



## FOREST BRIDGE SCHOOL

### **Freedom of Information Act School Policy**

#### **Responsibility**

The governing body is responsible for ensuring that procedures are in place to comply with Freedom of Information Act 2000 (FoIA), the Data Protection Act 2018 (DPA) and the Environmental Information Regulations 2004 (EIR)

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#### **1.Introduction**

Forest Bridge School is committed to transparency in its dealings with the public and fully embraces the aims of the Freedom of Information Act 2000, the Data Protection Act 2018 and the GDPR (General Data Protection Regulation) and to the principles of accountability and the general right of access to information, subject to legal exemptions. This policy outlines our response to the Act and legislation with a framework for managing requests.

The underlying principle of this policy is that the public have a right to access certain information about the schools activities, this does not give people the right to request personnel information, this is dealt with under GDPR and the Data Protection Act 2018 please refer to the schools Data Protection Policy. The School should seek to promote an open regime regarding access to information, subject to the exemptions contained within the relevant legislation.

## **2. Background**

The Freedom of Information Act 2000 (FoI) came fully into force on January 1 2005. Under the Act, any person has a legal right to ask for access to information held by the school. They are entitled to be told whether the school holds the information, and to receive a copy, subject to certain exemptions, Within twenty working days.

The information, which the school routinely makes available to the public, is on our website. Requests for other information should be dealt with in accordance with the statutory guidance. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information.

The Act is retrospective, so that any past records, which the school holds, are covered by the Act. The DfE has issued a Retention Schedule produced by the Records Management Society of Great Britain, to guide schools on how long they should keep school records.

Requests under FoI can be addressed to anyone in the school; so all staff are aware of the process for dealing with requests. Requests must be made in writing, (including email), and should include the enquirer's name and correspondence address, and state what information they require. They do not have to mention the Act, nor do they have to say why they want the information. There is a duty to respond to all requests, telling the enquirer whether the information is held, and whether the information is to be supplied, except where exemptions apply. There is a time limit of 20 days excluding school holidays for responding to the request. For further information and guidance, see the DfE "Freedom of Information.

## **3. Time Scales**

Freedom of Information requests should be dealt with within 20 working days, excluding school holidays.

Requests for personally identifiable information (subject access requests) should be dealt with, within 30 calendar days.

## **4. Delegated responsibilities**

Overall responsibility for ensuring that the School meets the statutory requirements of the FoIA, EIR and DPA lies with the Governors and the Chair of Governors has overall responsibility for information management issues. They have delegated the day-to-day responsibility of implementation to the Headteacher and DPO.

## **5. Scope**

All School staff are responsible for ensuring that they handle requests for information in compliance with the provisions of the various Acts, taking advice from the DPO where necessary.

## **6.Requesting information**

### **6.1 Procedures**

We will respond to all requests in accordance with the procedures laid down by the FOIA. We will ensure that all staff are aware of the procedures

### **6.2 Charges**

The FOIA contains provisions that permit charges to be made for responding to information requests. The Governing Body may charge a fee for complying with requests, as calculated in accordance with FOIA regulations. If a charge is to be made, the School will give written notice to the applicant before supplying the information requested.

The school reserves the right to refuse to supply information where the cost of doing so exceeds the statutory maximum.

### **6.3 Publication**

School has adopted the Model Publication Scheme for Schools approved by the Information Commissioner.

If a FOI request has been upheld, it will then be published on the ICO (information Commissioner's Office) website,

## **7.Exemptions**

Certain information is subject to either absolute or qualified exemptions.

When we wish to apply a qualified exemption to a request, we will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information.

We will maintain a register of requests where we have refused to supply information, and the reasons for the refusal. The register will be retained for 5 years.

## **8.Public Interest Test**

Unless it is in the public interest to withhold information, it has to be released. We will apply the Public Interest Test before any qualified exemptions are applied.

## **9.Complaints procedure**

Any comments or complaints will be dealt with through the school's normal complaints procedure.

We will aim to determine all complaints within 10 days of receipt. The school will maintain records of all complaints and their outcome.

If on investigation 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's office. They can be contacted at:

FOI/EIR Complaints Resolution  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF