Freedom of Information Policy

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Willesborough Schools takes its responsibilities with regard to the management of the requirements of the Freedom of Information Act 2000 very seriously. This document provides the policy framework through which this effective management can be achieved and audited. It covers:

1. Scope of the policy
2. Responsibilities
3. Relationship with existing policies
4. Available Guidance
5. Specific Requests for Information
6. Charges
7. Complaints
8. Exemptions

1. Scope of the Policy

The purpose of this policy is to ensure that the provisions of the Freedom of Information Act 2000 are adhered to and in particular that:

- a significant amount of routinely published information about the school is made available to the public as a matter of course through County Schemes; • other information not included in these Schemes is readily available on request and such a request is dealt with in a timely manner; and
- in cases where information is covered by an exemption, consideration is given as to whether or not the information should be released.

2. Responsibilities

The school recognises its corporate responsibility under the Act to provide a general right of access to information held. The Senior Officer with overall responsibility for this policy is the Headteacher alongside the Personnel Officer.

The Headteacher is responsible for drawing up guidance on freedom of information and promoting compliance with this policy in such a way as to ensure the easy, appropriate and timely retrieval of information.

Wherever possible, members of staff should receive an introductory briefing on the Freedom of Information Act procedures.

3. Relationship with existing policies

This policy has been formulated within the context of the following school documents:

- Communication Policy
- Data Protection Policy

- Records Management Policy

4. Specific Requests for Information

Information not already made available to the general public is accessible from the school office through a specific request for information in writing. In this regard the Freedom of Information Act establishes two related rights:

- the right to be told whether information exists, and
- the right to receive the information (subject to exemptions)

These rights can be exercised by anyone – natural or legal persons, worldwide. These specific requests for information will be dealt with by the Headteacher.

A charge may be made for dealing with any request. Requestors will not be entitled to information to which any of the exemptions in the Act applies. However, only those specific pieces of information to which the exemption applies will be withheld, and information covered by an exemption will be subject to review by the Headteacher / Personnel Officer.

The school must respond to any request within 20 working days although further reasonable details can be requested in order to identify and locate the information. If a fee is required, the period of 20 working days is extended by up to 3 months until the fee is paid.

5. Charges

The School reserves the right to charge an appropriate fee for dealing with a specific request for information not listed in the publication scheme in accordance with the Act.

6. Complaints

The School office will co-ordinate any complaints received in respect of this policy.

- The complaint should be addressed to the Headteacher in the first instance. The complaint will be acknowledged immediately and every reasonable effort will be made to offer a more comprehensive reply within 21 days.
- If the applicant is not satisfied with the reply then they should inform the Headteacher within 20 days. The complaint will then be forwarded to the Governing Body and will be dealt with in accordance with the School's General Complaints Procedure as appropriate.

7. Exemptions under the Act

There are 23 exemptions under the Act, some exemptions where the public interest test applies, and others which are absolute exemptions. The full list of exemptions can be found at Appendix 1 of this policy.

The School may decide that some information it holds could be regarded as exempt information under the Act. Where a request is made for information which includes

exemptions the School will consider the prejudice test and the public interest test, and may in some circumstances withhold the requested information.

Appendix 1

List of exemptions under the Freedom of Information Act 2000

A. Exemptions where the public interest test applies:

s22 Information intended for future publication
s24 National security s26 Defence
s27 International relations
s28 Relations within the United Kingdom s29
the economy
s30 Investigations and proceedings conducted by public
authorities s31 Law enforcement s33 Audit functions s35
Formulation of government policy, etc.
s36 Prejudice to effective conduct of public affairs (except information held by the House of Commons or the House of Lords)
s37 Communications with His Majesty, etc., and
honours s38 Health and safety s39 Environmental
information
s40 Personal information (Only where the information concerns a third party and a s.10 notice under the Data Protection Act 2018 applies to that information) s42 Legal professional privilege
s43 Commercial interests

B. The absolute exemptions

If these exemptions apply it is not necessary to go on to consider whether the disclosure is in the public interest.

s21 Information accessible to applicants by other means
s23 Information supplied by, or relating to, bodies dealing with security
s32 Court records, etc s34 Parliamentary
s36 Prejudice to effective conduct of public affairs (only applies to information held by the House of Commons or the House of Lords)
s40 Personal information (where the applicant is the subject of the information)
s41 Information provided in confidence
s44 Prohibitions on disclosure where a disclosure is prohibited by an enactment or would constitute contempt of court