



Freedom of Information Policy

Date:
September 2022

Approved by:	Joe Creswick
Approval date:	September 2022
Due for review:	September 2023
Staff responsible for review:	Joe Creswick
Version number:	1



Introduction and Aims

1.1 The school will comply with:

- the terms of the Freedom of Information Act, 2000 and any other relevant legislation to ensure requests for access to information held by the school are treated in a manner that is fair and lawful;
- Central Bedfordshire council's advice and guidance; and
- information and guidance displayed on the Information Commissioner's website (see [here](#)).

1.2 This policy should be used in conjunction with the school's **internet use** and **data protection policies**.

The purpose of this policy

Data gathering and storage

2.1 Information will only be gathered and stored for specified purposes. In order to be able to respond to requests for information the school will implement effective records management policies to enable staff to identify whether data is held and, if it is, locate it quickly and easily.

2.2 The school's retention policies will be based on the guidance in the Information and Records Management Society's Records Management toolkit for schools and will be reviewed biennially in line with any updates to this toolkit.

2.3 Information held by the school will be regularly reviewed with a view to archiving or destruction, where appropriate.

3 Publication scheme

3.1 The school will adopt and publish the appropriate model publication scheme, as recommended by the DfE, Information Commissioner and Central Bedfordshire Council, and approved by school governors.

4 Dealing with requests for information

4.1 Any request for information is a request under the Freedom of Information Act. However, the school's governing body has taken the decision that it will not consider any request that forms part of the normal pattern of work to be a freedom of information request. Only those requests which are considered to be outside the normal remit of the service provided will be recorded as freedom of information requests.

4.2 The school will assist applicants in making their request to have access to information held by the school. Assistance will be given to applicants whose requests need to be transferred to another public authority (for example, another school, the council or a hospital).

4.3 The school will exercise its duty to confirm or deny the existence of requested data, subject to any exemptions that may apply.

4.4 The school will supply data requested within 20 working days (or in line with the Information Commissioner's current policy during school holidays), subject to any exemptions that may apply, and the estimated cost of complying with the request falling within the current defined charge limit. Any request for information will still be dealt with in compliance with the 20 (school) working day deadline, whether it is recorded as freedom of Information request or not.



4.5 If a response will take longer than 10 working days to respond an acknowledgement will be sent to the person making the request, informing them when the information will be supplied. We recognise this does allow the school to exceed the overall 20 (school) working day deadline.

4.6 The charge limit is currently £450, calculated at 18 hours work at a flat rate of £25 per hour, as set by government statute. If the estimated cost of complying with the request does not exceed this amount the school is not entitled to, and will not, make a charge for fulfilling the request.

4.6 The designated member of staff will be responsible for ensuring requests are fulfilled within the stipulated deadline and recording details of the request on the school's tracking database. The designated member of staff is Hannah Doran, School Business Manager.

4.7 Persons requesting data will be supplied with a copy of our complaints procedure upon request. Any complaints regarding a freedom of information request must firstly be addressed by the school. If, once we have had opportunity to reconsider our decision, we believe the initial response was correct, the applicant shall be entitled to take the matter to the Information Commissioner's Office and, ultimately, to the Information Tribunal.

4.8 Copies of data supplied will be retained for two years from the date it was put into the public domain.

5 Applying exemptions

5.1 A full list of exemptions can be found at the Information Commissioner's website. There are two types of exemption – absolute and qualified. In practice there are very few which are likely to be applied by the education sector.

5.2 The decision to apply absolute exemptions will not be taken by individual members of staff but by a constituted group of at least three of the following: the chair of governors, other governors, the head teacher or the deputy head teacher.

5.3 The decision to apply qualified exemptions will not be taken by individual members of staff but by a constituted group of at least three of the following: chair of governors, other governors, head teacher, deputy head teacher. Even if the group decides information should not be disclosed, a public interest test will be carried out when applying qualified exemptions, to decide whether the public interest in disclosure outweighs the objection to disclosure. If it does the information must and will be disclosed.

5.4 Advice will be sought from Central Bedfordshire council's freedom of information officer if there is any doubt as to whether information should be disclosed. The council's website has comprehensive information and guidance on information governance – see [here](#).

6 Logging requests received

6.1 The school will keep a record of all requests received for monitoring purposes, noting the:

- date the request was received;
- name and contact details of the person or organisation making the request;
- date the request was fulfilled or refused;
- reason for any exemption being applied; and
- reason for any failure to meet the 20-day deadline.

Roles and Responsibilities



Legal Framework & Statutory Guidance

Links with other policies

Equalities and Inclusion

Safeguarding Implications