

Bishop Wilson CE and Christ Church CE Primary Schools Federation FREEDOM OF INFORMATION POLICY



Bishop Wilson CE Primary School	Christ Church CE Primary School
<p>'The joy of the Lord is your strength' Nehemiah 8:10</p> <p>'We work, we play we care, we pray'</p> <p>The joy of the Lord and our Christian values help us to flourish in school and in our community as communicators, explorers, readers and believers</p>	<p>'Your word is a lamp to my feet and a light to my path' Psalm 119</p> <p>Within God's family we nurture, teach and support each other, opening doors for all. Our Christian values help us to flourish in school and in our community as beacons radiating the light of Jesus in all that we do.</p> <p>'Learn, play, care, pray in Jesus' name'</p>

Joint vision – A journey of learning for all, within God's guiding hands.

Life is a wonderful journey of learning. Our schools nurture all individuality and growth through a supportive and caring family. Everyone brings something special to our schools. Using our Christian values, we aim to nurture what they have brought, encourage it to transform and watch it flourish within our community and beyond.

DATE POLICY APPROVAL:

SIGNED:

In this policy read 'headteacher' as Executive Headteacher (the EHT may delegate some of these roles to the Head of Schools)



Cheshire West
and Chester

FOI Policy

2022-23



Cheshire West
and Chester

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1. Policy Statement

1.1 The Freedom of Information Act 2000 came into effect on 30 November 2000 and gives a general right of access to recorded information held by a public authority, including schools, subject to certain exemptions.

1.2 The school is committed to complying with the provisions of FOIA.

2. Definitions

2.1 "The School" means Christ Church CE Primary School and Bishop Wilson CE Primary School.

2.2 "Appropriate Limit" means the limit set by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 as amended from time to time.

2.3 "Fee Notice" means the amount the Requester will need to pay in order for the School to comply with the request for information.

2.4 "FOIA" means the Freedom of Information Act 2000 and amendments.

2.5 "UKGDPR" means the UK General Data Protection Regulation, [and the Data Protection Act 2018]

2.6 "Publication Scheme" means a list of information that will be routinely published via the School's website. (Appendix 1)

2.7 "Requester" means the person making a request for information from the School.

2.8 "Social Media" means websites and applications that enable users to create and share content or to participate in social networking including Facebook, LinkedIn, Twitter, Google+, and all other social networking sites, internet postings and blogs. It applies to use of Social Media for School purposes as well as personal use that may affect the School in any way.

3. Procedure for making a request for information

3.1 The School requires requests for information pursuant to the provisions of FOIA to be made in writing. The School considers 'in writing' to mean communications by post and email.

3.2 Requests for information held by the School should be sent to freda.davies@bwccf.cheshire.sch.uk

3.3 A request for information made to the School should provide the name of the Requester and an address for correspondence and should clearly set out the information being requested from the School.

4. Duty to Assist

4.1 There may be circumstances where it is unclear to the School what information is being requested or where it appears that the request for information is such that responding will cause the School to exceed to Appropriate Limit.

4.2 In these circumstances the School will seek to provide advice and assistance to the Requester in order to enable the School to provide the requester with the information they are seeking to obtain or inform the requester as to why this is not possible.

5. Time Limit for responding to requests for information

5.1 The School will seek to respond to a request for information promptly and in any event no later than 20 School days or 60 working days from the date of the request whichever occurs first.

5.2 A School day is any day on which there is a School session. A working day means any other day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday.

5.3 Where a fee is payable for responding to the request, the School will disregard any day between a Fee Notice being sent to the Requester and the correct fee being received by the School when calculating the time limit for responding.

5.4 The School may charge for requests where it incurs costs in photocopying, printing or otherwise reproducing the requested information and/or where the School will incur a significant fee for providing the requested information in the format requested by the Requester. There may also be a charge where the School has issued a Fee Notice and the Requester has agreed to pay the fee as set out in the Fee Notice.

5.5 In the event the School is unable to respond within the periods set out above, the School will write to the Requester advising it will be unable to comply and provide a new time scale for responding to the request.

6. Fees

6.1 The School will not charge for the provision of information which is requested subject to the provisions of FOIA.

6.2 The School is not obliged to comply with a request for information if the cumulative time spent on locating, retrieving or, if necessary, extracting the information requested is estimated to exceed the Appropriate Limit.

6.3 The School may decide to provide information requested in excess of the Appropriate Limit without charging a fee where it considers it reasonable and within the public interest to do so.

6.4 Where it appears that responding to a request for information will result in the School exceeding the Appropriate Limit and the School does not waive the fee for complying with the request, the School may provide the Requester with a Fee Notice. The School will also inform the Requester as to how it has estimated that the Appropriate Limit will be exceeded, what information it could provide within the Appropriate Limit, and provide the Requester with the opportunity to narrow their request.

6.5 Where the School has issued a Fee Notice and the Requester indicates they are not prepared to pay the fee as set out in the Fee Notice or does not pay the fee as set out in the Fee Notice within three months, the School is not obliged to comply with the original request. The School will however consider any narrowed or amended request.

7. Exemptions

7.1 The right to be provided with information requested may be limited by the application of an exemption. Some exemptions are absolute and others are qualified. Where an exemption applies to information requested, the School may also be exempt from having to confirm or deny that the information exists as well as from disclosing the requested information.

7.2 Where a qualified exemption applies to information requested from the School, the School will consider whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

7.3 The absolute exemptions most relevant to the School are those that relate to:

- (a) Information accessible by other means (Section 21);
- (b) Personal Information (Section 40);
- (c) Confidential Information (Section 41);
- (d) Prohibitions on Disclosure (Section 44).

7.4 The qualified exemptions most relevant to the School are those that relate to:

- (a) Information intended for future publication (Section 22);
- (b) Prejudice to the Effective Conduct of Public Affairs (Section 36)
- (c) Health and Safety (Section 38)
- (d) Legal Professional Privilege (Section 42)
- (e) Commercial Interests (Section 43).

7.5 Where the School relies on an exemption in not complying with a request for information, the School will write to the Requester setting out the exemption relied on explaining the reason(s) the School considers that the exemption applies to the information requested and, where appropriate, why it has decided that the public interest in withholding the information outweighs the public interest in disclosing it.

8. Requests for Personal Data

8.1 A request by an individual for their own personal data made subject to the provisions of FOIA will be treated as a subject access request.

8.2 A request for the personal data of a third party will be refused where the provision of that information will contravene any of the principles of the UKGDPR, pursuant to Section 40(2) of FOIA.

8.3 For further detail please refer to the School's Subject Access Request Policy.

9. Repeat and Vexatious Requests

9.1 The School will not comply with a request for information which is considered to be vexatious.

9.2 In determining whether a request is vexatious, the School will consider whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress to the School, staff or governors. The School will also consider the burden on the School and any possible distress to its staff or board of governors in responding to the request, the motive of the Requester and the seriousness of the request.

9.3 The School will also not comply with a request for information which is identical or substantially similar to a previous request made by the Requester unless a reasonable time has elapsed between the current request and the previous request.

9.4 In considering whether a reasonable time has elapsed the School will take into account the time that has passed between the current request and the previous request and likelihood that the information requested will differ significantly from the information provided in the response to the previous request.

10. Complaints

10.1 Appeals against any decision not to supply information which the School considers exempt should be made to School's Data Protection Officer who will review the original decision.

10.2 A complaint about the School's Freedom of Information processes, procedures or how a request for information has been dealt with should be made to the School's Data Protection Officer

10.3 If a requester is unhappy with the outcome of their complaint or the way a request for information has been handled can complain to the Information Commissioner at:

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

Tel: 01625 545 700.

11. Monitoring and Review

11.1 This policy will be reviewed as legally required.

APPENDIX 1

Freedom of Information Publication Scheme

Introduction

The Freedom of Information Act 2000 (FOIA) requires all public authorities (including schools) to adopt and maintain a publication scheme. In 2008 the Information Commissioner's Office (ICO) changed the emphasis in the approval and operation of publication schemes to a generic model, with effect from 1 January 2009.

The model commits a public authority to 'produce and publish the method by which the specific information will be available so that it can be easily identified and accessed by members of the public'.

A school will breach the FOIA if it has not adopted the model scheme or is not publishing in accordance with it by this date.

School has adopted the ICO Model Publication Scheme in full, unedited.

The Guide to Information below should be read together with the ICO Model Publication Scheme which can be found at: <https://ico.org.uk/media/for-organisations/documents/1153/model-publication-scheme.pdf>.

Mrs S. Jones has been assigned the day-to-day responsibility for FOI policy and the provision of advice, guidance, publicity and interpretation of the school's policy.

Information to be published.	How the information can be obtained	Cost
<p>Class 1 - Who we are and what we do</p> <p>(Organisational information, structures, locations and contacts)</p> <p>This will be current information only</p>	Website	
Who's who in the school	Website	
Who's who on the governing body / board of governors and the basis of their appointment	Website	
Instrument of Government / Articles of Association	Hard copy	Photocopying fee
Contact details for the Head teacher and for the governing body, via the school (named contacts where possible).	Website	
School prospectus (if any)	Website	
Annual Report (if any)	Hard Copy	0
Staffing structure	Website	

School session times and term dates	Website	
Address of school and contact details, including email address.	Website	
Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum	Hard copy	Photocopying fee
Annual budget plan and financial statements	Hard copy	Photocopying fee
Capital funding	Hard copy	Photocopying fee
Financial audit reports	Hard copy	Photocopying fee
Details of expenditure items over £2000 – published at least annually but at a more frequent quarterly or six-monthly interval where practical.	Hard copy	Photocopying fee
Procurement and contracts the school has entered into, or information relating to / a link to information held by an organisation which has done so on its behalf (for example, a local authority or diocese).	Hard copy	Photocopying fee
Pay policy	Hard copy	Photocopying fee
Staff allowances and expenses that can be incurred or claimed, with totals paid to individual senior staff members (Senior Leadership Team or equivalent, whose basic actual salary is at least £60,000 per annum) by reference to categories.	Hard copy	Photocopying fee
Staffing, pay and grading structure. As a minimum the pay information should include salaries for senior staff (Senior Leadership Team or	Hard copy	Photocopying fee

equivalent as above) in bands of £10,000; for more junior posts, by salary range.		
Governors' allowances that can be incurred or claimed, and a record of total payments made to individual governors.	Hard copy	Photocopying fee
<p>Class 3 – What our priorities are and how we are doing</p> <p>(Strategies and plans, performance indicators, audits, inspections and reviews)</p> <p>Current information as a minimum</p>	Hard copy	Photocopying fee
<p>School profile (if any)</p> <p>And in all cases:</p> <ul style="list-style-type: none"> • Performance data supplied to the English or Welsh Government or to the Northern Ireland Executive, or a direct link to the data • The latest Ofsted / Estyn / Education and Training Inspectorate report <ul style="list-style-type: none"> - Summary - Full report • Post-inspection action plan 	<p>Website</p> <p>Website</p> <p>Hard copy</p>	Photocopying fee
Performance management policy and procedures adopted by the governing body.	Hard copy	Photocopying fee

Performance data or a direct link to it	Website	
The school's future plans; for example, proposals for and any consultation on the future of the school, such as a change in status	Hard copy	Photocopying fee
Safeguarding and child protection	Website	
Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous three years as a minimum	Hard copy	Photocopying fee
Admissions policy/decisions (not individual admission decisions) – where applicable	Website	
Agendas and minutes of meetings of the governing body and its committees. (NB this will exclude information that is properly regarded as private to the meetings).	Hard copy	Photocopying fee
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only. As a minimum these must include policies, procedures and documents that the school is required to have by statute or by its funding agreement or equivalent, or by the Welsh or English government or the Northern Ireland Executive. These will include policies and procedures for handling information requests. In addition, for Wales, this will include a Welsh	Website	

Language Scheme in accordance with the Welsh Language Act 1993. For Northern Ireland, this will include an equality scheme / statement in accordance with the Northern Ireland Act 1998.		
Records management and personal data policies, including: <ul style="list-style-type: none"> • Information security policies • Records retention, destruction and archive policies • Data protection (including information sharing policies) 	Website	
Charging regimes and policies. This should include details of any statutory charging regimes. Charging policies should include charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made and how they are calculated. If the school charges a fee for re-licensing the use of datasets, it should state in its guide how this is calculated (please see "How to complete the Guide to information")	Website	
Class 6 – Lists and Registers Currently maintained lists and registers only (this does not include the attendance register).	Inspection	
Curriculum circulars and statutory instruments	Hard copy	Photocopying fee
Disclosure logs	Inspection	
Asset register	Hard copy	Photocopying fee

Any information the school is currently legally required to hold in publicly available registers	Inspection	
<p>Class 7 – The services we offer</p> <p>(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)</p> <p>Current information only</p>	Website	
Extra-curricular activities	Website	
Out of school clubs	Website	
Services for which the school is entitled to recover a fee, together with those fees	Website	
School publications, leaflets, books and newsletters	Website	
<p>Additional Information</p> <p>This will provide schools with the opportunity to publish information that is not itemised in the lists above</p>		

SCHEDULE OF CHARGES

This describes how the charges have been arrived at and should be published as part of the guide.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying costs will vary as to whether black&white copy or full colour. Costs can be obtained from the Business Manager prior to photocopying.	Actual cost
	Postage	Actual cost of Royal Mail standard 2 nd class