



St. John's C. of E.

Blackpool's First Free School 1817

Freedom of Information Policy

Last updated: September 2022

Statement of intent

As an educational provider, St John's CE 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

St John's CE Primary 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

St John's CE Primary 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, St John's, 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

St John's CE Primary School is committed to dealing with requests within statutory guidelines, which means that all FOI requests will be responded to by us within 20 working days from receipt (excluding school holidays)

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.

St John's 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 Mrs J Hicks, School Business Manager.

Address: St John's CE Primary School, Church Street, Blackpool FY1 3NX

Telephone: 01253 807495

Email: jill.hicks@st-john.blackpool.sch.uk

Web: www.stjohnsblackpool.sco.uk

Withholding information

St John's CE Primary 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

St John's 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.

St John's will not take into account any costs which are attributable to the time spent by persons undertaking any of the above mentioned activities.

The appropriate limit

St John's CE Primary 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.
- 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 Twitter to make a request, the school may respond via an alternative medium as Twitter 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

School's Guide to Information

Appendix 1

Class	Description	Website	On application
Governing Board	The names of the governors should be available and the basis on which they have been appointed, along with details of how to contact them via the school	Yes	
Instrument of Government	The name of the school		Yes
	The category of the school		Yes
	The name of the governing board		Yes
	The manner in which the governing board is constituted		Yes
	The term of office of each category of governor if less than 4 years		Yes
	The name of anybody entitled to appoint any category of governor		Yes
	Details of any trust		Yes
	If the school has a religious character, a description of the ethos		Yes
	The date the instrument takes effect		Yes
Minutes of meeting of the governing board and its committees	<p>Agreed minutes of meetings of the governing board and its committees [current and last full academic school year]</p> <p>¹Some information might be confidential or otherwise exempt from the publication by law – we cannot therefore publish this.</p>		Yes

Pupils & Curriculum Policies – information about policies that relate to pupils and the school curriculum. Paper copies are provided on request.

Class	Description	Website	On application
Home – school agreement	Statement of the school's aims and values, the school's responsibilities, the parental responsibilities and the school's expectations of its pupils for example homework arrangements		Yes
Curriculum Policies	Statement on following the policy for the secular curriculum subjects and religious education and schemes of work and syllabuses currently used by the school	Yes	
Sex & Relationships Policy	Statement of policy with regard to sex and relationship education	Yes	
Special Educational Needs Policy	Information about the school's policy on providing for pupils with special educational needs	Yes	
Equality Policy	Statement of policy for promoting equality	Yes	
Collective Worship	Statement of arrangements for the required daily act of collective worship.	Yes	
Accessibility Plans	Plan for increasing participation of disabled pupils in the school's curriculum, improving the accessibility of the physical environment and improving delivery of information to disabled pupils.	Yes	
Child Protection Policy	Statement of policy for safeguarding and promoting welfare of pupils at the school (Whole School Child Protection / Safeguarding Policy).	Yes	
Behaviour & Discipline Policy	Statement of general principles on behaviour and discipline and of measures taken by the head teacher to prevent bullying.	Yes	

School Policies and other information related to the school – information about policies that relate to the school in general.

Class	Description	Website	On application
Published reports of Ofsted referring expressly to the school	Published report of the last inspection of the school and, where appropriate, inspection reports of religious education in those schools designated as having a religious character.	Yes	
Charging & Remissions Policy	A statement of the school's policy with respect to charges and remissions for any optional extra or board and lodging, for which charges are permitted, for example school publications, music tuition, trips.	Yes	
School session times and term dates	Details of school session and dates of school terms and holidays	Yes	
Health and Safety Policy and Risk Assessments	Statement of general policy with respect to health and safety at work of employees (and others) and the organisation and arrangements for carrying out the policy	Yes	
Complaints procedure	Statement of procedures for dealing with complaints.	Yes	
Performance Management of Staff	Statement of procedures adopted by the governing body relating to the appraisal of staff and the annual report of the Head Teacher on the effectiveness of appraisal procedures.		Yes
Staff Conduct, Capability and Grievance	Statement of procedure for regulating conduct and capability of school staff and procedures by which staff may seek redress for grievance.		Yes
Pay Policy	Statement of the school's policy regarding teachers' pay including procedures for determining teachers' grievances in relation to pay.		Yes
Staffing Structure	The School's plan for the implementation of any changes to its staffing structure following statutory review.		Yes
Curriculum circulars and statutory instruments	Any statutory instruments, departmental circulars and administrative memoranda sent by the Department of Education to the Head Teacher or governing body relating to the curriculum.		Yes
Admission Policy	Statement of the school's policy on admissions	Yes	

SCHEDULE OF CHARGES

All charges to be calculated dependant on how many copies are made based on the prices below (these prices are based on costs at the time of print and can vary depending on a change in cost per copy, postage costs and paper costs). There is no cost for obtaining the information from the website.

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 cost	Photocopying/printing @£0.0021p per sheet (black & white)	Actual cost
	Photocopying/printing @ £0.021p per sheet (colour)	Actual cost
	Postage £0.95	Actual cost of Royal Mail standard 1st class
	Paper @ £0.010p per sheet	