

Freedom of Information (Fol) is an area where schools should have recognised policies and practices.

The document on the following pages outlines a Freedom of Information Policy and an associated Publication Scheme.

Statutorily, a school does not have to have a Fol Policy, with only the Publication scheme being legally necessary. However, in practice because of the need to record procedures and processes many schools find it useful to have a policy document.

The review of the policy and publication scheme is up to the school. Many schools have a 3-year cycle for all policies and this would fit into this regime – but again there is no statutory duty to do this.

Associated with this policy are several other documents that the school should also consider adopting.

These are:

- Fol Charging
- Fol Dealing with Requests
- Fol Exemptions
- Fol Public Interest Test
- Fol Publication Scheme
- Fol Standard Letters

These documents, including this policy document are available for download from:

As outlined in this document, the Governing body should delegate the day to day running of Fol requests to the Headteacher. The Headteacher can in turn delegate this to other members of staff.

Decisions based around vexatious requests, charging or exemptions to Fol requests should always be discussed by the Headteacher and the person delegated to deal with Fol, with the Governing body being consulted if necessary.

Further help and guidance on Freedom of Information, Data Protection, Environmental Information Requests and other associated issues can be obtained from [dposchools@somerset.gov.uk](mailto:dposchools@somerset.gov.uk)

## Introduction

North Newton School is committed to the Freedom of Information Act and to the principles of accountability and the general right of access to information. This policy outlines our response to the Act and a framework for managing requests.

## Background

The school recognises that under the Fol, any person (the enquirer) has a legal right to ask for access to information held by the school. The enquirer is entitled to be told whether the school holds the information, and to receive a copy, subject to certain exemptions.

The information which the school routinely makes available to the public is included in the Publication Scheme on the school website <https://www.northnewtonschool.co.uk>  
Requests for other information will be dealt with in accordance with the statutory guidance.

As requests under FoI can be addressed to anyone in the school all staff will be made aware of the process for dealing with requests.

The school will respond to all requests, telling the enquirer whether the information is held, and supplying any information that is held, except where exemptions apply.

The school will respond to each request within 20 days excluding school holidays.

## Scope

If any element of a request to the school includes personal or environmental information, these will be dealt with under the Data Protection Act (DPA) or Environmental Regulations (EIR). Any other information is a request under FoI and must be dealt with accordingly.

Requests for information about anything relating to the environment – such as air, water, land, the natural world or the built environment and any factor or measure affecting these – are covered by the EIR. They also cover issues relating to Health and Safety. Requests under EIR are dealt with in the same way as those under FoI, but unlike FoI requests, they do not need to be written and can be verbal.

## Obligations and Duties

The school recognises its duty to

- provide advice and assistance to anyone requesting information. The school will respond to straightforward verbal requests for information and will help enquirers to put more complex verbal requests into writing so that they can be handled under the Act.
- tell enquirers whether or not we hold the information they are requesting (the duty to confirm or deny), and provide access to the information the school hold in accordance with the procedures laid down here <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/receiving-a-request/>

## Publication Scheme

North Newton School has adopted the Model Publication Scheme for Schools approved by the Information Commissioner.

The Publication Scheme is published on our website and the materials it covers will be readily available from the office.

## Dealing with Requests

The school will respond to all requests in accordance with the procedures laid down here <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/receiving-a-request/> . The school will ensure that all staff are aware of the procedures.

## Exemptions

The school will consider if information requested is subject to exemption. The exemptions are listed here: <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/refusing-a-request/>

When the school wishes to apply a qualified exemption to a request, it will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information.

The school will maintain a register of requests where we have refused to supply information, and the reasons for the refusal. The register will be retained for 5 years.

## Public Interest Test

The school will apply the Public Interest Test before any qualified exemptions are applied. Unless it is in the public interest to withhold information, it will be released. For information on applying the Public Interest Test see here [https://ico.org.uk/media/for-organisations/documents/1183/the\\_public\\_interest\\_test.pdf](https://ico.org.uk/media/for-organisations/documents/1183/the_public_interest_test.pdf)

## Charging

The school will respond to most requests free of charge, and only charge where significant costs are incurred. The school may choose to charge a fee for complying with requests for information under FOI. The fees will be calculated according to FOI regulations, see here [https://ico.org.uk/media/1635/fees\\_cost\\_of\\_compliance\\_exceeds\\_appropriate\\_limit.pdf](https://ico.org.uk/media/1635/fees_cost_of_compliance_exceeds_appropriate_limit.pdf) , and the person notified of the charge before information is supplied.

The school reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum.

## Responsibilities

The Governing body has delegated the day-to-day responsibility for compliance with the FOI to the Head Teacher.

## Complaints

Any comments or complaints will be dealt with through the school's normal complaints procedure. The school will maintain records of all complaints and their outcome.

If on investigation 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.

FOI/EIR Complaints Resolution  
**Information Commissioner's Office**  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

## Review

This policy document and associated Publication Scheme will be reviewed every 3 years.