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Date: October 2024

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Date: October 2024

Euxton Primrose Hill School Freedom of Information Policy and Publication Scheme



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Statement of Intent

Euxton Primrose Primary 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 our school's policy and procedures for:

- The release and publication of private data and public records.
- 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.

This policy applies to all information held by school regardless of how it was created or received. It applies irrespective of the media on which the information is stored and whether the information is recorded on paper or held electronically.

It should be noted that access to personal information (that is information from which a living individual can be identified) is governed under GDPR and Data Protection Act 2018.

Requests for access to such information will be dealt with in line with the requirements of this legislation.

Legal Framework

This policy has due regard to the following legislation:

- The UK General Data Protection Regulation (UK GDPR)
- The Data Protection Act 2018
- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

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

- Cabinet Office (2018) 'Freedom of Information Code of Practice'
- ICO (2021) 'Definition document for the governing bodies of maintained and other state-funded schools in England'
- ICO (2015) 'Model publication scheme'
- ICO (2016) 'Duty to provide advice and assistance (section 16)'
- ICO (2015) 'Time limits for compliance under the Freedom of Information Act (section 10)'

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

- Data Protection Policy
- Freedom of Information Publication Scheme
- Records Management Policy

Publication Scheme – Categories of information published

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

The publication scheme will be reviewed and, where necessary, updated on an annual basis.

Statutory and additional contents the school have chosen to add can be seen in our Publication Scheme in Appendix 1.

If the information you are looking for is not evident via the scheme or on our website, then a Freedom of Information (FOI) request may be required.

Providing Advice and Assistance

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. We 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 we are 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.

The school will provide assistance for each individual on a case-by-case basis; examples of how we 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.

Where the school wishes to ask a different public authority to deal with a request by transferring it to them, this will only be done with the agreement of the applicant.

In circumstances where an applicant has difficulty submitting a written request, we 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.

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.

We will try to advise the applicant how and where information can be obtained, if it is accessible by other means and where there is an intention to publish the information in the future, we will advise the applicant of when this publication is expected.

If the school believes the applicant has not provided their real name, the school will inform the applicant that the request will not be responded to until further information is received from the applicant.

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. 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.

Applicants are given **two months** to provide any requested clarification. 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.

If the school is under any doubt that the applicant did not receive the advice and assistance, the school will re-issue it. 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.

Where the school has already sent a refusal request in relation to a previous vexatious request, the school is not obliged to send another notice for future vexatious requests. An ongoing evidence log is kept, recording relevant correspondence or behaviour that has been taken into account when a request has been classed as vexatious. The school is 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 firstly provide the applicant with advice and assistance to help them reframe or refocus their request with a view of bringing it within the cost limit. Then the school will consider whether any information can be provided free of charge if the applicant refuses to pay the fee.

If a request is refined, it will be treated as a new request.

Requests for Information

The school is committed to dealing with requests within statutory guidelines, which means that all FOI requests will be responded to by us within 20 school days, or 60 working day, whichever is less.

This may be extended in specific circumstances on legal advice in connection with the public interest test. Repeated or vexatious requests for information will be refused.

Euxton Primrose will only accept a request for information which meets all of the following criteria:

- It is in writing (this includes requests sent to the school's official social media accounts)
- It states the name of the applicant (not a pseudonym) and an address for correspondence
- It adequately describes the information requested

A request will be treated as made in writing if it meets all of the following requirements:

- It is transmitted by electronic means
- It is received in legible form
- It is capable of being used for subsequent reference

Where a request is submitted in a foreign language, the school is not expected to obtain a translation of the request. For the request to be processed, the school will ask the applicant to provide their request in English.

We will publish details of its procedures for dealing with requests for information on the website, which includes the following:

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

Where a fee is charged, the timeframe within which school has to respond to the request begins from the day the fee is received. Written notice of any fee will be provided to the enquirer before any information is supplied.

Contact details are set out below and please address all requests to our School Business Manager, Mrs Joanne Vost.

Address: Euxton Primrose Hill Primary School

Telephone: 01257 276688

Email: bursar@primrosehill-euxton.lancs.sch.uk

Web: <https://www.primrosehillschool.org.uk>

Withholding Information

Euxton Primrose Hill Primary School are unable to comply with requests for information policy where:

- We reasonably require further information to meet a freedom of information request, have 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.
- The requested information is not held by the school for the purposes of the school's business.

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

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

If information falls within scope of a qualified exemption and we need additional time to consider the public interest test, our school may extend the deadline. In most cases, the extension will exceed no more than a further 20 school days; however, the actual length of the extension will be decided on a case-by-case basis.

Charging Fees

The school may, within 20 school 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. Please see Appendix 1 for details of charges and fees.

Charges may be made for disbursements, such as the following:

- Production expenses, e.g. printing and photocopying
- Transmission costs, e.g. postage
- Complying with the applicant's preferences about the format in which they would like to receive the information, e.g. scanning to a CD

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.

Where a fee is to be charged, we are unable to comply with the request for information 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.

Once a fee is received, we will inform the applicant of the revised response deadline, i.e. an additional 20 school days.

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

Where an exemption applies, the school will not charge a fee based on the cost of providing the information.

The school will not charge for providing information in a particular format where we have a statutory obligation to do so. For example, we will not charge costs for reformatting the information into Braille, large print, or audio tape in order to meet the requirements set out under the Equalities Act 2010.

Where the information is available from another source that is not a public authority, we may charge VAT on fees.

The Appropriate Limit

The school will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450.

We are not required to search for information in scope of a request until it is within the cost limit. If responding to one part of a request would exceed the cost limit, school does not have to respond to any other parts of the request.

Means of Communication

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.¹
- The provision to the applicant of a digest, or summary of the information, in permanent form or in another form acceptable to the applicant.

Where a preference is not stated by the applicant, the school will communicate by any means which are reasonable under the circumstances. For example, where an applicant uses X, formerly known as Twitter, to make a request, the school may respond via an alternative medium as X restricts the length of a response.

Consultation with Third Parties

The school may need to consult third parties about information held in scope of a request to consider whether it would be suitable to disclose the information. Situations where third parties may need to be consulted include the following:

- When requests relate to persons or bodies who are not the applicant and/or the school

- When the disclosure of information is likely to affect the interests of persons or bodies who are not the applicant or the school

We will consider if a third party needs to be directly consulted about a request, particularly, if there are contractual obligations that require consultation before information is disclosed. Third parties will also be consulted where the school is proposing to disclose information relating to them or information that is likely to affect their business or private interests. The views of third parties will be given appropriate weighting when deciding how to respond to a request. For example, if the third party created or provided the information, they may have a better understanding of its sensitivity.

Where school decides to release information following consultation with a third party, the third party will be informed in advance that the information is going to be disclosed.

It is ultimately our school's decision as to whether information in scope of a request will be released following any relevant consultation.

Where the school decides to release information following consultation with a third party, the third party will be informed in advance that the information is going to be disclosed.

Feedback and Complaints

When responding to requests for information, the details of our internal review process will be set out, including information about how applicants can request an internal review. Applicants will also be informed of their right to complain to the ICO if they are still dissatisfied following the outcome of the school's internal review.

Requests for an internal review should be made in writing to the school. For a request for an internal review to be accepted, it must be made within 40 school days from the date we issued our initial response to the request. Upon receipt of an application, we will acknowledge an application and inform the applicant of the intended response date. Responses will usually be delivered within 20 school days of receipt of the application.

Wherever possible, the review will be undertaken by a different member of staff than the person who took the original decision. During a review, we will evaluate the handling of the request; particular attention will be paid to concerns raised by the applicant.

The applicant will be informed of the outcome of the review and a record will be kept of such reviews and the final decision that is made.

If the outcome of the review is to disclose information that was previously withheld, the information will be provided to the applicant at the same time they are informed of the response to the review, where possible. If this is not possible, the applicant will be informed of when the information will be provided.

Within the response to a review, the applicant will be informed again of their right to complain to the ICO. 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:

Customer Service Team, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Telephone: 01625 545 700

Email: publications@ic-foi.demon.co.uk

Website: www.informationcommissioner.gov.uk

Appendix 1 - Publication Scheme

The Freedom of Information Act 2000 applies to the Euxton Primrose Primary School. This publication scheme commits the school to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the school.

The school has adapted the Model Publication Scheme that has been prepared and approved by the Information Commissioners Office (ICO).

The scheme commits the school:

- To proactively publish, or otherwise make available as a matter of routine, information including environmental information, which is held by the school and falls within the classifications below.
- To specify the information that is held by the school and falls within the classifications below.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update, on a regular basis, the information the school makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

Classes of Information

Who we are and what we do

Organisational information, locations and contacts, constitutional and legal governance.

What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, tendering, procurement, and contracts.

What our priorities are and how we are doing

Strategy and performance information, plans, assessments, inspections, and reviews.

How we make decisions

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

Our policies and procedures

Current written protocols for delivering our functions and responsibilities

Lists and registers

Information held in registers required by law and other lists and registers relating to the function of the school.

The service we offer

Advice and guidance, booklets and leaflets and media releases. A description of the services offered.

The classes of information will not generally include:

- 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
- 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.

The method by which information published under this scheme will be made available

The school will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of the school, information will be provided on our school website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, the school will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where the school is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the school for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information, subject to a charging regime specified by parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packing
- the costs directly incurred because of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to the provision of the information.

Written Requests

Information held by the school that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

Contact Details

If you require a paper version of any information, or want to ask whether information is available, please contact the school reception by telephone, email, or letter. Contact details are set out below or you can visit the school website

- Website:
- Tel:
- Email:
- Address:

To help us process requests quickly, any correspondence should be clearly marked "PUBLICATION SCHEME REQUEST".

Appendix 2: Guide to information available from the school under the Model Publication Scheme

Information to be published	How the information can be obtained (hard copy and/or website)	Cost
Class 1 – Who we are and what we do Organisational information, structures, locations, and contacts This will be current information only		
Who is in the school	Website	Free of charge
Who is who on the Board of Governors and the basis of their appointment	Website	Free of charge
Instrument of Government	Hard copy	Schedule of charges
Contact details for the Principal and for the Chair of Governors (named contacts where possible with telephone number and Email address (if used))	Website	Free of charge
Prospectus	Website	Free of charge
Annual Review	Website	Free of charge
Staffing structure	Hard copy	Schedule of charges
School sessions times and term dates	Website	No charge
Information to be published	How the information can be obtained (hard copy and/or website)	Cost
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		
Annual budget plan and financial statements	Hard copy	Schedule of charges
Capitalised funding	Hard copy	Schedule of charges
Additional funding	Hard copy	Schedule of charges
Procurement and projects	Hard copy	Schedule of charges
Pay policy	Hard copy	Schedule of charges
Staffing and grading structure	Hard copy	Schedule of charges
Governors' allowances	Hard copy	Schedule of charges
Information to be published	How the information can be obtained (hard copy and/or website)	Cost
Class 3 – what our priorities are and how we are doing Strategies and plans, performance indicators, auditors, audits, inspections, and reviews Current information as a minimum		
School profile	Hard copy	Schedule of charges
Government supplied performance data The latest Ofsted report – Summary and Full Report	Website	Free of charge

Performance Management policy and procedures adopted by the Governing Board	Hard copy	Schedule of charges
School Improvement Plan	Hard copy	Schedule of charges
Safeguarding policies and procedures	Website	Free of charge
Information to be published	How the information can be obtained (hard copy and/or website)	Cost
Class 4 – How we make decisions Decision making processes and records of decisions Current and previous three years as a minimum		
Admissions Policy/decisions (not individual admission decisions)	Website	Free of charge
Agendas of meetings of the governing Board and (if held) its sub-committees	Hard copy	Schedule of charges
Minutes of meeting (as above) – NB this will exclude information that is properly regarded as private to the meetings	Hard copy	Schedule of charges
Information to be published	How the information can be obtained (hard copy and/or website)	Cost
Class 5 – Our policies and procedures Current written protocols, policies, and procedures for delivering our services and responsibilities Current information only		
School policies including:		
Charging and remissions policy	Website	Free of charge
Health and Safety	Website	Free of charge
Staff conduct policy	Website	Free of charge
Discipline and grievance policies	Website	Free of charge
Equality and diversity (including equal opportunities) policies	Website	Free of charge
Staff recruitment policies	Website	Free of charge
Pupil and curriculum policies, including:		
Home-school agreement	Website	Free of charge
Curriculum	Website	Free of charge
Sex education	Website	Free of charge
Special education needs	Website	Free of charge
Accessibility	Website	Free of charge
Race equality	Website	Free of charge
Collective worship	Website	Free of charge
Careers education	Website	Free of charge
Pupil discipline	Website	Free of charge
Records management and personal data policies, including:		
Information security policies	Website	Free of charge
Records retention	Website	Free of charge

Data protection policies	Website	Free of charge
Charging regimes and policies This should include details of any statutory charging regimes. Charging policies should include charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made and how they are calculated.	Website	Free of charge
Information to be published	How the information can be obtained (hard copy and/or website)	Cost
Class 6 – Lists and registers Currently maintained lists and registers only		
Curriculum circulars and statutory instruments	Hard copy	Schedule of charges
Disclosure logs	Hard copy	Schedule of charges
Asset register	Hard copy	Schedule of charges
Any information the school is currently legally required to hold in publicly available registers THIS DOES NOT INCLUDE THE ATTENDANCE REGISTER	Hard copy	Schedule of charges
Information to be published	How the information can be obtained (hard copy and/or website)	Cost
Class 7 – The service we offer Information about the service we offer, including leaflets, guidance and newsletters produced for the public and businesses Current information only		
Extra-curricular activities	Website	Free of charge
Out of school clubs	Website	Free of charge
School publications	Website	Free of charge
Services for which the school is entitled to recover a fee, together with those fees	Website	Free of charge
Leaflets books and newsletters	Website	Free of charge
Additional information This will provide the school with the opportunity to publish information that is not itemised in the lists above		

Schedule of Charges

This describes how the charges have been arrived at and should be published as part of the guide

Type of charge	Description	Basis of charge
Disbursement costs	Photocopying/printing @ 10p per A4 sheet (black and white)	Actual cost
	Photocopying/printing @ 30p per sheet A4 (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 nd class
Statutory Fee		In accordance with relevant legislation