



# Harting CofE Primary School

## Freedom of Information Policy

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Lead Member of Staff: School Bursar

Owner: Personnel Committee

Date Last Reviewed: January 2021

Date Last Revised: January 2021

Date Next Review: January 2024 or next model policy

Document Location: Staff 't' drive-policies from 2015 onwards-statutory and hardcopy in statutory policy file in school office

## **Introduction**

The School is a “public authority”.

The Freedom of Information Act 2000 (FOIA) provides public access to information held by public authorities.

The Environmental Information Regulations 2004 (EIR) provides public access to environmental information as defined in the Regulations.

FOIA and EIR promote openness and transparency.

Information is provided in two ways:

1. It is mandatory to publish certain information (publication scheme); and
2. Any person is entitled to request information which subject to the application of any exemptions must be provided free of charge.

The Act does not give people access to their own personal data. Subject Access Requests are dealt with in accordance with the Data Protection Policy.

## **Aim**

This Policy will ensure:

The School complies with its duties under the FOIA and EIR and handles requests under the correct regime.

The School has a system in place which will result in proactive publication of what information is available.

Any person knows they can make a request and who to contact.

All appropriate staff will be able to recognise and respond appropriately to a valid request for information.

That there is awareness amongst staff, contractors or others having contact with the School that the duties under FOIA and EIR may impact on the ability to guarantee confidentiality of information

## **Scope**

This Policy applies to:

All recorded information held by the School or by a third party on the Schools behalf.

Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

## **Roles and Responsibilities**

The Governing Body of the School has overall responsibility for ensuring compliance with the Freedom of Information Act. The Headteacher has day to day responsibility for FOI /EIR compliance and the bursar is the point of contact for enquiries.

All staff will be trained on recognising a request for information

A designated member of staff is responsible for handling request for information.  
Requests should be made to the school bursar (bursar@harting.w-sussex.sch.uk).

### **Publication Scheme**

The School has adopted the Model Publication Scheme for Schools as approved by the Information Commissioner (see appendix 1 below)

### **Requests handling**

The School will ensure that:

Advice and assistance is provided to the requestor if required.

Responses will be provided promptly and within the statutory time limit of 20 School days. A 'School' day will be any day on which there is a session and the pupils are in attendance. In the alternative the School will respond within 60 working days if that is shorter.

Information will only be withheld in accordance with the exemptions specified by legislation. The reasons for applying the exemption will be provided to the requester.

Care will be taken to ensure that personal data is not unlawfully disclosed in response to a request for information made under FOIA or EIR.

Information provided to the School from third parties may be the subject of a request for information. In considering whether exemptions apply, the School will seek to consult with the third party but the legal responsibility for deciding whether or not the information should be released rests with the School.

Any requests for internal reviews will be dealt with in accordance with the Schools Complaint Policy and will be responded to within twenty School days as recommended by the Information Commissioner.

If the School's original decision is upheld, then the School has a duty to inform the complainant of their right to appeal to the Information Commissioner's Office.

Appeals should be made in writing to the Information Commissioner and addressed to:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

## Appendix 1: **FREEDOM OF INFORMATION ACT – HARTING School PUBLICATION SCHEME**

This model publication scheme has been prepared and approved by the Information Commissioner. The School has adopted it without modification.

This publication scheme commits the School to make information available to the public as part of its normal business activities.

The scheme commits the School:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the School and falls within the classifications below.
- To specify the information which is held by the School 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 (appendix 2)
- To review and update on a regular basis the information the authority 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 School that has been requested, and any updated versions it holds, unless the School 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 public authority is the only owner, to make the information available for re-use under a specified licence. The term „dataset“ is defined in section 11(5) of the Freedom of Information Act. The terms „relevant copyright work“ and „specified licence“ are defined in section 19(8) of that Act.

## 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 authority.
- **The services we offer**  
Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

## The method by which information published under this scheme will be made available

The School will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the School's capability information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by

the website, the School 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.

Obligations under equality 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 School 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 where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with either regulations made under section 11B of the Freedom of Information Act or other enactments.

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 School 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.

**Appendix 2 – Categories and ways information published:**

Based on WSussex County Council model policy and the Information Commissioner's model scheme of publication

## **Appendix 2 – Classes of information**

### **Who we are and what we do**

Organisational information, locations and contacts, constitutional and legal governance. Information on school website. Agreed governor meeting minutes available from clerk to governors

- **What we spend and how we spend it**

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts. Available from school bursar or comparative data via school website.

- **What our priorities are and how we are doing**

Strategy and performance information, plans, assessments, inspections and reviews. Governor minutes available from clerk to governors. Performance information on website, including inspection reports.

- **How we make decisions**

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations. Governor minutes available from clerk to governors

- **Our policies and procedures**

Current written protocols for delivering our functions and responsibilities. Policies in school office and key policies on school website.

- **Lists and registers**

Information held in registers required by law and other lists and registers relating to the functions of the authority. Held by school office

- **The services we offer**

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered. Prospectus and key information on school website.