

# CALSHOT PRIMARY SCHOOL

## Freedom of Information Policy



'At Calshot we aim to provide the highest quality of learning and care for ALL children in a safe and enjoyable environment, nurturing personal values, in partnership with parents, carers and the wider community. We expect everyone in our school to strive to achieve their full potential.'

## Calshot Primary School - Freedom of Information Policy

The school will comply with:

The terms of the Freedom of Information Act 2000, and any subsequent relevant legislation, to ensure all information held by the school is treated in a manner that is fair and lawful.

Birmingham's CYPF Directorate [advice and guidance](#).

Information and guidance displayed on the Information Commissioner's website [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

This policy should be used in conjunction with the school's *Internet and E-Mail User Policy* and *Data Protection Policy*.

### **Data Gathering and Storage**

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 record management policies to enable staff to identify whether data is held and, if it is, locate it quickly and easily.

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

### **Dealing with Requests for Information**

Theoretically, any request for information is a request under the Freedom of Information Act, however Birmingham City Council 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.**

Assistance will be given to applicants whose requests need to be transferred to another public authority (eg LEA).

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

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. All requests for information should still be dealt with in compliance with the 20 day deadline, whether they are recorded as Freedom of Information requests or not.

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

The school will make a charge to cover the cost of providing the information requested (5p per photo-copied sheet and a charge of £25 per hour may be made for administration purposes)

A senior member of staff will be responsible for ensuring requests are fulfilled within the stipulated deadline and recording details of the request.

Copies of data supplied should be retained for two years from the date it was put into the public domain and a register of all requests should be made.

### **Applying Exemptions**

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.

The decision to apply absolute exemptions should not be taken by individual members of staff but should be made by a constituted group of at least three of the following: Chair of Governors, other governors, Headteacher and Deputy Headteacher.

The decision to apply qualified exemptions should not be taken by individual members of staff but should be made by a constituted group of at least three of the following: Chair of Governors, other governors, Headteacher and Deputy Headteacher

Even if the group decides information should not be disclosed, a public interest test should 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 be disclosed.

Advice will be sought from the Local Authority (Legal Services) if there is any doubt as to whether information should be disclosed.

### **Record Keeping**

The school should keep a record of all requests received for monitoring purposes, noting:

- a) the date the request was received,
- b) name and contact details of the person or organisation making the request,
- c) the date the request was fulfilled or refused,
- d) the reason for any exemption being applied,
- e) the reason for any failure to meet the 20 day deadline.

Policy reviewed by W.Simner (Head Teacher) in June 2016

Policy ratified by the governing body on 4<sup>th</sup> July 2016

