



London Borough of Merton

Schools Freedom of Information Policy

Adopted by Holy Trinity C of E Primary School

1 Introduction

The school supports and is committed to the principles of openness, transparency and accountability embodied in the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. This policy underlines this commitment. It provides policy statements to underpin the school's detailed guidance and procedures in the areas of Freedom of Information and Environmental Information, providing a benchmark against which this implementation can be audited. It covers:

- Scope
- Responsibilities
- Relationships with existing policies
- Publication scheme
- Requests for information
- Charges
- Appeal procedures
- Exemptions, and
- Contractors and suppliers

2 Scope of the policy

This policy has been established to ensure that the school meets its legal obligations under the Freedom of Information Act and the Environmental Information Regulations, and related statutory codes of practice.

The policy applies to all information held by the school, its staff, departments, subsidiaries and agents, regardless of format, storage, medium or age. It also applies to information held by other organisations or individuals on behalf of the school.

Information held by the school includes not only information created by the school and its agents, but also information in the school's possession which originated from outside organisations or individuals, such as higher education institutions, regulatory bodies and private companies.

This policy and the procedures which implement it will ensure that the school conforms to the Act, Regulations and associated codes of practice, the key requirements of which are that:

- Information which is routinely published by the school is made available in accordance with the school's Freedom of Information Publication Scheme.
- Information which is not covered by the Publication Scheme is made available to enquirers on request, within 20 school days (or 60 working days, whichever is shorter), unless a valid exemption or limit applies.
- Exemptions under the Act and Regulations are applied appropriately, and in accordance with the legislation.
- A fair and efficient internal appeal system is administered.

3 Responsibilities

The school has a corporate responsibility to ensure that it conforms to and implements the Freedom of Information Act and the Environmental Information Regulations. The school is accountable to the Information Commissioner for its compliance with the Act and Regulations. The person with overall responsibility for this policy is the Headteacher.

The person responsible for Freedom of Information in the school will ensure that procedures and systems within the school conform to this policy. They will provide training for other staff, co-ordinate the responses to more difficult or complex information requests and provide advice and assistance on Freedom of Information and Environmental Regulation issues.

Individual staff must handle information and requests for information in a way which complies with this policy and the schools' related procedures. Staff should note that deliberate concealment, amendment or destruction of information which has been subject of a Freedom of Information or Environmental Information request, in order to prevent its disclosure, is a criminal offence under the Act and regulations for which individual staff as well as the school can be held liable.

4 Publication scheme

The school is required by the Freedom of Information Act to produce, maintain and make available a Publication Scheme covering the information which the school routinely publishes or intends to publish. The Publication Scheme is available on the school's website at www.holytrinity.merton.sch.uk and describes the class of information which the school publishes, providing appropriate examples of individual documents, and details formats in which publications are available and whether any charges apply.

The school is required by law to keep the scheme up to date. Publication of information via the scheme incurs a number of benefits, such as reduction in the amount of information which can be subject to Freedom of Information requests.

To secure these benefits, and in the interests of openness, accountability and business efficiency, the school affirms its commitment to the routine publication of as much non-sensitive information about the school's policies, procedures and activities as possible, following a web first publication policy.

The Information Commissioner has published guidance about publication schemes for schools at http://www.ico.gov.uk/for_organisations/freedom_of_information/definition_documents.aspx

5 Requests for information

Information which is not covered by the Publication Scheme can be requested by individuals within or outside the school under the Freedom of Information Act and Environmental Regulations Act. The Act and Regulations provide the public with the right to be informed whether the information is held by the school, and if so, to have the information communicated to them unless an exemption or limit applies. Requests must be answered within 20 school days (or 60 working days, whichever is shorter).

The school is committed to processing requests for information in accordance with the requirements of the Act and Regulations, and their associated codes of practice. Procedures and systems for dealing with information requests will be developed to promote conformity, and will be coupled with appropriate training for staff handling requests.

6 Charges

The Freedom of Information Act imposes a statutory limit (appropriate limit) on the amount that can be spent on locating and extracting the information required to answer a request. This limit is currently set at £450, which the legislation deems to be equivalent to 18 hours of staff time.

Where a public authority receives a request which is estimated to be over the appropriate limit, it can refuse to comply with the request, comply without imposing a charge, or comply on condition that the applicant pays the full cost of processing the request. The school's policy is to refuse to comply with requests that are likely to exceed the appropriate limit. Before doing so the school must provide the applicant, where possible, with reasonable advice and assistance to help narrow down the scope of the request to one that would be within limit.

Applicants whose requests are refused on the ground of appropriate limit will be provided with an explanation as to why the school believes that the limit would be exceeded.

No appropriate limit is set by the Environmental Information Regulations; however the school reserves the right to refuse to comply with requests which are manifestly unreasonable or too general in accordance with the Regulations. Again the school has a duty to advise the applicant on how to refocus their request to one that would be acceptable.

Where the cost of processing a Freedom of Information request is below the appropriate limit, the school may only charge for postage and photocopying, printing and other forms of reprographics. Charges for Environmental Information requests will match these. The school has greater latitude to charge for information covered by the Publication Scheme. Details of charges are included in the scheme.

7 Appeal procedures

The school will establish and maintain a unified system of internal review which will be accessible to all applicants who are dissatisfied with the handling of their information request.

8 Exemptions

Although the school upholds the principle that information should be accessible wherever possible, there are times when information has to be withheld to protect the school's legitimate interests and those of other organisations and individuals.

The school will only refuse to disclose information in response to a request if a valid exemption applies under the Freedom of Information Act or the Environmental Information Regulations, or if the appropriate limit would be exceeded. The school will apply exemptions in a way which takes into account the guidance on exemptions issued by the Information Commissioner and the Ministry of Justice.

Where information is withheld under an exemption, applicants will be informed of the relevant exemption and why the school believes it applies, and will be provided with details of the school's appeal procedures.

9 Contractors, suppliers

The Freedom of Information Act and Environmental Information Regulations cover all information held by the school, including information provided by outside organisations such as contractors, tenderers, suppliers, other schools and regulatory bodies. The school will consult with outside organisations whenever information which they have supplied to the school is the subject of a request. However the ultimate legal responsibility for deciding whether or not information should be released rests with the school.

Credit: School of Oriental and African Studies Freedom of Information Policy 2014

Monitoring and Review by Business Committee

This policy is monitored by the Business Committee and will be reviewed every 3 years. Next review date June 2019

Adopted and approved by the Business Committee on Tuesday 21st June 2016

Signed: Alex Matthews (Chair)

Date:.....