

Freedom of Information policy



Hazel Oak School

March 2023

To be reviewed March 2024

Agreed by Governors onDate

Signed by.....Chair of Governors

Freedom of Information Policy

1. Purpose

- 1.1. Hazel Oak School ('the School') is committed to openness and transparency in its dealings with all persons and organisations and fully embraces the aims of the Freedom of Information Act 2000 ('the Act'). This policy sets out how all staff and governors at the School will make every effort to meet its obligations under the Act and will regularly review internal procedures to ensure that it is doing so.
- 1.2 Read this policy in conjunction with Records Management Policy, Data Protection Policy, Access to Information Policy and Freedom of Information Request Procedure, Publication Scheme.

2. About Freedom of Information Act

- 2.1 The Act gives a general right of access to all types of recorded information held by public authorities and came into force in January 2005. It gives the public the opportunity to find out what the School does and how we do it, enables the public to question our decisions more closely and ensures that the services we provide are efficiently and properly delivered.
- 2.2 The Act places the following requirements on the School:
 - Information which is routinely published by the School is made available in accordance with the School's Publication Scheme
 - Information not covered by the Publication Scheme is made available to enquirers on request, within 20 working days, unless an exemption or limit applies
 - Exemptions under the Act are applied appropriately, and in accordance with the legislation
 - A fair and efficient internal appeal system is administered
 - A properly structured approach to managing records is in place to ensure that essential records of the School's activities are maintained in appropriate detail
- 2.3 The Act applies to all recorded information created and held by the School and its staff, regardless of format, storage medium and age.
- 2.4 The Act does not give people access to their own personal information (about themselves). If a member of the public wants to see information that the School holds about them they should make a Subject Access Request under Data Protection law.

3. Publication Scheme

- 3.1 The School has adopted a Publication Scheme in accordance with Section 19 of the Act. The Scheme adopted by the School is the Model Publication Scheme for schools which is approved by the Information Commissioner.
- 3.2 The scheme sets out the School's commitment to make certain classes of information, such as policies, procedures, minutes of meetings and financial information routinely available. Where charges are applied these will be stated in

the Scheme.

- 3.3 A copy of the Publication Scheme and the material contained within it is published on our website or, where indicated, readily available from the School office. School staff will give advice and assistance on how to use the scheme.
- 3.4 The School is committed to updating and maintaining the Publication Scheme; when information is provided in response to a recorded request for information under the Act, the School will assess whether it is suitable for wider publication. In general, there will be a presumption in favour of publishing such information.

4. Requests for Information

- 4.1. The School will provide advice and assistance to anyone requesting information. We will respond directly to straightforward verbal requests for information, and will help enquirers to put more complex requests into writing so that they can be handled under the Act.
- 4.2 A response to a request will be sent within the statutory guidelines one calendar month from the date of request, however, the School is committed to providing a prompt service and every attempt will be made to provide the information earlier than the expiry of the one calendar month period.
- 4.3 There is no need for requests to indicate that they are made under the Act. All staff are made aware of the procedure to follow for when a request is received.
- 4.4. It may be appropriate for the School to provide information in redacted (edited) form, in line with any exemptions that need to be applied under the legislation.
- 4.5 The School recognises that requests for environmental information, under the Environmental Information Regulations 2004, may be made over the telephone as well as in writing, and that different exemptions apply.

5. Refusals and Exemptions

- 5.1 The School may be unable to provide all or some of the information requested for any of the following reasons, and will inform the requestor if:
 - The information is not held
 - An exemption to the disclosure is being applied
 - It would cost the school more than £450 to provide the information
 - The request is considered a vexatious request.
- 5.2 There are 23 exemptions whereby information can be withheld, in particular those concerning:
 - The School's duties under Data Protection law to keep confidential personal and sensitive information about individuals
 - Other legal and contractual obligations
 - Material detrimental to the safe and efficient operation of the School
 - Information which is commercially sensitive.

6. Fees and Charges

- 6.1 The School will respond to most requests free of charge, and only charge where significant costs are incurred for photocopying, printing, faxing, postage and any work required putting information into a requested format unless requested on grounds of disability. If a charge is to be made, the School will give written notice

- to the applicant before supplying the information requested.
- 6.2 The School reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum. If the School agree to still provide the information, staff time may also be charged for at a rate of £25 per hour.

7. Responsibilities

- 7.1 The School and Governing Body have a legal responsibility to comply with the Act and are accountable to the Information Commissioner's Office. The staff member with overall responsibility for this policy is the Headteacher.
- 7.2 Andy Simms, Headteacher, is responsible for the day-to-day management of compliance with the Act. This includes the development of procedures and guidance, their promotion to staff through training and outreach, and the maintenance and periodic review of the Publication Scheme.
- 7.3 All School staff have a responsibility to ensure that any request for information they receive is dealt with under the Act, in compliance with this policy and to provide the Ellen Barrett, Data Protection Officer with all the necessary advice and assistance when requested to do so. All staff are also responsible for good information handling practice and for implementing records management policies and procedures as appropriate to their post.
- 7.4 All staff understand that concealing, amending or destroying information which has been subject to a Freedom of Information request is prohibited under the Act.

8. Complaints

- 8.1. Complaints will be dealt with in accordance with the School's complaints policy. Please contact the school office on 0121 744 4162 or { HYPERLINK "mailto:office@hazel-oak.solihull.sch.uk" } if you wish to make a complaint or write to Hazel Oak School, Hazeloak Road, Shirley, Solihull, B90 2AZ
- 8.2. Complaints relating to the school's compliance with the FOIA may be referred to the Information Commissioner's Office (the statutory regulator).

9. Contacts

- 9.1. If you have any enquires in relation to this policy, please contact Ellen Barrett, Data Protection Officer. Please send requests for information under the Act to the school office at office@hazel-oak.solihull.sch.uk.

10. Approval and Review

- 10.1. This policy was approved by the School Governing Body on 28th March 2023 and will be reviewed and updated as necessary to reflect best practice or amendments made to the Act.