



**BURTON  
BOROUGH  
SCHOOL**

## **Freedom of Information Policy**

Policy Reviewer	Rita Barton	Date of Review	Autumn 22
Date Presented to Governors	19 <sup>th</sup> October 2022	Date of next Review	3 years Autumn 2025

## **INTRODUCTION**

On 1st January 2005 the Freedom of Information Act 2000 (FOIA) came fully into force and since that date there has been a legal right for any person to ask an individual school for access to any information that it holds. Schools are under a duty to provide advice and assistance to anyone wishing to request and to respond to any request promptly.

Freedom of Information law enables anyone, anywhere in the world, to request any recorded information that we hold.

## **AIM**

The aim of this document is to explain the process by which Burton Borough School fulfils its duties in relation to this Freedom of Information Act.

## **KEY ELEMENTS**

Information Covered

All requests for information that is not covered by:

- General Data Protection Regulations 2018  
or
- Environmental Information Regulations 2004 (EIR)

are covered by this procedure.

## **OPERATION**

Day to day responsibility for operation of this policy is delegated to the Head teacher or, in his/her absence, the Business Manager.

## **REQUESTING INFORMATION**

- Any request for information received by any member of the school staff must be forwarded to the Head teacher /Business Manager.
- Requests must be made in writing, including e-mail.
- Requests should include as much detail as possible about the information required to assist in provision of what is required.
- Enquirers do not have to say why they want the information and do not have to mention the FOIA.

## **TIMESCALES**

There is a statutory deadline that requests for information must be responded to within 20 school-working days of their receipt.

## **LOGGING OF REQUESTS**

All requests for information received must be logged on an FOIA database which must also be updated at all stages of progress of the request.

## **CHARGING FOR INFORMATION**

Most requests will be provided free of charge but where the request is for a priced publication or disbursement costs, i.e. photocopying, printing, postage, are expected to exceed £5 then charges for these items will be made. Where a charge is to be applied the requestor will be advised accordingly prior to the exercise of collating the details commences.

## **PROCESSING OF REQUESTS**

On receipt of a request the Head teacher/Business Manager should decide:

- Whether the request is under the FOIA or not.
- If the school holds the information requested or whether the request should be transferred to another body, Local Authority, etc.
- 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, any if so consult with 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.
- Ensure that personal information is removed as set out in the guidance for schools if a request is made for a document that contains exempt personal information.
- Decide whether the estimated cost of complying with the request will exceed the current cost threshold, £450 at the time of production of this procedure.
- Consider whether the request is vexatious or repeated.

Privacy under the Equality Act 2006, will take priority over duties under the Freedom of Information Act.

If the Head teacher/Business Manager believes that the request is not valid under the FOIA he/she should initially seek advice from Telford and Wrekin Information Governance Team before advising the enquirer in writing.

If the request is considered to be valid under the FOIA the requested information will be provided in the timescales detailed above.

## **COMPLAINTS PROCEDURE**

If the requestor of the information is unhappy with the outcome to any request they should invoke the formal complaint process as detailed in the Burton Borough School Complaints Procedure document.

## **MONITORING AND EVALUATION**

This policy will be monitored and evaluated by the Governors annually, or more frequently, if legislation or experiences suggest it appropriate.