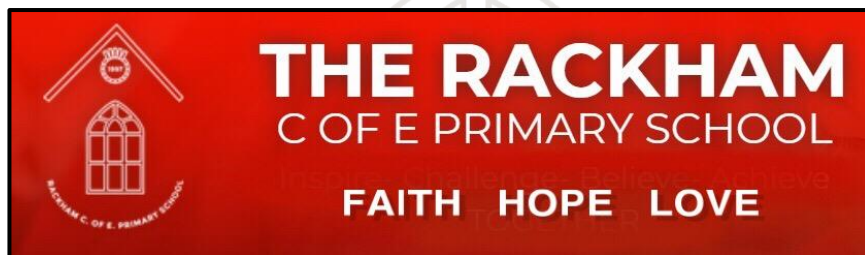


Rackham (CE) Primary School



Freedom of Information Policy

Policy Number: SCH 023

Date: November 2019

Introduction

The Rackham C of E Primary School is a public authority as defined by the Freedom of Information Act. The school will meet its obligations to respond to all requests for information and will supply requested information, subject to the application of the legal exemptions. This policy outlines our approach and the way in which we will manage requests.

Background

The Freedom of Information Act 2000 has been in force since January 2005. The Act provides a right to know whether a public body holds requested information and, if so, it provides a right of access to that information, unless one or more of the legal exemptions apply.

The Act is intended to create a culture of transparency and openness and to promote the accountability of organisations that are responsible for the spending of public money. It covers all information held by a public body and any information that may be held on behalf of a public body by a third party, for example, partners or sub-contractors. The school recognises this intention and has introduced this policy to support the school in meeting its legal obligations. This policy applies to all information held by The Rackham C of E Primary School and all staff, Governors and contractors of the school.

Other relevant legislation

Requests for environmental information, including information relating to air, water, land, the natural or built environment and any factors or measures that affect these, will be covered and dealt with by the Environmental Information Regulations 2004 (EIR).

Requests made by an individual for their own personal information will be covered and dealt with as a subject access request under the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

Where a single request contains elements of personal or environmental information, these elements must be dealt with under the GDPR or EIR as appropriate.

Obligations and duties

In addition to the right of access, the Act places additional obligations and duties on the school. The school recognises its duty to:

- Advise and assist requestors as necessary.
- Confirm whether or not the information is held by the school (duty to confirm or deny), and provide access to information where it is held in accordance with the school's procedure.

Publication scheme

The Rackham C of E Primary School has adopted the Model Publication Scheme for Schools by the Information Commissioner's Office (ICO).

Responsibilities

The Governing Body of the school has overall responsibility for ensuring compliance with the Freedom of Information Act. The Headteacher has day to day responsibility for FOI compliance and the Business Manager is the point of contact for enquiries.

Dealing with requests

Requests can be made by anybody, from anywhere and for any information that may be held by the school. A valid

request must be made in writing, clearly explain the information being requested and provide contact details, including name, which can be used for correspondence.

When dealing with requests, no regard will be given to the identity or motive of the requestor, unless this is required to establish if the request is for the individual's own personal information (in which case it will be dealt with under the General Data Protection Regulation), or if this is necessary to consider if the request is 'vexatious' or exceeds the 18 hour 'appropriate limit'.

Anyone can receive a request in their professional capacity as a representative of the school and the statutory deadline begins from the day after the request is received. Responses will be provided to requestors within twenty school days, or sixty working days if this is shorter, of receipt of their request.

The request will be considered to establish whether information is held or not, to collate all of the relevant information if so and then to consider its disclosure in line with the exemptions set out in the Act. This process will start with the presumption of disclosing all relevant information unless there are legitimate grounds under the Act to withhold any information and will take into account guidance on FOI issued by the ICO: <https://ico.org.uk/>

Complaints

Any complaints about Freedom of Information requests or requests for internal reviews will be dealt with by the Headteacher. We will aim to respond to all complaints within twenty working days as recommended by the ICO. If the school's original decision is upheld, then the school has a duty to inform the complainant of their right to appeal to the Information Commissioner's Office.

Appeals should be made in writing to the Information Commissioner's Office and addressed to:

Information Commissioner's Office
Wycliffe House Water Lane Wilmslow Cheshire
SK9 5AF
<https://ico.org.uk/concerns/getting/>
Tel. 0303 123 1113

Policy/procedure review

This policy will be reviewed every two years. Procedures will be reviewed every two years or as required in order to meet legislative or other prescribed changes.

This policy will be reviewed and agreed in line with Government guidelines by the Governing Body.

Approved and signed by:

Headteacher

Signed:

Date:

Chair of Governing body

Signed:

Date: