

GIRLINGTON PRIMARY SCHOOL		Reviewed by
<b>Freedom of Information Policy</b>	Statutory S34	DH_____
Spring 2022		SBM_____
Review Date: Spring 2024		DPO _____

## Background

The Freedom of Information Act 2000 (FOIA) is legislation that requires schools to publish certain categories of information and entitles the general public to access other information held by our school (subject to certain exceptions) within an agreed timeframe. This policy applies to all information held by school regardless of how it was created or received, the method of recording (ie electronic, paper) or the age of the information. It includes information still held in draft format. A notable exception to this entitlement is personal information such as student and staff records, which is covered by the Data Protection Act 2018 and the school's data protection policy. If the data requested falls into this category, school may redact, or refuse to supply the information.

## Publication Scheme

One of the aims of the FOIA is that public authorities, including all maintained schools, should be clear and proactive about the information they will make public.

To do this the school produces a publication scheme, setting out:

- The classes of information that it publishes or intends to publish;
- The manner in which the information will be published; and
- Whether the information is available free of charge or on payment.

The scheme covers information already published and information which is to be published in the future. Some information that the school holds will not be made public, for example personal information. Wherever possible, the school will seek to publish this information on the school website at [www.newbyprimary.co.uk](http://www.newbyprimary.co.uk)

Maintained schools must publish certain information online. This is regularly updated by the DfE at <https://www.gov.uk/guidance/what-maintained-schools-must-publish-online>

The classes of information that the school undertakes to make available are organised into four broad topic areas:

<b>School Prospectus</b>	information published in the school prospectus on the school website.
<b>Governors' Documents</b>	information relating to Governors and Governors Meetings and in other governing body documents.
<b>Pupils and Curriculum</b>	information about policies that relate to pupils and the school curriculum.
<b>School Policies</b>	information about policies that relate to the school in general.

Further information is contained with Appendix A. Single copies of information covered by this publication will be provided free unless stated otherwise. If a parental request means that the school has a lot of photocopying or printing, or pay a large postage charge, or is for a priced item such as some printed publications or videos the school will let the parent know the cost before fulfilling the request.

### **Dealing with Requests**

All requests under the FOIA will be dealt with promptly, within the statutory timescale of no more than 20 working days. If, in exceptional circumstances, this cannot be met, we will write to the individual concerned with an explanation and a proposed timescale.

There is no requirement for requests to mention the FOIA and all requests in writing will be treated as FOIA requests. If the information falls within an area exempted within the FOIA, school will advise of this and offer assistance (such as offering such generic information as can be provided)

If there are repeated and vexatious requests for information, school will seek further advice and reserves the right to refuse to provide the information under such circumstances. In addition, school may refuse requests where the statutory maximum cost of provision (currently £450) would be exceeded. In these cases we would expect to enter a dialogue with the requester to reduce the scope and range of the request so some information can be provided.

Information will be provided free of charge but postage will be charged for if appropriate and applicable.

### **Checklist for action on receipt of a request for information**

- Decide whether the request is a request under DPA, EIR or FOI
- Decide whether the school holds the information or whether the request should be transferred to another body if the information is held by them
- Provide the information if it has already been made public

- Inform the enquirer if the information is not held
- Consider whether a third party's interests might be affected by disclosure and if so consult them
- Consider whether any exemptions apply and whether they are absolute or qualified
- Carry out a public interest test to decide if applying the qualified exemption outweighs the public interest in disclosing the information
- Decide whether the estimated cost of complying with the request will exceed the appropriate limit.
- If a request is made for a document that contains exempt personal information ensure that the personal information is removed by applying the redaction procedure
- Consider whether the request is vexatious or repeated

**Further provisions of FOIA** Schools are under a duty to provide advice and assistance to anyone requesting information.

The enquirer is entitled to be told whether the school holds the information (the duty to confirm or deny) except where certain exemptions apply.

A well managed records and management information system is essential to help schools to meet requests.

Requests should be dealt with within 20 days excluding school holidays.

Wilfully concealing, damaging or destroying information in order to avoid answering an enquiry is an offence. A valid FOI request should be in writing, state the enquirer's name and correspondence address and describe the information requested.

*Expressions of dissatisfaction should be handled through the school's existing complaints procedure.*

## **Exemptions and classes of information**

### *Third Party Information*

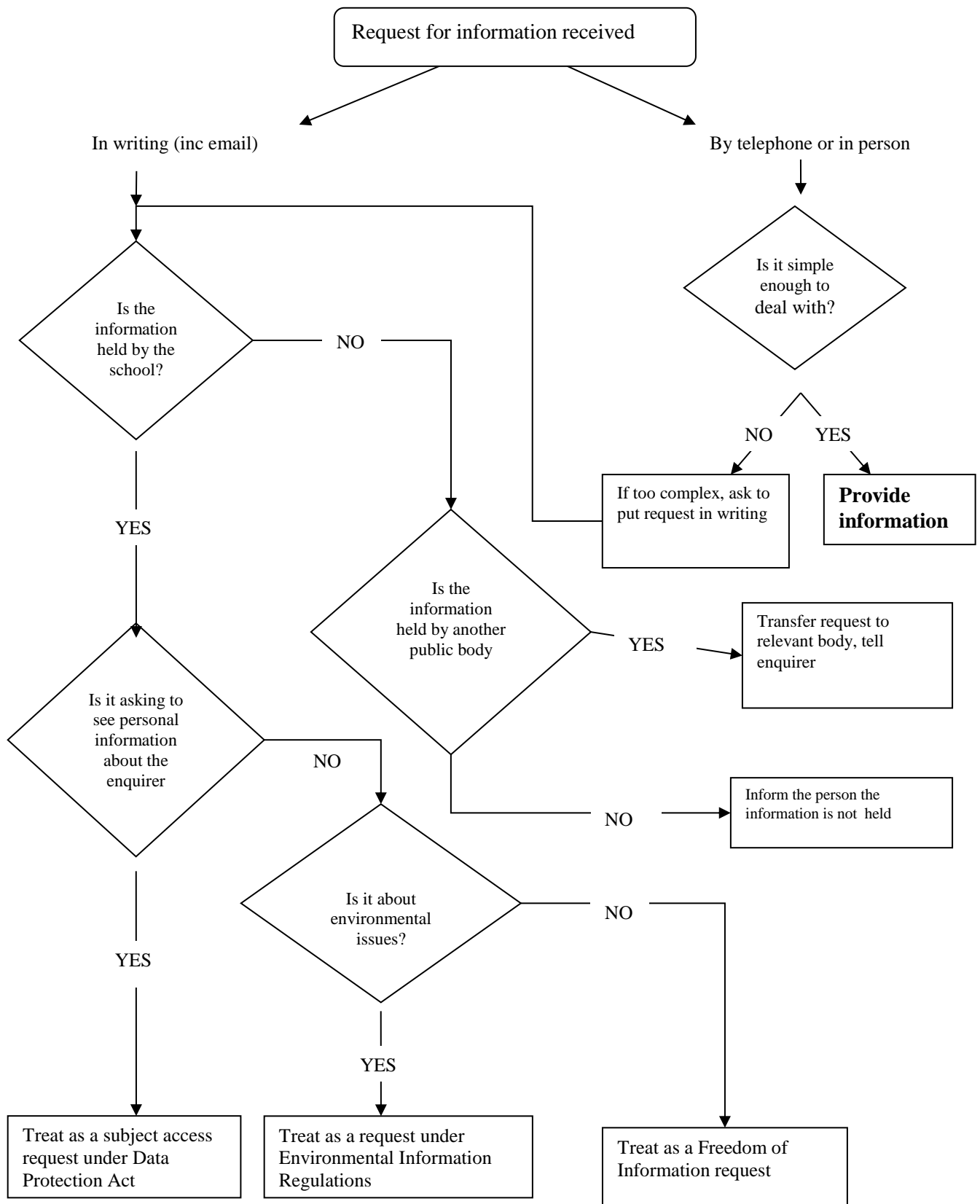
Consideration will be given to requests for third party information such as staff or personal data to avoid breaches of confidence and breaches of the Data Protection Act. In these circumstances, information will be withheld. This relates to any data related to a living individual classed as 'personal data' under the Data Protection Act 2018. If an individual can be identified when names are redacted, this information must be withheld.

### *Contractual information*

The school may withhold contractual information relating to suppliers if it could be treated as a breach of confidence. Any consideration of the release of information must be discussed with the relevant organisation, along with

consideration of the FOIA exceptions which cover commercial confidentiality, such as FOIA Awareness Guide No 5. The school will consider each request in line with the regulations.

### Flow diagram for responding to a request for information



## Appendix A - Classes of Information Currently Published

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

Class	Description
<b>School Prospectus (on school website)</b>	<p>The statutory contents of the school prospectus are as follows, (other items may be included in the prospectus at the school's discretion):</p> <ul style="list-style-type: none"><li>• the name, address and telephone number of the school, and the type of school</li><li>• the names of the Headteacher and Chair of Governors</li><li>• information on the school policy on admissions</li><li>• the Ofsted report</li><li>• a statement of the school's ethos and values</li><li>• details of any affiliations with a particular religion or religious denomination, the religious education provided, parents' right to withdraw their child from religious education and collective worship and the alternative provision for those pupils</li><li>• information about the school's policy on providing for pupils with special educational needs</li><li>• information about the school's Pupil Premium policy and outcomes</li><li>• information about the use of the PE and Sport premium</li><li>• number of pupils on roll and rates of pupils' authorised and unauthorised absences</li><li>• National Curriculum assessment results for appropriate Key Stages, with national summary figures</li><li>• the curriculum</li><li>• the arrangements for visits to the school by prospective parents</li></ul>

**Information relating to the governing body**– this section sets out information published in the Governors' Annual Report and in other governing body documents.

Class	Description
<b>Governors' Information</b>	<p>Details of the structure and responsibilities of the Governing Body and it's committees</p> <p>Information about each Governor, including:</p>

	<ul style="list-style-type: none"> <li>• full name</li> <li>• date of appointment</li> <li>• term of office</li> <li>• business and financial interests</li> <li>• Who appointed them</li> <li>• Governance roles in other educational institutions</li> <li>• Material relationships between Governors and School Staff</li> <li>• Attendance record at GB and committee meetings over the last academic year</li> </ul> <p>The Governing Body also publish 'Impact summaries' on the school website which detail the actions taken by the Governing Body as part of their duties, and the subsequent impact they have had on school.</p> <ul style="list-style-type: none"> <li>•</li> </ul>
<b>Instrument of Government</b>	<ul style="list-style-type: none"> <li>• The name of the school</li> <li>• The category of the school</li> <li>• The name of the governing body</li> <li>• The manner in which the governing body is constituted</li> <li>• The term of office of each category of governor if less than 4 years</li> <li>• The name of any body entitled to appoint any category of governor</li> <li>• Details of any trust</li> <li>• If the school has a religious character, a description of the ethos</li> <li>• The date the instrument takes effect</li> </ul>
<b>Minutes <sup>1</sup> of meeting of the governing body and its committees</b>	Impact summaries from each Governing Body meeting and access arrangements for minutes from specific meetings and sub committee meetings.

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<sup>1</sup> Some information might be confidential or otherwise exempt from the publication by law – we cannot therefore publish this

**Pupils & Curriculum Policies** - This section gives access to information about policies that relate to pupils and the school curriculum.

<b>Class</b>	<b>Description</b>
Home – school agreement	Statement of the school's aims and values, the school's responsibilities, the parental responsibilities and the school's expectations of its pupils for example homework arrangements
Curriculum Policy	Statement on following the policy for the secular curriculum subjects and religious education and schemes of work and syllabuses currently used by the school
Sex Education Policy	Statement of policy with regard to sex and relationship education
Special Education Needs Policy	Information about the school's policy on providing for pupils with special educational needs
Accessibility Plans	Plan for increasing participation of disabled pupils in the school's curriculum, improving the accessibility of the physical environment and improving delivery of information to disabled pupils.
Equalities Policy	Statement of policy for promoting equalities
Collective Worship	Statement of arrangements for the required daily act of collective worship
Safeguarding Policy	Statement of policy for safeguarding and promoting welfare of pupils at the school. <i>(from March 2004)</i>
Behaviour Policy	Statement of general principles on behaviour and discipline and of measures taken by the head teacher to prevent bullying.

**School Policies and other information related to the school** - This section gives access to information about policies that relate to the school in general.

<b>Class</b>	<b>Description</b>
Published reports of Ofsted referring expressly to the school	Published report of the last inspection of the school and the summary of the report and where appropriate inspection reports of religious education in those schools designated as having a religious character
Post-Ofsted inspection action plan	A plan setting out the actions required following the last Ofsted inspection and where appropriate an action plan following inspection of religious education where the school is designated as having a religious character
Charging and Remissions Policies	A statement of the school's policy with respect to charges and remissions for any optional extra or board and lodging for which charges are permitted, for example school publications, music tuition, trips
School session times and term dates	Details of school session and dates of school terms and holidays

Health and Safety Policy and risk assessment	Statement of general policy with respect to health and safety at work of employees (and others) and the organisation and arrangements for carrying out the policy
Complaints procedure	Statement of procedures for dealing with complaints
Performance Management of Staff	Statement of procedures adopted by the governing body relating to the performance management of staff and the annual report of the head teacher on the effectiveness of appraisal procedures
Staff Conduct, Discipline and Grievance	Statement of procedure for regulating conduct and discipline of school staff and procedures by which staff may seek redress for grievance
Curriculum circulars and statutory instruments	Any statutory instruments, departmental circulars and administrative memoranda sent by the Department of Education and Skills to the head teacher or governing body relating to the curriculum

Single copies are available from school free of charge and all information is contained within the school website.