

School Freedom of Information Act / Environment Information Regulations Policy

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Freedom of Information / Environmental Information Regulations Policy

1. Terms of reference

- 1.1 The purpose of this policy is to ensure Emmanuel CofE School complies with the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIRs).

2. Policy Statement

- 2.1 We will ensure that:

- We take a proactive and positive approach towards information rights.
- We will publish a significant amount of routinely published information about the school on our website, which is our Publication Scheme.
- We will deal with requests informally as 'business as usual' where possible.
- We will deal with formal requests under FOIA or EIRs within the statutory timescales, apply exemptions or exceptions properly, consider the public interest test where relevant, and always have a presumption in favour of disclosure.
- We undertake Internal Reviews within the required timescales, and they will be carried out by someone other than the case holder.
- We will meet our obligations under the Equality Act 2010 and any other legislation to provide information in other forms and formats.

3. Freedom of Information Act 2000 and Environmental Information Regulations 2004 Requests

- 3.1 The FOIA and EIRs apply to requests for recorded information held by the school which cannot be answered as a 'business as usual' request. We will answer requests quickly and informally as 'business as usual' where possible.
- 3.2 Anyone can make a request for recorded information. FOI Requests must be made in writing such as by email or post, although EIR request can be made verbally. The requester must give their name and an address to correspond with them, this can be email or post. Requesters do not have to explain why they are making a request or justify their request.
- 3.3 Whilst a request can be in the form of a question, rather than a request for specific documents, the school does not have to create new information or give an opinion or judgment that is not already recorded.
- 3.4 We will acknowledge receipt of requests within 3 school days during term time, and as soon as practicable during school holidays. Where needed we will seek clarification to establish or in some cases help the requester refine their request before it is deemed valid. The timescales for response commence after receipt of a valid request.
- 3.5 When we have received a valid request we will reply within the statutory timescales. The timescale is 20 school days or 60 working days whichever is the shorter. The Data Protection

Advice Team will help you calculate this if required. The presumption is that the information will be provided. However there will be occasions where we will not hold the information. Applicants will be informed if this is the case.

- 3.6 If any information is to be withheld then we will send a response that confirms or denies whether we hold the information (unless a specific exemption permits a neither confirm nor deny response to be made). The response will give details of the exemption/exception applied and why it applies. Where required the response will set out the public interest test.
- 3.7 We will only apply charges to the communication costs of some requests (e.g. photocopying, postage and packaging, copying) where these are onerous on the school. If this is the case we will inform the requester and give them 3 months to pay the fee before the request will lapse. On these occasions the information will be released upon receipt of any fees.
- 3.8 All responses will explain how to request an Internal Review and how to contact the Information Commissioner's Office if the requester is unhappy with the outcome of their Internal Review. A review can be requested within 2 months from the date of the response.
- 3.9 The Chair of Governors or a nominated Governor will undertake the Internal Review and will inform the requester whether they uphold or not the original response in full or in part. They will respond to an Internal Review within 25 school days during term time from the receipt date of that request.
- 3.10 The Information Commissioner (ICO) (Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF Telephone: 01625 545 700 www.ico.org.uk) is the FOIA and EIRs regulator. The school will abide by the decisions of the Information Commissioners Office unless it appeals to the Information Tribunal.

4. Roles and responsibilities

- 4.1 The head teacher has overall responsibility for FOIA and EIRs in the school although day to day responsibility may be delegated to other members of the senior leadership team.
- 4.2 The Chair of Governors is the Qualified Person for determining whether disclosure would be likely to prejudice the effective conduct of public affairs for the s36 exemption.
- 4.3 The Chair of Governors will be responsible for undertaking Internal Reviews, unless s36 has been engaged in which case a nominated member of the Governing body with no prior involvement will be responsible for the review.

5. Handling and tracking of requests

5.1 Requests for information under FOI should be in writing and whilst all members of staff will assist any requester where possible, we have a designated email address to assist with prompt processing. Requesters can make an EIR request verbally but it is helpful for them to make it in writing. The email address is : admin@emmanuel.camden.sch.uk

- 5.2 All requests for information will be logged by the school office team and tracked to ensure that timescales are met and to assist identification of repeat, similar or vexatious requests.
- 5.3 We will annually review multiple or similar requests for information on subjects not already included in our Publication Scheme and this will lead to consideration for inclusion within it.

Schedule of Charges

DESCRIPTION	BASIS OF CHARGE
Photocopying/printing @10p per A4 printed side (black & white)	Paper, time, printing
Photocopying/printing @20p per A3 printed side (black & white)	
Photocopying/printing @25p per A4 printed side (colour)	Paper, time, printing
Photocopying/printing @50p per A3 printed side (colour)	
Postage	Actual cost of Royal Mail standard 2 nd class or cost of secure delivery