

SHAW WOOD ACADEMY



FREEDOM OF INFORMATION POLICY

<u>Date Reviewed: April 2018</u>	<u>Prepared By: MR</u>	<u>Review Date: April 2020</u>
<u>Approved by Governors:</u>	<u>Signed by Chair:</u>	<u>Dated By Chair</u>

Shaw Wood Academy will comply with:

The terms of the Freedom of Information Act 2000, and any subsequent relevant legislation, to ensure all information held by the school is treated in a manner that is fair and lawful. This policy will also comply with the new data protection regulations in force from May 2018.

This policy should be used in conjunction with the Data Protection Policy.

Data Gathering and Storage

Information will only be gathered and stored for specified purposes.

In order to be able to respond to requests for information Shaw Wood Academy will implement effective records management policies to enable staff to identify whether data is held and, if it is, locate it quickly and easily.

Information held by Shaw Wood Academy will be regularly reviewed with a view to archiving or destruction, where appropriate in accordance with the data retention and management policy.

Publication Scheme

Shaw Wood Academy will adopt and publish the appropriate model publication scheme, as recommended by the DfES, Information Commissioner and approved by the governing body.

The current recommended model schemes can be viewed via the Information Commissioner's website.

Dealing with Requests for Information

Theoretically any request for information is a request under the Freedom of Information Act. However, Shaw Wood Academy has taken the decision that it will not consider any request that forms part of the normal pattern of work to be a Freedom of Information request. Only those requests which are considered to be outside the normal remit of the service provided will be recorded as Freedom of Information requests. Shaw Wood Academy will assist applicants in making their request to have access to information held by the school.

Assistance will be given to applicants whose requests need to be transferred to another public authority (e.g. school, LA, hospital). Shaw Wood Academy will also exercise its duty to confirm or deny the existence of requested data, subject to any exemptions that may apply.

The school will supply data requested within the deadline set in line with the Information Commissioner's current policy during school holidays, subject to any exemptions that may apply, and the estimated cost of complying with the request falling within the current defined charge limit.

If a response will take longer than the ICO guidelines to respond an acknowledgement should be sent to the person making the request, informing them when the information will be supplied.

The charge limit is currently £450, calculated at 18 hours work at a flat rate of £25 per hour, as set by the ICO. If the estimated cost of complying with the request does not exceed this amount the school is not entitled to make a charge for fulfilling the request.

A senior member of staff will be responsible for ensuring requests are fulfilled within the stipulated deadline and recording details of the request on the school's tracking database.

Persons requesting data will be supplied with a copy of our complaints procedure.

Copies of data supplied should be retained for two years from the date it was put into the public domain.

Applying Exemptions

A full list of exemptions can be found at the Information Commissioner's website. There are two types of exemption – absolute and qualified. In practice there are very few which are likely to be applied by the education sector.

The decision to apply absolute exemptions should not be taken by individual members of staff but should be made by a constituted group of at least three of the following: Chair of Governors, other Governors, Headteacher, Head of School and Business Manager.

Even if the group decides information should not be disclosed, a public interest test should be carried out when applying qualified exemptions, to decide whether the public interest in disclosure outweighs the objection to disclosure. If it does the information must be disclosed.

Advice should be sought from Legal Services if there is any doubt as to whether information should be disclosed.

Logging Requests Received

Shaw Wood Academy will keep a record (See Appendix 1) of all requests received for monitoring purposes, noting:

- a) the date the request was received,
- b) name and contact details of the person or organisation making the request,
- c) the date the request was fulfilled or refused,
- d) the reason for any exemption being applied,
- e) the reason for any failure to meet the deadline.

This policy will be reviewed every two years.

