



**Osmaston** Primary School

# **Freedom of Information Policy**

## **1 School vision statement**

At Osmaston Primary School pupils are supported and nurtured in order to develop their aspirations for their future as learners and as positive contributors to society. We expect every pupil to put learning first, work hard and be nice to themselves and others in order to achieve the highest academic standards. We offer a safe and enjoyable learning environment where excellence is promoted.

## **2 Scope of this policy**

The Freedom of Information Act (FOI) joins the Data Protection Act (DPA) and the Environmental Information Regulations (EIR) as legislation under which anyone is entitled to request information from the school. Requests for personal data are still covered by the 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 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 FOI but unlike FOI requests, they do not need to be written and can be verbal.

## **3 Aims and Objectives**

The Freedom of Information Act 2000 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. This policy explains the procedure for accessing information held by the school.

## **4 How to make a request for information**

Requests under The 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 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.

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 FOI, and must be dealt with accordingly.

## **5 Obligations and Duties**

The school recognises its duty to provide advice and assistance to anyone requesting information. We 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.



We can also 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.

## **6 Publication Scheme**

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

## **7 Exemptions**

Certain information is subject to either absolute or qualified exemptions. 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.

## **9 Charging**

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

## **10 Complaints**

Any comments or complaints will be dealt with through the school's normal complaints procedure. We will aim to satisfactorily resolve all complaints within 10 days of receipt. 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.