



St Michael & All Angels Primary School Freedom of Information Policy

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1. Statement of Principle

- 1.1 The school, Governing Body and its employees are committed to being open and transparent about what the school does.
- 1.2 The school is aware of its obligations as a public authority in relation to the Freedom of Information Act 2000 (FOIA) and intends to fulfil its obligations under the FOIA.

2. The Act

- 2.1 The FOIA creates significant rights of access for members of the public to the school's recorded information.
- 2.2 The FOIA requires the school to discharge two specific legal obligations:
 - (i) To adopt and maintain a publication scheme setting out details of information that the school will routinely make available and how the information can be obtained.
 - (ii) To comply with requests for information.
- 2.3 This policy states how the school will discharge its obligations with a view to the school serving its pupils, parents and guardians, , stakeholders and the wider public more effectively thereby increasing public trust and confidence in the way that the school carries out its community leadership role.

3. The School's Publication Scheme

- 3.1 The school's Publication Scheme can be accessed via the school's website www.smaaa.info .
- 3.2 The school's Publication Scheme will be monitored so that amendments to the scheme can be made as the need arises.
- 3.3 Specific information published under the school's Publication Scheme covers the following:
 - 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.

4 Dealing with requests for information

- 4.1 The school will provide advice and assistance to persons making requests for information.
- 4.2 Requests for information have to be in writing (this includes electronic requests), be legible, include the requester's real name as well as an address for correspondence, and describe the information requested.
- 4.3 Requests can be sent to The Head Teacher. Alternatively, requests can be e-mailed to: Maria Graham, School Business Manager maria.graham@knowsley.gov.uk
- 4.4 All requests are to be logged centrally outlining information about the request including the reference number, the name of the requester, the date the request was received, the information requested, and the deadline date.
- 4.5 Every endeavour will be made by the school to provide appropriate advice and assistance which might include but will not be limited to:-
- Informing the public about the provisions of FOI.
 - Providing assistance in the framing of a request.
 - Advising upon when another public authority may be able to assist.
- 4.6 Once a request has been received the school may seek clarification or more details to establish the information which is sought. Clarification will be sought where it is deemed necessary to enable the identification and location of the information sought.
- 4.7 Where a request is unclear the school will seek clarification from the requester. In line with guidance from the Information Commissioner's Office the request will be placed on hold until clarification has been received.
- 4.8 At this stage every endeavour will be made by the school to provide appropriate advice and assistance which might include, but not be limited to, providing an outline of the different interpretations of the request and therefore the kinds of information which might meet its terms.
- 4.9 If, however, despite clarification, the information is not described in a way which enables the school to locate it, the school may disclose any information located and explain to the applicant why the request cannot be answered further. At the same time details of the school's complaints procedure will be supplied (see Section 6 below).
- 4.10 If a fees notice has been given and an applicant is not prepared to pay the fee, the school may:
- i. Consider whether any information that may be of interest to the applicant is available free of charge.
 - ii. Consider providing an indication of what, if any, information could be provided within the cost ceiling.

- iii. Consider advising the applicant that by reforming or reframing the request, information may be able to be supplied for a lower, or no fee.
- 4.11 The school will not provide assistance to applicants whose requests are –
- i. Vexatious, or
 - ii. Repeated
- In treating a request as either a vexatious or repeated request the school will consider guidance from the Information Commissioner's Office.
- 4.12 If the school is not able to comply with a request (in whole or in part) because it does not hold the information requested the school will confirm that it does not hold that information. This may involve:
- More usually informing the applicant to make a request to another relevant public authority, providing contact details if possible; or
 - Less-often, and only if it is likely that the applicant will not object, transferring the request to the relevant public authority following confirmation from the transferee authority that they do hold the information.
- In either case, the applicant will be informed as soon as possible.
- 4.13 There may be circumstances in which requests for information relate to persons other than the applicant or the school or disclosure of information is likely to affect the interests of persons other than the applicant or the school.
- 4.14 The school will make as much information as possible available in as many formats as are possible, in line with the FOIA. In particular the school will, so far as is reasonably practicable, give effect to a preference expressed by an applicant for information to be communicated to them.
- 4.15 The FOIA provides for certain information to be exempt from the general right of access.
- 4.16 Certain information will be withheld because it is covered by an absolute exemption. Certain information may be withheld because it is covered by a qualified exemption. If information is subject to a qualified exemption, the school will undertake the Public Interest Test and carefully consider whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 4.17 The school is entitled to extend the deadline for the request by up to twenty working days to undertake the Public Interest Test if the school is looking to withhold information from release using a qualified exemption that is available under the FOIA.
- 4.18 The school will act fairly and transparently when considering the application of exemptions and undertaking the Public Interest Test. An Exemptions Panel acting under strict Terms of Reference will be established every time the application of exemptions is considered.

- 4.19 The school will comply with the timescales set by the Information Commissioner's Office in responding to requests. The timescales are set at 20 working days. If a request is particularly complex, we will assess how long it will take to retrieve the relevant information. If it is 18 hours or more of staff time, the school will decline the request in line with Section 12 of the FOIA..
- 4.20 If any application for information is refused, the school will always tell an applicant the reason for the refusal and fulfil its obligations in issuing a refusal notice under section 17 of the Act.

5 Sign off process

- 5.1 Before a response is provided to the requester it must first be signed off by the Head Teacher (or most senior manager available).

6 Complaints

- 6.1 When the school informs an applicant that a request has been refused using an exemption available in the FOIA, the requester will also be informed about the school's complaints procedure. This will also apply if the requester is unhappy about any aspect of the school's handling of their request.
- 6.2 Additionally, if the outcome of a complaint is that an initial decision to withhold information is upheld, or is otherwise in the school's favour, the applicant will be informed of his or her right to apply to the Information Commissioner's Office together with contact details for such an application.