Act provides public access to information held by public authorities and requires them to publish certain information about their activities.

It does this in two ways:

- a) Public Authorities are obliged to publish certain information about their activities; and
- b) Members of the public are entitled to request information from public authorities.

The Freedom of Information Act may work alongside other laws. These include:

- Environmental Information Regulations 2004
 - Data Protection Act 2018
 - Infrastructure for Spatial Information in the European Community Regulations 2009
 - Access to Health Records Act 1990
 - Local Government Acts
 - Education (Pupil Information) Regulations
5. The Act covers recorded information that is held, which may include printed documents, computer files, letters, emails, photographs and sound or video recordings. It does not include personal data (information regarding the individual making the request or another person) as this is covered by the Data Protection Act 2018.
 6. Anyone can request information by writing to the School (letter or email or online form) and it will be provided to them in a suitable format (subject to any exemptions that may be applied). There is no formal application procedure.
 7. Where the information is a dataset, it should be provided in a format which is suitable for re-use (i.e. CSV file).

OUR POLICY

St Bede's Catholic Primary School & Nursery will comply with the Act in the following way:

1. The school will maintain a publication scheme, detailing the information that is routinely made available to the public, using the model provided by the Information Commissioner's office. The publication scheme is available as appendix 1 to this Policy.
2. The School will ensure that systems and procedures are in place to meet all the duties set out in the Act.
3. The Act covers all written requests for information received by the School (including emails and faxes). However, where a request is deemed to be an "ordinary" request, (usually where the information is readily available, e.g. the provision of a list of subjects taught by the school), this information will be provided and not logged as a Freedom of Information request.

4. Where a request asks for additional information, and is more complex in nature, this will be treated as a formal Freedom of Information request and will be logged and handled under Freedom of Information procedures.
5. Detailed guidance on Freedom of Information is published by the Information Commissioner's Office (ICO) and is used as the basis of the School's policy and procedures. A copy of the latest version of the Guide to Freedom of Information can be found on the Information Commissioner's website. The School will handle all requests for information in line with the latest guidance issued by the Information Commissioner's office.
6. This means that we will
 - Acknowledge receipt of your request promptly.
 - Identify, collect and provide the information you have requested as soon as possible and no later than **20 working days** after receipt of your request. If we do not hold the information, we will tell you.
 - Tell you if the request will incur a fee
 - Inform you of the reasons for refusing a request within **20 working days**.
 - Where we cannot provide a complete response, we will provide you with the information that we have – partial response.
 - Where the request is very broad we will contact you to ask for a more specific request
 - Keep you informed if there is a delay.
 - Undertake a review of your request if you are dissatisfied with the response or the way your request was handled.
7. All staff will be made aware of their responsibilities under the Act and training will be provided where needed.

2. COPYRIGHT

The Act does not affect copyright and intellectual property rights that give owners the right to protect their original work against commercial exploitation by others.

When giving access to information under the Act, conditions and restrictions cannot be placed on that access. However, a copyright notice can be included with the information disclosed, and a claim can be made in the courts if the requester or someone else uses the information in breach of copyright.

The ICO encourages public authorities to use the open government licence provided by the National Archives.

The Controller of Her Majesty's Stationery Office (HMSO) has developed this licence as a tool to enable Information Providers in the public sector to license the use and re-use of their Information under a common open licence. The Controller invites public sector bodies owning their own copyright and database rights to permit the use of their Information under this licence.

3. WHO CAN APPLY?

3.1 Anyone can make a request for information under the Freedom of Information (FOI) Act or Environmental Information Regulations (EIR) – they do not have to be UK citizens, or resident in the UK. Freedom of Information requests (FOI) and Environmental Information Regulations (EIR) requests can also be made by organisations (i.e. newspapers, charities, campaign group or company). Employees of a public authority can also make a request.

3.2 When a request is received, it is the School's responsibility to identify that a request has been made and handle it accordingly, under the correct legislation (see paragraph 1 above)

4. WHAT CAN BE REQUESTED?

- 4.1 The Act covers any **recorded information** that is held by a public authority in England, Wales and Northern Ireland, and by UK-wide public authorities based in Scotland. It is not limited to “official documents”. Recorded information includes:
- drafts;
 - printed documents;
 - computer files;
 - letters;
 - emails;
 - photographs;
 - sound, telephone or video recordings
- 4.2 The Act does not cover information that is in someone’s head, only that which is already available in a recorded form. Therefore, the School is not required to create new information or question staff who may know the answer.
- 4.3 Public authorities include government departments, local authorities, the NHS, state schools and police forces.
- 4.4 The Act covers information that is held on behalf of a public authority even if it is not kept on the authorities’ premises, for example, when public services are subcontracted to an external organisation.
- 4.5 The Act does not give people access to their own personal data (information about themselves). If a member of the public wants to see information that a public authority holds about them, it will be handled as a subject access request under the Data Protection Act 2018 (DPA).

5 HOW CAN A REQUEST BE MADE?

- 5.1 Requests for Information under the Freedom of Information Act must:
- Be made in writing (letter, email or via on line form)
 - Include the requester’s real name.
 - Include an address for correspondence (it need not be residential or work address – it can be any address that can be used to contact them, and can be either postal or email).
 - Describe the information requested.
- 5.2 If an applicant is unable to write their request, the authority is required to offer help and assistance; this may mean a staff member recording their verbal request in a written form on their behalf.
- 5.3 Requests for “environmental information” can also be made verbally.
- 5.4 When considering the requests received from the public, the School is required to act in favour of disclosure, unless there is a good reason not to. All requests for information must be treated equally, except under some circumstances relating to vexatious requests and personal data. The applicant does not have to give a reason for wanting the information, and all applicants should be treated equally, whether they are journalists, residents, MPs, public authority staff or foreign researchers. As a result, the Act is sometimes described as being “applicant and purpose blind”.
- 5.5 All information that is released should be considered as if it were being released to the world at large.
- 5.6 The School has **20 working days** to complete this process and is also required to provide advice and assistance to any applicant who seeks to make a request or who has made a request.

- 5.7 A request for information may only be refused where a **specified exemption applies**. Even where certain exemptions apply information may still be released if it is in the public interest to do so.
- 5.8 If an applicant is unhappy with a refusal, the way their request was handled or the information that was provided to them, they can ask for an internal review to be undertaken.
- 5.9 If they are still not happy following the outcome of the internal review, they then have the right to take the matter up with the Information Commissioner directly, and if that complaint is upheld there will be a Decision Notice issued against the School. The notice will also be published on the ICO website.

6. ACTIVE PUBLICATION OF INFORMATION

- 6.1 All public authorities are required to have a publication scheme detailing the information that is routinely made available to the public, and the Information Commissioner's Office has provided a model which must be used. See appendix 1 for St Bede's Publication Scheme.
- 6.2.1 The guidance is not definitive – public authorities are expected to provide as much information as possible on a routine basis.

7. HANDLING FREEDOM OF INFORMATION / ENVIRONMENTAL INFORMATION REQUESTS

- 7.1 The School has up to **20 working days** to respond to a Freedom of Information Request, and the Information Commissioner's Office expects that a **minimum of 85%** of requests should be answered within this time - frame. However, it is considered good practice to respond to requests as soon as possible, and the School strives to achieve a **100%** response rate within the timeframe.
- 7.7 If an applicant asks for an internal review because they are unhappy with the outcome of their request, this must be undertaken by a senior officer in the School Department who was not previously involved with the request.
- 7.8 Copies of information collected for responses to Freedom of Information requests should be kept for three complete calendar years and then disposed of in accordance with the document retention schedule. Unless there is a legal/statutory reason for keeping them as hard copies, they should be kept as electronic files.

Guide to Information available under the Publication Scheme

Information to be published	How the information can be obtained
Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only.	
Who's who in the school	Hard Copy and Website
Who's who in the governing body and the basis of their appointment	Hard Copy and Website
Instrument of Government	Hard Copy
Contact details for the Headteacher and the Governing Body (named contacts where possible with telephone number and email address (if used))	Hard Copy and Website
School Prospectus	Hard Copy and Website
School Session times with term dates	Hard Copy and Website
What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum	
Annual budget plan and financial statements	Hard Copy
Capitalised funding	Hard Copy
Additional Funding	Hard Copy
Procurement and projects	Hard Copy
Pay Policy	Hard Copy
What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current information as a minimum	
School profile <ul style="list-style-type: none"> Government supplied performance data The Latest OFSTED report Summary Full Report 	Hard Copy and Website
Performance management policy and procedures adopted by the governing body	Hard Copy
Schools future plans	Hard Copy
How we make decisions (Decision making processes and records of decisions) Current and previous three years as a minimum	
Admissions policy/decisions (not individual admission decisions)	Hard Copy and Website
Agendas of meetings of the governing body and sub-committees (if held)	Hard Copy
Agendas of meetings (as above) - this will exclude information that is property regarded as private to the meetings.	Hard Copy
Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only.	
School Policies including: <ul style="list-style-type: none"> Charging policy 	Hard Copy/Website

<ul style="list-style-type: none"> • Health and Safety • Complaints Procedure • Behaviour and Discipline Policy • Staffing structure implementation plan • Data Protection Policy inc. Information request handling • Equality and diversity (including equal opportunities) policies • Staff recruitment policies 	Hard Copy/Website Hard Copy/Website Hard Copy/Website Hard Copy/Website Hard Copy/Website Hard Copy/Website Hard Copy
Pupil and curriculum policies including: <ul style="list-style-type: none"> • Home-School agreement • Curriculum • PSHCE • Special education needs/inclusion • Accessibility • Race Equality • Collective Worship 	Hard Copy/Website Hard Copy Hard Copy/Website Hard Copy/Website Hard Copy Hard Copy/Website Hard Copy/Website
Records management and personal data policies, including: <ul style="list-style-type: none"> • Information security policies • Records retention destruction and archive policies • Data Protection (including information sharing policies) 	Hard Copy Hard Copy Hard Copy/Website
Charging regimes and policies. This should include details of any statutory charging regimes. Charging policies should include charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made and how they are calculated.	 Hard Copy/Website
Lists and Registers Currently maintained lists and registers only	
Curriculum circulars and statutory instruments	On inspection only
Disclosure logs	Hard Copy
Asset Register	Hard Copy
Any information the school is currently legally required to hold in publicly available registers (THIS DOES NOT INCLUDE THE ATTENDANCE REGISTER)	On inspection only
The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)	

Current information only	
Extra-Curricular activities	Hard copy and website
Out of School clubs	Hard copy and website
School Publications	Hard copy and website
Services for which the school is entitled to recover a fee, together with those fees	Hard copy and website
Leaflets, books and newsletters	Hard copy and website

All requests for information in writing to:
Headteacher
St Bede's Catholic Primary School & Nursery
Canon Avenue
Chadwell Heath
Essex RM6 5RR

APPENDIX 2

Charges for Accessing Personal Information

If a parent of a pupil makes a subject access request for personal information containing, in whole or part, the “educational record”, the amount that can be charged depends on the number of pages provided. The fees work on a scale basis as shown below –

Number of pages	Maximum Fee £
1-19	1
20-29	2
30-39	3
40-49	4
50-59	5
60-69	6

70-79	7
80-89	8
90-99	9
100-149	10
150-199	15
200-249	20
250-299	25
300-349	30
350-399	35
400-449	40
450-499	45
500+	50

Note: If a parent of a pupil makes a subject access request which does not include any information from the educational record, the maximum fee which can be charged is £10.

If a parent exercises their independent right to simply view the record this will be free of charge.