

# Brady Primary School Freedom of Information Policy



'All children can learn considerably more'



## Aims of Brady Primary School

### “All children can learn considerably more”

At Brady Primary School we aim to provide a safe, caring and stimulating environment, which offers opportunities:-

- For everyone within the school to reach their full potential and develop self-worth, self-confidence, the ability to take responsibility for their own individual actions, and resilience.
- For everyone within the school to have a sense of wonder, an enthusiasm for learning and help children to develop as independent thinkers and learners with enquiring minds.
- To encourage and develop a respect and understanding for others.
- To develop all partnerships, small and large, from the individual parent to the wider community and beyond to support children’s learning.
- To give children access to a broad and balanced creative curriculum to attain the highest possible standards in relation to prior attainment through assessment, teaching and learning.

### Equal opportunities and Inclusion

At Brady Primary school we believe that every child is entitled to equal access to the curriculum, regardless of race, gender, class or disability.

We are committed to promoting learning and teaching environments, for all that embed the values of inclusive educational practices.

Through a child centered approach, we aim to ensure that education is accessible and relevant to all our learners, to respect each other and to celebrate diversity and difference.



## Introduction

Brady school 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.

## 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 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 school holds are covered by the Act. The DfES has issued a Retention Schedule produced by the Records Management Society of Great Britain, to guide schools on how long they should keep school records. It is an offence to willfully conceal damage or destroy information in order to avoid responding to an enquiry, so it is important that no records that are the subject of an enquiry are amended or destroyed. Requests under FoI can be addressed to anyone in the school; so all staff are made aware of the process for dealing with requests. Requests must be made in writing, (including email), and should include the enquirers 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.

For further information and guidance, see the DfES "Freedom of Information Act 2000 – A Guide for Maintained Schools on Full Implementation from January 2005." This can be found on Teachernet, under Freedom of Information in the A-Z of School Leadership.



## Scope

The Freedom of Information Act (FoIA) 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 still covered by the Data Protection Act (DPA). Individuals can request to see what information the school holds about them. This is known as a Subject Access Request, 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 Environmental Information Regulations (EIR). They also cover issues relating to Health and Safety. For example queries about chemicals used in the school or on school land, phone masts, car parks etc. would all be covered by the EIR. Requests under EIR are dealt with in the same way as those under FoIA, but unlike FoIA requests, they do not need to be written and can be verbal. If any element of a request to the school includes personal or environmental information, these elements must be dealt with under DPA or EIR. Any other information is a request under FoIA, and must be dealt with accordingly.

## 4. Obligations and Duties

The school recognizes its duty to

- Provide advice and assistance to anyone requesting information. We will respond to straightforward verbal requests for information. We will request 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 procedures laid down in Appendix 1.

## 5. Publication Scheme

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



The Publication Scheme and the materials it covers will be readily available from the School office. It will also be published on the school website [www.bradypriaryschool.co.uk](http://www.bradypriaryschool.co.uk)

## 6. Dealing with Requests

We will respond to all requests in accordance with the procedures laid down in Appendix 1. We will ensure that all staff are aware of the procedures

## 7. Exemptions

Certain information is subject to either absolute or qualified exemptions. The exemptions are listed in Appendix 2.

When we wish to apply a qualified exemption to a request, we will invoke the public interest test procedures 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. Public Interest Test

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. For information on applying the Public Interest Test see Appendix 3.

## 9. Charging

The school will respond to most requests free of charge. If photocopies exceed 140 pages, direct costs (printing, postage etc will be charged and the person notified of the charge before the information is supplied. We reserve the right to refuse the supply of information where the cost of doing so exceeds the statutory maximum, currently £450.

## 10. Responsibilities

The day-to-day responsibility for compliance with the FoIA is delegated by the Governing Body to the Head Teacher.



The Office Manager has been nominated by the Governing Body to coordinate enquiries and be a point of reference for advice and training.

## 11. Complaints

Any comments or complaints will be dealt with through the school’s normal complaints procedure which is published on the school website.

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

Appeals should be made in writing to the Information Commissioner’s Office

They can be contacted at:

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

## Other Related Documents

Complaints Policy

### Review

This policy will be reviewed every 2 years by The Leadership & Management Committee. Any alterations that come from this review will be discussed with the Headteacher and ratified by the teaching staff and appropriate governing body sub-committee.

Chair of Governors ..... Date .....

Head teacher ..... Date .....