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# Freedom of Information Policy

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## Wolstanton High School – A Shaw Education Trust Academy

### The Freedom of Information Act 2000 Model Publication Scheme

#### Statement of intent

As an educational provider, Wolstanton High 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:

- How Wolstanton High School will respond to requests from individuals for access to information held about them.
- Wolstanton High School's policy and procedures for the release and publication of private data and public records.

It also clarifies our position regarding the appropriate limit to the costs incurred by Wolstanton High School in obtaining any requested information, and on charging fees for its provision.

#### Legal framework

- 1.1. This policy is compliant with the following legislation:
  - Data Protection Act 1998
  - Freedom of Information Act 2000
  - The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- 1.2. This policy also takes into consideration the following guidance:
  - DfE (2015) 'Academies and freedom of information'.
- 1.3. View this policy in conjunction with the following other school policies:
  - Data Protection Policy

## **2. Delegated responsibilities**

### 2.1. The Headteacher will:

- Have day-to-day responsibility for the Freedom of Information Policy and the provision of advice, guidance, publicity and interpretation of the Academy's policy.
- Ensure that there is a clear and robust record management system in place to enable the efficient administration of freedom of information requests.

### 2.2. The Director of Business & Finance will:

- Provide a single point of reference for the coordination of freedom of information requests and related policies and procedures, to take a view on potentially sensitive areas, and consider what information and training staff may need.

## **3. Accepting requests for information**

### 3.1. We will only accept a request for information which meets all of the following criteria:

- It is in writing
- It states the name of the applicant and an address for correspondence
- It describes the information requested

### 3.2. 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

## **4. General right of access to information held by the Wolstanton High School**

### 4.1. Provided that the request complies with [Section 3](#) of this policy, we will, no later than 20 working days from receipt of the request, comply with our duty to:

- Confirm or deny to any person making a request for information to the academy, whether we hold information of the description specified in the request.
- Provide the documentation, if we confirm that we hold the requested information.

### 4.2. We will not comply with section 4.1 of this policy where:

- We reasonably require further information to meet a freedom of information request, have informed the applicant of this requirement, but were 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 Part 2 of the Freedom of Information Act.
  - 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 request.
  - A fee notice was not honoured.
- 4.3. Where information is, or is thought to be, exempt, we will, within 20 working days, give notice to the applicant which:
- States this fact
  - Specifies the exemption in question
  - States why the exemption applies
- 4.4. We will not transfer any freedom of information request to any other body. If the information is held by another public authority, we will notify the enquirer that we do not hold the information and direct them to where they may be able to obtain it from.
- 4.5. Where a freedom of information request relates to one of our member academies, these will be delegated to the principal of that academy for further action, and the enquirer notified that the respective academy will respond within the 20 day time limit.
- 4.6. Where a freedom of information request relates to more than one of our member academies, this will be coordinated by Shaw Education Trust management team, who will ensure that the requisite information is obtained from all relevant academies, where it is available, and promptly communicated to the enquirer within the 20 day time limit.

## **5. Redacting documents**

- 5.1. Where a document contains exempted information, the document may still be released, but only after the following steps have been met:
- Passages which are not to be disclosed have been masked and photocopied.
  - Margins have been annotated against each blank passage, to include the exemption and section of the Freedom of Information Act under which the passage is exempt.
  - An explanation has been included in the covering letter, outlining that the relevant exemptions are marked in the attachments and, in the case of non-absolute exemptions, how the public interest test was considered.

- 5.2. Computers will never be used to rewrite the document or email and simply delete the exempted passages so that the resulting document appears as though they did not exist (with the exception of personal information, such as names, where this has been explained in the covering letter).

## **6. Third party consultation**

- 6.1. We will consult with any third party whose interests may be affected by the release of any requested information, prior to taking a decision on whether to comply with a freedom of information request.

## **7. The appropriate limit**

- 7.1. We will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450.
- 7.2. When determining whether the cost of complying with a freedom of information request is within the appropriate limit, we will take account only of the costs we reasonably expect to incur in relation to:
  - Determining whether we hold the information.
  - Locating the information, or a document which may contain the information.
  - Retrieving the information, or a document which may contain the information.
  - Extracting the information from a document containing it.
- 7.3. Costs related to the time spent by any person undertaking any of the activities outlined in [section 4.2](#) of this policy on behalf of our academy, are to be estimated at a rate of £25 per person per hour.
- 7.4. Where multiple requests for information are made to the academy within 60 consecutive working days of each other, either by a single person or by different persons who appear to be acting in concert, the estimated cost of complying with any of the requests is to be taken to be the total costs to the Academy of complying with all of them.

## **8. Charging fees**

- 8.1. We may, within 20 working days, give an applicant who has requested information from the academy a written notice stating that a fee is to be charged for our compliance.
- 8.2. Fees charged will not exceed the total cost to the academy of:
  - Informing the person making the request whether we hold the information.
  - Communicating the information to the person making the request.

- 8.3. Where a fee is to be charged, we will not comply with [section 4](#) of this policy 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.
- 8.4. We will not take into account any costs which are attributable to the time spent by persons undertaking any of the activities mentioned in [section 7.2](#) above.
- 8.5. When calculating the twentieth working day in which to respond to a freedom of information request, the period beginning with the day on which the fee notice is given to the applicant and ending with the day on which the fee is received will be disregarded.

## **9. Means by which communication is to be made**

- 9.1. Where, on making a request for information, the applicant expresses a preference for communication by any one of the following means, the academy 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.

## **10. Providing advice and assistance**

- 10.1. We will meet our 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 us.
- 10.2. Any written expression of dissatisfaction, even if it does not specifically seek a review, will be handled through the academy's existing complaints procedure.
  - When the original request has been reviewed and the outcome is that the information should be disclosed, this will be done as soon as possible.
  - Where the outcome is that procedures within the academy have not been properly followed, we will review our procedures to prevent any reoccurrence.
  - When the outcome upholds the academy's original decision, the applicant will be informed of their right to appeal to the Information Commissioner.

## **11. Publication scheme**

- 11.1. Our academy will meet its duty to adopt and maintain a publication scheme which specifies the information we will publish on our academy website, and whether the information will be available free of charge or on payment.
- 11.2. Our publication scheme will be reviewed and, where necessary, updated on an annual basis.

## **12. Destroying information**

- 12.1. Wilfully concealing, damaging or destroying information in order to avoid answering an enquiry is an offence and places the academy at risk of criminal proceedings.
- 12.2. We will treat, with the utmost seriousness, any instances where the concealment, damage or destruction of documents occurs, and any staff member found guilty of participating in such unlawful behaviour may be summarily dismissed for gross misconduct and reported to the police for further action.

## **13. Induction and training**

- 13.1. New staff members will receive training on our policies and procedures regarding freedom of information requests during their HR induction.
- 13.2. Existing staff members will receive refresher training on our freedom of information policy and procedures to ensure that their knowledge remains up-to-date.

## **14. Monitoring and evaluation**

- 14.1. This policy will be reviewed on an annual basis in line with our academy's policy review schedule.

## **Appendix I: Publication scheme**

This scheme follows the model approved by the Information Commissioner's Office and sets out the classes of information which we publish or intend to publish, the format in which the information will be made available, and whether the information is available free of charge or on payment.

### **I. Classes of information**

Information that **is available** under this scheme includes:

- Who we are and what we do.
- What we spend and how we spend it.
- What our priorities are and how we are doing.
- How we make decisions.
- Our policies and procedures.
- Lists and registers.
- The services we offer.

Information which **will not** be made available under this scheme includes:

- Information where the disclosure 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.

### **2. How to request information**

Requested documents under this scheme will be delivered electronically where possible, but paper copies can be provided by contacting the school using the contact details below.

To enable us to process your request quickly, please mark all correspondence:

**“FREEDOM OF INFORMATION REQUEST”**

Under disability legislation, documents can be translated into accessible formats where possible.

### **3. Charges**

Documents contained in this scheme are free to view on the school website.

Single paper copies are also available free of charge to parents and prospective parents of pupils at the school.

### **4. Feedback**

We welcome any comments or suggestions you may have regarding this scheme.

Please contact the governing body using the below contact details:

The Headteacher, Wolstanton High School, Milehouse Lane, Wolstanton,  
Newcastle-under-Lyme, Staffordshire, ST5 9JU