



**WOOD END  
INFANT SCHOOL**

## **Statutory Policy**

# **Freedom of Information Act and Publication Arrangements**

Committee with oversight for this policy – Resources	
Policy to be signed off by the Resources Committee	
Policy last reviewed by the Resources Committee	06/06/2016
Policy last ratified and adopted by the Resources Committee	06/06/2016
Policy / Document due for review	June 2020

Said Binani  
Vice Chair - Resources Committee  
6 June 2016

# *Wood End Infant School*

## *Freedom of Information Act*

### *Publication Arrangements*

The Governing Body of Wood End Infant School is responsible for ensuring the school complies with the Freedom of Information Act 2000 (FoIA). The Headteacher has responsibility for the day to day management of requests received under this Act.

This Policy should be read in conjunction with the Data Protection Policy.

#### **1. Introduction**

Wood End Infant School is committed to the Freedom of Information Act 2000 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 a framework for managing requests.

#### **2. Background**

The Freedom of Information Act 2000 came fully into force on 1<sup>st</sup> January 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.

The information which the school routinely makes available to the public is included in the Publication Scheme. (**Appendix 1**) 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 fully 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. (**Appendix 6**) It is an offence to wilfully conceal damage or destroy information in order to avoid responding to an enquiry, so it is important that no records that are the subject of an enquiry are amended or destroyed.

Requests under the FoIA should be addressed to the Headteacher, but all staff need to be aware of the process for dealing with requests. Requests must be made in writing, (this can be via e-mail), 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 or not the information is held, and supplying any information that is held, except where exemptions apply. There is no need to collect data in specific response to a FoIA enquiry. Information will usually be supplied promptly but must be provided within a time limit of 20 working days (excluding school holidays) from the date the request is received.

#### **3. Scope**

The Freedom of Information Act joins the Data Protection Act (DPA) and the Environmental Information Regulations (EIR) as legislation under which anyone is entitled to request information from the school.

Requests for personal data are still covered by the Data Protection Act (DPA). Individuals can request to see what information the school holds about them. This is known as a Subject Access

Request, and must be dealt with accordingly. Requests for information about anything relating to the environment – such as air, water, land, the natural world or the built environment and any factor or measure affecting these – are covered by the Environmental Information Regulations (EIR). They also cover issues relating to Health and Safety. For example queries about chemicals used in the school or on school land, phone masts, car parks etc would all be covered by the EIR. Requests under EIR are dealt with in the same way as those under FoIA, but unlike FoIA requests, they do not need to be written and can be verbal.

If any element of a request to the school includes personal or environmental information, these elements must be dealt with under DPA or EIR. Any other information is a request under FoIA and must be dealt with accordingly.

#### **4. Obligations and Duties**

The school recognises its duty to:

- Provide advice and assistance to anyone requesting information. We will respond to straightforward verbal requests for information, and will help enquirers to put more complex verbal requests into writing so that they can be handled under the Act.
- Tell enquirers whether or not we hold the information they are requesting (the duty to confirm or deny), and provide access to the information we hold in accordance with the procedures laid down in **Appendix 2**.

#### **5. Publication Scheme**

A copy of the school's Publication Scheme and the materials it covers will be readily available from the School office. It will also be published on our website. ([www.woodendfirst.ealing.sch.uk](http://www.woodendfirst.ealing.sch.uk))

See **Appendix 1**.

#### **6. Dealing with Requests**

We will ensure that all staff are aware of the procedures but requests should be made in writing to the Headteacher. We will respond to all requests in accordance with the procedures laid down in **Appendices 1 and 2**.

#### **7. Exemptions**

Certain information is subject to either absolute or qualified exemptions. The exemptions are listed in **Appendix 3**.

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. **Appendix 3**.

We will maintain a register of requests where we have refused to supply information, and the reason 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. For information on applying the Public Interest Test see **Appendix 3**.

#### **9. Charging**

We reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450.

Information will normally be supplied free of charge however where significant costs are incurred, a charge will be made.

The school will calculate the costs, taking account of staff time, as well as direct costs, but if the total is less than the statutory maximum, a charge for direct costs (e.g. printing, postage etc.) will be made. If the cost exceeds the statutory maximum, the school does not have to respond, but may choose to do so, either charging for time and direct costs or not. As good practice we will contact the enquirer, and see if they wish to reduce the request, thus reducing the time and costs to below the maximum. **Appendix 4.**

## **10. Responsibilities**

Whilst the Governing Body has overall responsibility for ensuring the school complies with the Freedom of Information Act, day-to-day responsibility for compliance rests with the Headteacher.

The school has nominated Jackie Pusey to coordinate enquiries and be a point of reference for advice and training and will liaise with the Headteacher. **Appendix 5.**

## **11. Complaints**

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

We aim to determine all complaints within 20 working days of receipt. We will publish information on our success rate in meeting this target. 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 at:

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

## **APPENDICES**

<b>Appendix 1</b>	<b>Publication Scheme under FoIA</b>
<b>Appendix 2</b>	<b>Making a Request for Information</b>
<b>Appendix 3</b>	<b>The Public Interest Test</b>
<b>Appendix 4</b>	<b>Charges Under FoIA</b>
<b>Appendix 5</b>	<b>Checklist for Action under FoIA</b>
<b>Appendix 6</b>	<b>Retention Guidelines for Schools</b>

# Appendix 1

## Publication Scheme

The Governing Body of Wood End Infant School has overall responsibility for the Publication Scheme under the Freedom of Information Act 2000 (FoIA). The Headteacher has responsibility for the day to day implementation of this scheme within the school.

### **Introduction: what a publication scheme is and why it has been developed**

One of the aims of the Freedom of Information Act 2000 (which is referred to as FoIA in the rest of this document) is that public authorities, including all maintained schools, should be clear and proactive about the information they will make public.

To do this we have produced a publication scheme, setting out:

- *The classes of information which we publish or intend 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. All information in our school's publication scheme is either available on our website to download and print or available in paper form directly from the school. Some information which we hold may not be made public, for example personal information. This publication scheme is in line with the model scheme for schools approved by the Information Commissioner

### **Categories of information published**

The publication scheme guides you to information which the school currently publishes (or has recently published) or which will be published in the future - this is split into categories of information known as 'classes'. These are contained in section 5 of this scheme.

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

1. **School Website** - information published in the school website, both statutory and additional information.
2. **Governors' Documents** - information published in the Governing Body minutes and other governing body documents.
3. **School Policies** - information about policies and procedures that relate to the pupils and to the school in general.
4. **School Finance** - information on the income and expenditure of the school (Within Governing Body minutes)
5. **Other Services** - information on school extended services, school meals and newsletters.

### **How to request information**

If you cannot find the information required via the school website:

[www.woodendfirst.ealing.school.uk](http://www.woodendfirst.ealing.school.uk)

Please ask the school directly. You can contact the school by telephone, e-mail or letter.

Email: [admin@woodendfirst.ealing.sch.uk](mailto:admin@woodendfirst.ealing.sch.uk)  
Tel: 020 8422 5182  
Fax: 020 8422 6441  
Contact Address: **Wood End Infant School  
Whitton Avenue West  
Northolt  
Middlesex  
UB5 4LB**

If the school has the information, this can be requested **in writing** by letter or e-mail. To help the school process requests quickly, please clearly mark any correspondence "**PUBLICATIONS SCHEME REQUEST**" (in **bold CAPITALS**) and send to the Headteacher. The school aims to respond to requests promptly but will respond to all requests within 20 working days. (This excludes school holidays.) Access will usually be free unless several copies of the information are required or the administration time to retrieve this information is very lengthy. (See section 4 below).

### **Paying for information**

Single copies of information covered by this publication scheme will be provided free unless stated otherwise. If your request means that we have to do 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, we will let you know the cost before fulfilling your request. **See Appendix 4.**

Information published on our website is free, although you may incur costs from your Internet service provider. If you don't have Internet access, you can access our website using a local library or an Internet café.

### **Classes of Information Currently Published**

**School website** – the school website publishes statutory information required by the DfE and is updated accordingly, together with a range of information deemed to be useful for pupils, parents/carers, prospective parents/carers, Ofsted inspectors and prospective staff.

### **Instrument of Government**

- The name of the school.
- The category of the school.
- The name of the governing body.
- The manner in which the governing body is constituted.
- The name of any person entitled to appoint any category of governor.
- Details of any trust.
- If the school has a religious character, a description of the ethos of the school.
- The date the instrument takes effect.

**Minutes <sup>[1]</sup> of meeting of the Governing Body and its committees** - Minutes from governors board and committee meetings

<sup>[1]</sup> *Some information might be confidential or otherwise exempt from the publication by law - the school cannot therefore publish this.*

**School Policies** - This section gives access to information about school policies:

1. Capability policy
2. Charging and remissions policy
3. School Behaviour Policy
4. Sex education policy
5. Special educational needs policy
6. SEN Local Offer
7. Teacher appraisal
8. Teachers' pay policy
9. Health and safety policy
10. Data protection policy
11. Admissions policy
12. Accessibility plan
13. Behaviour principles written statement
14. Central record of recruitment and vetting checks
15. Complaints procedure
16. Freedom of Information publication scheme
17. Governors' allowances
18. Instrument of government
19. Medical Conditions Policy
20. Minutes of, and papers considered at, meetings of the governing body and committees
21. Premises management
22. Publication of equality information and objectives
23. Register of business interests of head teachers and governors
24. Register of pupil admissions
25. Register of pupils attendance
26. Staff grievance procedures
27. Child protection policy
28. Early Years Foundation Stage
29. Statement of procedures for dealing with allegations of abuse against staff
30. SFVS
31. Code of conduct
32. Disciplinary procedure
33. Exclusion of pupils
34. Medical capability procedure
35. Absence - guidance on management of absence
36. Flexible working policy
37. Harassment and bullying guidelines
38. Staff induction guidance and checklist
39. PPA Policy
40. Probation policy and procedure for school support staff
41. Recruitment and selection guidelines
42. Redundancies in schools
43. Whistleblowing
44. Terms of Reference
45. Attendance Policy
46. Emergency Management & Business Continuity Policy
47. Financial Administration Policy
48. Mission Statement / Vision
49. Assessment
50. Best value Statement
51. E Safety
52. English Policy
53. Handwriting Policy
54. Marking and Feedback Policy

55. Packed lunch Policy
56. Physical Activity Policy
57. Positive restraint Policy
58. Scheme of Delegation
59. Staff Expenses / Purchasing
60. Statement of Internal Control

## **6. Feedback and Complaints**

We welcome any comments or suggestions you may have about the scheme. If you want to make any comments about this publication scheme or if you require further assistance or need to make a complaint then initially this should be addressed to the Headteacher.

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made then this should be addressed to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom of Information Act 2000 and that deals with formal complaints. They can be contacted at:

***Information Commissioner,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF***

*or*

**Enquiry/Information Line: 01625 545 745  
E-mail: [publications@ic-foi.demon.co.uk](mailto:publications@ic-foi.demon.co.uk)**

## Appendix 2

See separate document:

### **Freedom of Information Act Making a request for information**

The Freedom of Information Act 2000 (FOIA) gives rights of public access to information held by public authorities. This guidance is for members of the public and explains how you can make a request for information to a public authority.

## **Appendix 3**

See separate document:

### **Freedom of Information Act Awareness Guidance No 3 The Public Interest Test**

The Information Commissioner's Office (ICO) has produced this guidance as part of a series of good practice guidance designed to aid understanding and application of the Freedom of Information Act 2000 (FOIA). The aim is to introduce some of the key concepts of FOIA and to suggest the approaches that may be taken in response to information requests.

## Appendix 4

### Charges made by Wood End Infant School for copies of documents and other information under the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

- **Website:**  
Access to the website is free of charge.
- **Email & attachments:**  
Free of charge unless otherwise specified.
- **Website printouts:**  
Printouts from the school website or external websites are not provided.
- **Copies of information by post:**  
Photocopies: A minimum charge of £1.50 for up to 10 pages of A4  
A minimum charge of £1.80 for up to 6 pages of A3  
Further pages are charged at:  
A4 pages at 10p per page (single sided)  
A3 pages at 20p per page (single sided)  
A2 pages at £1 per page (single sided)
- **Photocopies:**  
Information accessed in the school office can be viewed free of charge, photocopies can be made for 10 pence per A4 copy (and upwards of this charge as indicated in the scale of charges above). There is no requirement for a minimum charge as there is for material provided by post.
- **Postage:**  
For standard letters (first and second class) charges will not be made. For larger collections of material, postage will be charged for any item or items in excess of a cost of £2.
- **Copies of published materials:**  
Copies of chargeable publications are available on payment of the charge specified against that document on the website and in published catalogues. Postage for chargeable publications will generally be included within the cost of the item, or listed against that item on the website and in published catalogues.
- **Administration fees:**  
As referenced in the Fees Regulations, charges can be made for administration where a request will take over 18 hours of staff time. Such charges are calculated at £25 per hour. If the request will take 18 hours or more of staff time, the school may refuse on the grounds of excessive cost, or ask the applicant to pay in full before supplying the information.

## Appendix 5

### FREEDOM OF INFORMATION - 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 (still to be agreed but expected to be around £500)
- 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

#### **Remember**

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.

## **Appendix 6**

See separate document:

RECORDS MANAGEMENT SOCIETY OF GREAT BRITAIN

LOCAL GOVERNMENT GROUP

RETENTION GUIDELINES FOR SCHOOLS

Version 3.1