



Hoyle Court Primary School believes that every child is a learner and can achieve. Our family ethos ensures that everyone is welcomed, respected and valued. We strive to provide citizens of the future who are able to make a significant contribution to the community and to ensure that they are prepared for life in 21st Century Britain.

POLICY TITLE: Freedom of Information Policy and Publication Scheme		
COMPILED BY: Tim Phillips	DATE APPROVED: 27.4.18	DATE TO BE REVIEWED: 27.4.21

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Statement of intent

As an educational provider, our school has an obligation to publish a freedom of information statement, outlining how we will meet our duties under the Freedom of Information Act 2000 and associated regulations. The development and effective implementation of this policy fulfils that requirement.

More specifically, this policy outlines:

- How our school will respond to requests from individuals for access to information held about them.
- Our school's policy and procedures for the release and publication of private data and public records.
- Our school's policy and procedures for providing applicants with advice and assistance throughout the duration of their requests.

It also clarifies our position regarding the appropriate limit to the costs incurred by the school in obtaining any requested information, and on charging fees for its provision.

1. Legal framework

1.1. This policy has due regard to the following legislation:

- The Data Protection Act 1998
- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

1.2. This policy also has due regard to guidance, including, but not limited to, the following:

- Information Commissioner's Office 'Model publication scheme' 2016
- Information Commissioner's Office 'Duty to provide advice and assistance (section 16)' 2016
- Ministry of Justice 'Lord Chancellor's Code of Practice on the management of records issued under section 46 of the Freedom of Information Act 2000' 2009

1.3. This policy will be viewed in conjunction with the following other school policies:

- General Data Protection Regulations Policy

2. Accepting requests for information

2.1. The school will only accept a request for information which meets all of the following criteria:

- It is in writing
- It states the name of the applicant and an address for correspondence
- It describes the information requested

2.2. The school will publish details of its procedures for dealing with requests for information on the website in the form of this policy. The website includes:

- A contact address and email address
- A telephone number
- A named individual to assist applicants with their requests

3. General right of access to information held by the school

3.1. Provided that the request complies with [section 2](#) of this policy, the school will, no later than 20 working days from receipt of the request, comply with its duty to:

- Confirm or deny to any person making a request for information to the school, whether it holds information of the description specified in the request.
- Provide the documentation, if the school confirms that it holds the requested information.

3.2. The school will not comply with section 3.1 of this policy where:

- The school reasonably requires further information to meet a freedom of information request, has informed the applicant of this requirement, but was not subsequently supplied with that further information.
- The information 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.
- A request for information is exempt under Section 2 of the Freedom of Information Act 2000.
- The cost of providing the information exceeds the appropriate limit.
- The request is vexatious.
- The request is a repeated request from the same person made within 60 consecutive working days of the initial one.
- A fee notice was not honoured.

3.3. Where information is, or is thought to be, exempt, the school will, within 20 working days, give notice to the applicant which:

- States the fact.
- Specifies the exemption in question.

3.4. The information provided to the applicant will be in the format that they have requested, where possible.

- 3.5. Where it is not possible to provide the information in the requested format, the school will assist the applicant by discussing alternative formats in which it can be provided.
- 3.6. The information provided will also be in the language in which it is held, or another language that is legally required. If the school is required to translate any information, it will do so.
- 3.7. If, under relevant disability and discrimination regulations, the school is legally obliged to provide the information in other forms and formats, it will do so.

4. The appropriate limit

- 4.1. The school will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450.
- 4.2. When determining whether the cost of complying with a freedom of information request is within the appropriate limit, the school will take account only of the costs we reasonably expect to incur in relation to:
 - Determining whether it holds the information.
 - Locating the information, or a document which may contain the information.
 - Retrieving the information, or a document which may contain the information.
 - Extracting the information from a document containing it.
 - Costs related to the time spent by any person undertaking any of the activities outlined in section 4.2 of this policy on behalf of the school, are to be estimated at a rate of £25 per person per hour.
- 4.3. Where multiple requests for information are made to the school within 60 consecutive working days of each other, either by a single person or by different persons who appear to be acting in concert, the estimated cost of complying with any of the requests is to be taken to be the total costs to the school of complying with all of them.

5. Charging fees

- 5.1. The school may, within 20 working days, give an applicant who has requested information from the school, a written notice stating that a fee is to be charged for the school's compliance.
- 5.2. Charges may be made for disbursements, such as the following:
 - Photocopying
 - Postage and packaging
 - Costs directly incurred as a result of viewing information
- 5.3. Fees charged will not exceed the total cost to the school of:

- Informing the person making the request whether we hold the information.
- Communicating the information to the person making the request.

5.4. Where a fee is to be charged, the school will not comply with [section 3](#) of this policy unless the requested fee is paid within a period of three months, beginning with the day on which the fees notice is given to the applicant.

5.5. The school will not take into account any costs which are attributable to the time spent by persons undertaking any of the activities mentioned in section 5.3 above.

5.6. When calculating the 20th working day in which to respond to a freedom of information request, the period beginning the day on which the fee notice is given to the applicant and ending with the day on which the fee is received, will be disregarded.

6. Means by which communication is to be made

6.1. Where, on making a request for information, the applicant expresses a preference for communication by any one of the following means, the school will, as far as is practicable, give effect to that preference:

- The provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant.
- The provision to the applicant of a reasonable opportunity to inspect a record containing the information.
- The provision to the applicant of a digest, or summary of the information, in permanent form or in another form acceptable to the applicant.

7. Providing advice and assistance

7.1. The school will meet its duty to provide advice and assistance, as far as is reasonable, to any person who proposes to make, or has made, requests for information to the school.

7.2. The school may offer advice and assistance in the following circumstances:

- If an individual requests to know what types of information the school holds and the format in which it is available, as well as information on the fees regulations and charging procedures.
- If a request has been made, but the school is unable to regard it as a valid request due to insufficient information, leading to an inability to identify and locate the information.

- If a request has been refused, e.g. due to an excessive cost and it is necessary for the school to assist the individual who has submitted the request.

7.3. The school will provide assistance for each individual on a case-by-case basis; examples of how the school will provide assistance include the following:

- Informing an applicant of their rights under the Freedom of Information Act 2000
- Assisting an individual in the focus of their request, e.g. by advising of the types of information available within the requested category
- Advising an applicant if information is available elsewhere and how to access this information
- Keeping an applicant informed on the progress of their request

7.4. In order to provide assistance as outlined above, the school will engage in the following good practice procedures:

- Make early contact with an individual and keep them informed of the process of their request.
- Accurately record and document all correspondence concerning the clarification and handling of any request.
- Give consideration to the most appropriate means of contacting the applicant, taking into account their individual circumstances.
- Discuss with the applicant whether they would prefer to receive the information in an alternative format, in cases where it is not possible to provide the information requested in the manner originally specified.
- Remain prepared to assist an applicant who has had their request denied due to an exemption.

7.5. The school will give particular consideration to what level of assistance is required for an applicant who has difficulty submitting a written request.

7.6. In circumstances where an applicant has difficulty submitting a written request, the school will:

- Make a note of the application over the telephone and then send the note to the applicant to confirm and return – the statutory time limit for a reply would begin here.
- Direct the individual to a different agency that may be able to assist with framing their request.

NB. This list is not exhaustive and the school may decide to take additional assistance measures that are appropriate to the case.

- 7.7. Where an applicant's request has been refused either because the information is accessible by other means, or the information is intended for future publication or research, the school, as a matter of good practice, will provide advice and assistance.
- 7.8. The school will advise the applicant how and where information can be obtained, if it is accessible by other means.
- 7.9. Where there is an intention to publish the information in the future, the school will advise the applicant of when this publication is expected.
- 7.10. If the request is not clear, the school will ask for more detail from the applicant in order to identify and locate the relevant information, before providing further advice and assistance.
- 7.11. If the school is able to clearly identify the elements of a request, it will respond following usual procedures and will provide advice and assistance for the remainder of the request.
- 7.12. If any additional clarification is needed for the remainder of a request, the school will ensure there is no delay in asking for further information.
- 7.13. If an applicant decides not to follow the school's advice and assistance and fails to provide clarification, the school is under no obligation to contact the applicant again.
- 7.14. If the school is under any doubt that the applicant did not receive the advice and assistance, the school will re-issue it.
- 7.15. The school is not required to provide assistance where an applicant's request is vexatious or repeated, as defined under Section 14 of the Freedom of Information Act 2000.
- 7.16. The school is also not required to provide information where the cost of complying with a request exceeds the limit outlined in the Freedom of Information Act 2000. In such cases, the school will consider whether any information can be provided free of charge if the applicant refuses to pay the fee.
- 7.17. A record will be kept by the Headteacher of all the advice and assistance provided.

Publication scheme

The school will meet its duty to adopt and maintain a publication scheme which specifies the information which it will publish on the school website, and whether the information will be available free of charge or on payment. (See appendix)

The publication scheme will be reviewed and, where necessary, updated every three years.

This scheme follows the model approved by the Information Commissioner's Office and sets out the classes of information which we publish or intend to publish; the format in which the information will be made available and whether the information is available free of charge or on payment.

1. Classes of information

Information that is available under this scheme includes:

- Who we are and what we do
- What we spend and how we spend it
- What are our priorities are and how we are doing?
- How we make decisions
- Our policies and procedures
- Lists and registers
- The services we offer

Information which **will not** be made available under this scheme includes:

- 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, or notes, documents in older versions, emails or other correspondence.
- 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.

2. How to request information

Requested documents under this scheme will be delivered electronically where possible, but paper copies can be provided by contacting the school using the below contact details.

To enable us to process your request quickly, please mark all correspondence:

“FREEDOM OF INFORMATION REQUEST”

Documents can be translated under disability legislation into accessible formats where possible.

3. Charges

Documents contained in this scheme are free to view on the school website.

Single paper copies are also available free of charge to parents/carers and prospective parents/carers of the school.

Guide to information available from Hoyle Court Primary School under the model publication scheme

Information to be published	Where the information can be obtained
Class 1 - Who we are and what we do (Organizational information, structures, locations and contacts) This will be current information only.	School website
Who's who in the school	School website
Who's who on the governing body and the basis of their appointment	School website
Instrument of Government. This describes the number of governors on the governing body and their category.	Clerk to governors and school website.
Contact details for the Head teacher and for the governing body (named contacts where possible with telephone number and email address (if used))	School office –for Headteacher Clerk to governors – for governing body
Staffingstructure	School office / website
School session times and term dates	School office / website
Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum	
<ul style="list-style-type: none"> • Annual budget plan and financial statements 	School business manager
<ul style="list-style-type: none"> • Capitalized funding 	School business manager

<ul style="list-style-type: none"> • Pay policy 	Clerk to governors
<ul style="list-style-type: none"> • Governors' allowances 	Clerk to governors
<p>Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current information as a minimum.</p>	
<p>School performance:</p> <ul style="list-style-type: none"> • Government supplied performance data • The latest Ofsted report • Use of Pupil Premium funding 	<p>DfE website (www.education.gov.uk/schools/performance/) Ofsted Website School website</p>
Performance management policy and procedures adopted by the governing body.	Headteacher
Admissions policy (not individual admission decisions)	School website – current year / School office – previous two years
Agendas of meetings of the governing body and (if held) its sub-committees	School website / Clerk To Governors / Headteacher
<p>Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only</p>	

<p>School policies:</p> <ul style="list-style-type: none"> • Admissions policies • Charging and remissions policy • Health and Safety • Complaints procedure • Staff conduct policy • Staff discipline and grievance policies 	<p>School website or Headteacher</p>
<ul style="list-style-type: none"> • Equality and diversity (including equal opportunities) policies • Safeguarding policy and privacy notice to pupils • Supporting Children with Medical Conditions Policy • Staff Recruitment and Vetting Policy 	<p>School website or Headteacher</p>
<p>Pupil and curriculum policies, including:</p> <ul style="list-style-type: none"> • Home-school agreement (appendix within the school's 'Parents' Handbook') • Sex and Relationships Education Policy • Drugs Education Policy • Special educational needs • Accessibility • Equalities Information and Objectives • Behavior policy • Anti-bullying policy • Homework policy 	<p>School website</p>
<p>Records management and personal data policies, including:</p> <ul style="list-style-type: none"> • General Data Protection Regulations Policy • Retention of Records Policy 	<p>School website or Headteacher</p>
<ul style="list-style-type: none"> • Charges for pupils, e.g. cost of school meals, information on how to claim for free school meals, cost of Breakfast and After-School clubs, voluntary contributions for school trips. • Prices and terms & conditions for lettings 	<p>school office School Business Manager</p>
<p>Class 6 – Lists and Registers</p> <ul style="list-style-type: none"> • Currently maintained lists and registers only 	

<p>Curriculum circulars and statutory instruments: The government' Education policy frequently changes, and therefore statutory requirements and regulations are frequently updated. General information about the latest Education policy and regulations is available from the Department of Education website (www.education.gov.uk/)</p> <ul style="list-style-type: none"> • A list of current statutory information and governor approved policies is available on request from the clerk to governors. 	Headteacher
<ul style="list-style-type: none"> • Asset register 	School Business manager
<p>Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)</p> <ul style="list-style-type: none"> • Current information only 	(hard copy or website; some information may only be available by inspection)
<ul style="list-style-type: none"> • Extra-curricular activities 	School website/school office
<ul style="list-style-type: none"> • Out of school clubs 	School website
<ul style="list-style-type: none"> • School publications 	School website and/or school office
<ul style="list-style-type: none"> • Leaflets, books and newsletters 	School website and/or school office