

Featherstone High School Freedom of Information Policy & Model Publication Scheme



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Non-Statutory Policy

Contents Page

Introduction	2
Part 1 – Freedom of Information Requests	1
Information relating to the Business of the School covers	1
Vexatious Requests	1
Fees	1
Time Limits	1
Third Party Data	2
Exemptions	2
Absolute Exemptions	2
Qualified Exemptions	2
Refusal	3
Part 2: Model Publication Scheme	3
Classes of information	3
Who we are and what we do	3
What we spend and how we spend it	3
What our priorities are and how we are doing	3
How we make decisions	4
Our policies and procedures	4
Lists and registers	4
The services we offer	4
Charges which may be made for information published under this scheme	4
Written requests	5
The Publication Schedule	5

Introduction

The Freedom of Information Act 2000 gives any member of the public the right to access official information from public bodies including schools. They are entitled to be told whether the school holds the information, and to receive a copy, subject to exemptions concerning sensitive information.

Schools are required to adopt the ICO's publication scheme that can be found in the latter half of this policy.

This policy compliments the school's Data Protection Policy.

Part 1 – Freedom of Information Requests

Requests under the Freedom of Information Act should be made to kthacker@featherstonehigh.ealing.sch.uk. However a request could be formally addressed to any member of staff.

Freedom of Information requests must be made in writing, (including email), include the applicant's name, a correspondence address (email addresses are allowed), and state what information they require.

There is a time limit of 20 school days (i.e. excluding school holidays) for responding to a request. If the School has asked for further information the time limit starts from the date that the School receives all information required in order to deal with the request.

Information relating to the Business of the School covers

- That which the school has created; or
- That which the school has received from another body or person; or
- That held by another body on the school's behalf.

The Act covers any information related to the business of the School held in any form including staff emails.

Unless the information requested is exempted from the FOI the school must confirm it holds the information. However, if the School does not hold the information requested, it has no duty to create or acquire it. If the information can be accessed through the Publication Scheme or on the School's website, the School will direct the enquirer to those sources.

Vexatious Requests

There is no obligation on the School to comply with vexatious requests. A vexatious request is one which is designed to cause inconvenience, harassment or expense rather than to obtain information, and would require a substantial diversion of resources or would otherwise undermine the work of the school. In addition, the School does not have to comply with repeated identical or substantially similar requests from the same applicant unless a reasonable interval has elapsed between requests.

Fees

The School may charge the applicant a fee for providing the requested information, usually photocopying, printing and postage costs. However it can charge for staffing costs if excessive administrative time is spent to respond to the request. More details on fees can be found on the ICO website. The applicant should be contacted in advance to discuss whether they would prefer the request to be modified to reduce costs incurred.

Time Limits

Compliance with a request must be within the time limit of 20 school days (this does not include the school holidays or weekends). Failure to comply could result in a complaint to the Information Commissioner's Office. The response time begins from the next working day after the request is received. If a qualified exemption applies the School will reply within 20 school days with a "reasonable" estimate of the date by which the (non-exempted) information will be provided. Where the School has notified the applicant that a charge is to be made, the time period stops until payment is received.

Third Party Data

Consultation of third parties may be required if their interests could be affected by release of the information requested. Release of personal information of third parties may breach the Data Protection Act. A redaction procedure may be followed to protect third parties.

Exemptions

The presumption of the Freedom of Information Act is that the School will disclose information unless the Act provides a specific reason to withhold it. The Act recognises the need to preserve confidentiality and protect sensitive material in certain circumstances. The School may refuse all/part of a request, if one of the following applies: -

1. There is an exemption to disclosure within the act;
2. The information sought is not held;
3. The request is considered vexatious or repeated; or
4. The cost of compliance is excessive.

There are two general categories of exemptions:-

1. **Absolute:** where there is no requirement to confirm or deny that the information is held, disclose the information or consider the public interest; and
2. **Qualified:** where, even if an exemption applies, there is a duty to consider the public interest in disclosing the information.

Absolute Exemptions

There are eight absolute exemptions set out in the Act. However the following are the only absolute exemptions which will apply to the School: -

- Information accessible to the enquirer by other means (for example by way of the School's Publication Scheme);
- National Security/Court Records;
- Personal information (i.e. information which would be covered by the Data Protection Act);
- Information provided in confidence.

Qualified Exemptions

- Information requested is intended for future publication (and it is reasonable for the applicant to wait until that information is actually published);
- Reasons of National Security;
- Government/International Relations;
- Release of the information is likely to prejudice any actual or potential legal action or formal investigation involving the School;
- Law enforcement (i.e. if disclosure would prejudice the prevention or detection of crime, the prosecution of offenders or the administration of justice);
- Release of the information would prejudice the ability of the School to carry out an effective audit of its accounts, resources and functions;

- For Health and Safety purposes;
- Information requested is Environmental information;
- Information requested is subject to Legal professional privilege; and
- For Commercial Interest reasons.

Where the potential exemption is a qualified exemption, the School will consider whether the public interest in applying the exemption outweighs the public interest in disclosing the information.

Refusal

If it is decided to refuse a request, the School will send a refusals notice, which must contain

- The fact that the responsible person cannot provide the information asked for;
- Which exemption(s) apply;
- Why the exemption(s) apply to this enquiry (if it is not self-evident);
- Reasons for refusal; and
- The School's complaints procedure.

For monitoring purposes and in case of an appeal against a decision not to release the information or an investigation by the Information Commissioner, the school must keep a record of all enquiries where all or part of the requested information is withheld and exemptions are claimed. The record must include the reasons for the decision to withhold the information.

Part 2: Model Publication Scheme

This model publication scheme has been prepared and approved by the Information Commissioner.

This publication scheme commits the trust 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 trust.

The scheme commits the trust:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by it and falls within the classifications below.
- To specify the information which is held by the trust 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 trust 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. To publish any dataset held by the trust that has been requested; and any updated versions it holds, unless the trust is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the trust is the only owner, to make the information available for re-use.

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 trust.

The services we offer

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

The trust will indicate clearly to the public what information is covered by this scheme and how it can be obtained. Where it is possible, information will be provided on our website. Where it is impracticable to make information available on the website or when an individual does not wish to access the information by the website, the trust 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 the trust 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 trust 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 in accordance with a published schedule 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 the trust 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.

The Publication Schedule

	Class of Information	Information available	How it can be obtained	Charge
1	Who we are and what we do	Who's who at the Grand Union Trust	websites	No charge
		Trust Membership and Governing bodies – names and contact details of the members / governors and the basis of their appointment	websites	No charge
		Instrument of Government – Funding Agreements	DfE website	No charge
		School staffing structure – names of key personnel	websites	No charge
		School Session times, term dates and holidays	websites	No charge
		Location & Contact information – address, telephone numbers & website	websites	No charge
		Contact details for the Head Teacher, Trust and Governing Bodies	websites	No charge
		School Prospectus	websites	No charge
2	What we spend and how we spend it	Statutory Accounts (annual financial statement)	Companies House & website	No charge No charge
		Details of capital funding allocated to the school along with information on related building projects and other capital projects or sources of funding for current year	Electronic copy through request to info@FHS.com	No charge

		Procurement and contracts	Electronic copy through request to info@FHS.com	No charge
		Pay Policy – statement on FHS / Woodlands policy and procedures	Hard copy	Schedule of charges
		Staff grading and structure	Hard copy	Schedule of charges
		Trust Members / Governors' allowances – details if allowances/expenses that can be claimed/incurred	Hard copy	Schedule of charges
3	What our priorities are and how we are doing	School Profile – government supplied data	Hard copy	Schedule of charges
		Latest Ofsted Report	Ofsted website	No charge
		Examination Results	Hard copy	No charge
		Performance Management Policy and Procedure	Hard copy	Schedule of charges
		Development Plans	Websites	No charge
		Safeguarding policies and procedures	Hard Copy	Schedule of charges
4	How we make decisions	Admissions Policy and Decisions (individual decisions not shared)	Websites	No charge
		Trust and Governing Body meeting agendas and minutes excluding confidential items	Hard Copy	No charge
5	Our policies and procedures	Trust Policies including: Accessibility Policy Behaviour Policy Careers Policy Charging Policy Child Protection Policy Complaints Procedure Curriculum Policy Data Protection and Retention Schedule Health and Safety and Risk Assessment Race Equality Policy Recruitment Policy Relationships, Sex and Health Education Policy SACRE and collective worship policy Special Needs Education Policy	Websites or Hard Copy	No charge

6	Lists and registers	Curriculum circulars and statutory instruments	Hard copy	Schedule of charges
		Disclosure Logs	Hard copy	Schedule of charges
		Asset Register	Hard copy	Schedule of charges
		Any information the Trust is currently legally required to hold in publicly available registers	Hard copy	Schedule of charges
7	The services we offer	Extra-curricular activities and Out of School Clubs	websites	No charge
		School publications	websites	No charge
		Services for which the Academy is entitled to recover a fee, together with those fees	websites	No charge
		Leaflets, booklets and newsletters	websites	No charge