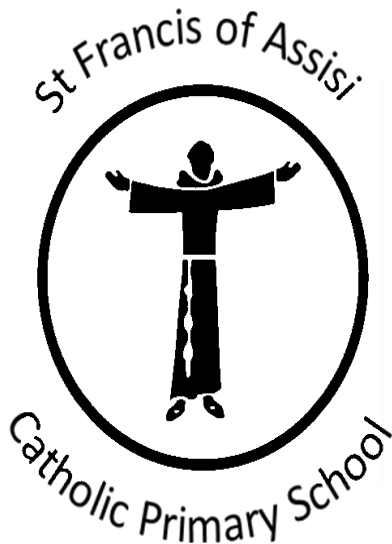


ST FRANCIS OF ASSISI CATHOLIC PRIMARY SCHOOL



FREEDOM OF INFORMATION POLICY

Mission Statement

At St Francis of Assisi, we believe God is at the heart of our school. As a school community, we work together to provide a caring, stimulating and nurturing environment, where every child can discover their true potential and grow closer to Christ. As pupils and staff we encourage in each other a love of learning. This is a place where we can all belong and where diversity and difference is celebrated. We rejoice in each others' uniqueness and respect the dignity and beauty of each individual. Using our gifts and talents we will actively seek to make a real difference - by caring for one another and caring for our world.

Freedom of Information Policy

Lead member of staff	Headteacher.
Governor Committee	Finance and Premises Committee
Chair of Governors signature	
Date of publication	May 2018
Review date	June 2022

Introduction

The School is a “public authority”.

The Freedom of Information Act 2000 (FOIA) provides public access to information held by public authorities.

The Environmental Information Regulations 2004 (EIR) provides public access to environmental information as defined in the Regulations.

FOIA and EIR promote openness and transparency.

Information is provided in two ways:

1. It is mandatory to publish certain information (publication scheme); and
2. Any person is entitled to request information which subject to the application of any exemptions must be provided free of charge.

The Act does not give people access to their own personal data. Subject Access Requests are dealt with in accordance with the Data Protection Policy.

Aim

This Policy will ensure:

The School complies with its duties under the FOIA and EIR and handles requests under the correct regime.

The School has a system in place which will result in proactive publication of what information is available.

Any person knows they can make a request and who to contact.

All appropriate staff will be able to recognise and respond appropriately to a valid request for information.

That there is awareness amongst staff, contractors or others having contact with the School that the duties under FOIA and EIR may impact on the ability to guarantee confidentiality of information

Scope

This Policy applies to:

All recorded information held by the School or by a third party on the Schools behalf.

Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

Roles and 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 /EIR compliance and Margaret Wakeham is the point of contact for enquiries.

All staff will be trained on recognising a request for information

A designated member of staff is responsible for handling request for information. Requests should be made to Mary Morgan - Data Protection Officer

Publication Scheme

The School has adopted the Model Publication Scheme for Schools as approved by the Information Commissioner.

Requests handling (See Appendix A)

The School will ensure that:

Advice and assistance is provided to the requestor if required.

Responses will be provided promptly and within the statutory time limit of 20 School days. A 'School' day will be any day on which there is a session and the pupils are in attendance. In the alternative the School will respond within 60 working days if that is shorter.

Information will only be withheld in accordance with the exemptions specified by legislation. The reasons for applying the exemption will be provided to the requester.

Care will be taken to ensure that personal data is not unlawfully disclosed in response to a request for information made under FOIA or EIR.

Information provided to the School from third parties may be the subject of a request for information. In considering whether exemptions apply, the School will seek to consult with the third party but the legal responsibility for deciding whether or not the information should be released rests with the School.

Any requests for internal reviews will be dealt with in accordance with the Schools Complaint Policy and will be responded to within twenty School days as recommended by the Information Commissioner.

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 and addressed to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

June 2021

Review June 2022

APPENDIX A

Actioning a subject access request

1. Requests for information must be made in writing; which includes email, and be addressed to the Head teacher, if the initial request does not clearly identify the information required, then further enquiries will be made.

2. The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of:

- passport
- driving licence
- utility bills with the current address
- Birth / Marriage certificate
- P45/P60
- Credit Card or Mortgage statement
- *This list is not exhaustive.

3. Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Head teacher should discuss the request with the child and take their views into account when making a decision. A child with competency to understand can refuse to consent to the request for their records. Where the child is not deemed to be competent an individual with parental responsibility or guardian shall make the decision on behalf of the child.

4. The school may make a charge for the provision of information, dependent upon the following:

- Should the information requested contain the educational record then the amount charged will be dependent upon the number of pages provided.
- Should the information requested be personal information that does not include any information contained within educational records, schools can charge up to £10 to provide it.
- If the information requested is only the educational record viewing will be free, but a charge not exceeding the cost of copying the information can be made by the Head teacher

5. Responses will be provided promptly and within the statutory time limit of 20 School days. A 'School' day will be any day on which there is a session and the pupils are in attendance. In the alternative the School will respond within 60 working days if that is shorter.

6. The Data Protection Act 1998 allows exemptions as to the provision of some information; therefore all information will be reviewed prior to disclosure.

7. Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the 40 day statutory timescale.

8. Any information which may cause serious harm to the physical or mental health or emotional condition of the pupil or another should not be disclosed, nor should information that would reveal that the child is at risk of abuse, or information relating to court proceedings.

9. If there are concerns over the disclosure of information then additional advice should be sought.

10. Where redaction (information blacked out/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.

11. Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.

12. Information can be provided at the school with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered/recorded mail must be used.