



FOREST OF DEAN COMMUNITY SCHOOLS FEDERATION

PARKEND PRIMARY & YORKLEY PRIMARY

Freedom of Information 2024 - 2026

Ratified: July 2024

Signed by:

Executive
Headteacher

Chair of Governors

Statement of intent

The Governing Body of the Forest of Dean Community Schools Federation are responsible for ensuring that each school complies with the Freedom of Information Act 2000 (FOI).

When considering issues such as:

- Dealing with Requests
- Exemptions
- Applying the Public Interest Test
- Charging

The federation will follow the ICO's 'Guide to Freedom of Information' a copy of which is available from the ICO website. It is committed to the Freedom of Information Act 2000 and to the principles of accountability and the general right of access to information, subject to legal exemptions. This policy outlines our response to the Act and a framework for managing requests.

1. Legal framework

This policy has due regard to the following legislation:

- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

This policy will be viewed in conjunction with the following other school policies:

- Data Protection Policy

2. Background

The Freedom of Information Act 2000 (FOI) came fully into force on January 1 2005. Under the Act, any person has a legal right to ask for access to information held by the school. They are 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. Requests for other information should be dealt with in accordance with the statutory guidance. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information.

The Act is fully retrospective, so that any past records which the schools hold are covered by the Act.

Requests under FOI should be made to the Executive Headteacher or School Business Manager. Requests must be made in writing or via email, and should include the enquirer's name and correspondence address, and state what information they require. They do not have to mention the Act, nor do they have to say why they want the information. There is a duty to respond to all requests, telling the enquirer whether or not the information is held, and supplying any information that is held, except where exemptions apply. There is no need to collect data in specific response to a FOI enquiry. There is a time limit of 20 days, excluding school holidays, for responding to the request.

3. Scope

The FOI Act joins the Data Protection Act and the Environmental Information Regulations as legislation under which anyone is entitled to request information from the school.

Requests for personal data are covered by the Data Protection Act (2018). Individuals can request to see what information the school holds about them using a Subject Access Request.

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 Environmental Information Regulations (EIR). They also cover issues relating to Health and Safety.

If any element of a request to the school includes personal or environmental information, these elements must be dealt with under DPA or EIR.

4. Obligations and Duties

The school recognises its duty to:

- Provide advice and assistance to anyone requesting information. By responding to straightforward verbal requests for information, and helping 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 we hold in accordance with the relevant procedures.

5. Publication Scheme

Parkend and Yorkley Primary Schools have both adopted the Model Publication Scheme for Schools approved by the Information Commissioner.

6. Dealing with requests

We will respond to all requests in accordance with the processes outlined above.

7. Exemptions & Public Interest Test

Certain information is subject to either absolute or qualified exemptions. Unless it is in the public interest to withhold information, it has to be released. We will apply the Public Interest Test before any qualified exemptions are applied.

When we wish to apply a qualified exemption to a request, we will invoke the public interest test procedure, available from the ICO website, to determine if public interest in applying the exemption outweighs the public interest in disclosing the information. We 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.

8. Charging

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

9. Complaints

Any comments or complaints will be dealt with through the school's complaints procedure.

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.

Appeals should be made in writing to the Information Commissioner's office who can be contacted at:

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