

Harlow Fields School & College

Freedom of Information Policy




ADOPTED: **July 2024**

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COMMITTEE: FGB

AUTHOR: HFSC (DPO)

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This policy was updated, to take effect from:	July 2024
School staff were consulted on this document and it was accepted by the personnel committee on:	N/A
It was ratified by the governing board on:	03/07/24
Signed by the Chair of Governors:	

In Brief:

What is the FOI Act?

In brief The Freedom of Information Act 2000 provides public access to information held by public authorities. It does this in two ways: public authorities are obliged to publish certain information about their activities; and members of the public are entitled to request information from public authorities.

The Act covers any recorded information that is held by public authority in England, Wales and Northern Ireland, and by UK -wide public authorities based in Scotland. Information held by Scottish public authorities is covered by Scotland's own Freedom of Information (Scotland) Act 2002.

Public authorities include government departments, local authorities, the NHS, state schools and police forces. However, the Act does not necessarily cover every organisation that receives public money. For example, it does not cover some charities that receive grants and certain private sector organisations that perform public functions.

Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings. The Act does not give people access to their own personal data (information about themselves) such as their health records or credit reference file. If a member of the public wants to see information that public authority holds about them, they should make a data protection subject access request.

Provision of Information

We are committed to openness and transparency in the provision of information to all persons or organisations that request it.

We will provide information promptly, subject to the following conditions, which are based on our duties under the Freedom of Information Act 2000 and Data Protection Act 1998 (including updates):

1. Copies of reference documents, such as policy statements and procedural guidance will be provided either free of charge or as published in our Publication Scheme, which is itself available from the school office or school website where applicable to publish.
2. We will normally confirm within five school days whether or not we hold the information you request and will promptly within the 30 day required by the Freedom of Information Act and the Data Protection Act.
3. Where a request for information is made in person (which includes via email) or over the telephone, and is reasonably straightforward, we will respond without formality. In more complex cases we will ask you to put the request in writing (using the schools standard request form) to ensure that we have clear statement of what is requested.
4. Where appropriate, we will provide information in redacted (that is, edited) form, in line with any exemptions that we wish to apply under the legislation.

Example: You ask for a document that includes details of other children besides your own. We agree to provide the document with references to other children edited out.

5. If you do not accept our reasons for declining to disclose information requested you should write to the Chair of Governors, c/o the School in the first instance. If you are not happy with his/her response, you may wish to contact the Information Commissioner.
6. Whilst we will provide most information free of charge, we may charge a fee for photocopying/printing/faxing/postage/redactions of longer documents where the required information is not listed in our Publication Scheme as being available either free of charge or at a stated charge. If you ask for information in an expensive alternative format, we may charge for this, subject to legislation such as the Disability Discrimination Act.
7. If we intend to charge for the provision of information, we will tell you in advance what the charge will be (through a fees notice) and will provide the information when we receive the payment (on-line banking).
8. The time allowed for us to provide the information is within 30 days (see 2 above).
9. We may be unable to provide the information you request for any of the following reasons:

- We do not hold the information
- We are applying an exemption to the disclosure

If we are unable to comply with your request, we will do all we can to advise you as to how you might obtain the information elsewhere or in a different way to keep down the costs.

Requests for personal information (subject access requests)

Most requests for personal information are about children's records and can be responded to promptly. They are called 'subject access requests'. In more complex cases we may need more time but are still required by law to respond in full within 30 days.

Under GDPR the school will not charge for Subject Access Requests. However where the request is manifestly unfounded or excessive we will charge a "reasonable fee" for the administrative costs of complying with the request (please see below).

A "reasonable fee" will also be charged if an individual requests further copies of their data following a request.

Costs:

- £50 - Where it is deemed the request is manifestly unfounded or excessive
- £25 - Per additional copy.