

Burlish Park Primary School



Publication Scheme

relating to information available under the

Freedom of Information Act

2000

July 2018

Legal framework

This policy has due regard to the following legislation:

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

This policy also has due regard to guidance, including, but not limited to, the following:

- Information Commissioner's Office (ICO) 'Model publication scheme' 2016
- ICO 'Duty to provide advice and assistance (section 16)' 2016

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

- GDPR Data Protection Policy 2018

1. Introduction: what a publication scheme is and why it has been developed

One of the aims of the Freedom of Information Act (FOIA) 2000 (as amended) is that public authorities, including all maintained schools, should be clear and proactive about the information they will make public.

To do this we must produce a publication scheme, setting out:

- *The classes of information which we publish or intend to publish;*
- *The manner in which the information will be published; and*
- *Whether the information is available free of charge or on payment.*

The scheme covers information already published and information which is to be published in the future. All information in our publication scheme is either available for you on our website to download and print off or available in paper form.

Some information which we hold may not be made public, for example, certain personal information as detailed in the Data Protection Policy 2018.

This publication scheme conforms to the model scheme for schools approved by the Information Commissioner.

2. Aims and Objectives

A copy of the full aims of the school is available in the school prospectus and on the school website. In summary, the school aims to enable every child to fulfil their learning potential and help every child develop the skills, knowledge and personal qualities needed for their next stage of education or life that meets the needs of each child.

The publication scheme aims to identify the range of information relating to the overall school aims and the running of the school and how this can be accessed.

3. Categories of information published

The publication scheme guides you to information which we currently publish (or have recently published) or which we will publish in the future. This is split into categories of information known as 'classes'. These are contained in section 10 of this scheme.

The classes of information that we undertake to make available are organised into three broad topic areas:

Governors' Documents – information published in Governing Body documents.

Curriculum – information about policies that relate to pupils and the school curriculum.

School Policies and other information related to the school - information about policies that relate to the school in general.

4. How to request information

The school will only accept a request for information which meets all of the following criteria:

- It is in writing
- It states the name of the applicant and an address for correspondence
- It clearly describes the information requested

A request will be treated as made in writing if it meets all of the following requirements:

- It is received in legible form
- It is capable of being used for subsequent reference

The school includes details of its procedures for dealing with requests for information in policies on the website, which includes:

- A contact address and email address
- A telephone number
- A named individual to assist applicants with their requests

5. General right of access to information held by the school

Provided that the request complies with section 4 of this policy, the school will, no later than 20 working days from receipt of the request, comply with its duty to:

- Confirm or deny to any person making a request for information to the school, whether it holds information of the description specified in the request.
- Provide the documentation, if the school confirms that it holds the requested information.

The school will not comply with section 5 of this policy where:

- The school reasonably requires further information to meet a freedom of information request, has informed the applicant of this requirement, but was not subsequently supplied with that further information.
- The information is no longer readily available, as it is contained in files that have been placed in archive storage or is difficult to access for similar reasons.
- A request for information is exempt under section 2 of the Freedom of Information Act 2000, or the General Data Protection Regulation (2018).
- The cost of providing the information exceeds the appropriate limit (see below).
- The request is vexatious.
- The request is a repeated request from the same person made within 60 consecutive working days of the initial one.
- A fee notice was not honoured.

Where information is, or is thought to be, exempt, the school will, within 20 working days, give notice to the applicant which:

- States the fact.
- Specifies the exemption in question.

The information provided to the applicant will be in the format that they have requested, where possible.

Where it is not possible to provide the information in the requested format, the school will assist the applicant by discussing alternative formats in which it can be provided.

The information provided will also be in the language in which it is held, or another language that is legally required. If the school is required to translate any information, it will do so.

If, under relevant disability and discrimination regulations, the school is legally obliged to provide the information in other forms and formats, it will do so.

4. The appropriate limit

The school will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450.

When determining whether a cost of complying with a freedom of information request is needed and is within the appropriate limit, the school will take account only of the costs we reasonably expect to incur in relation to:

- Determining whether it holds the information.
- Locating the information, or a document which may contain the information.
- Retrieving the information, or a document which may contain the information.
- Extracting the information from a document containing it.
- Any costs incurred relating to the time spent by any person undertaking any excessive activities outlined in this policy on behalf of the school, are to be estimated at a rate of £25 per person per hour. Where multiple requests for information are made to the school within 60 consecutive working days of each other, either by a single person or by different persons who appear to be acting in concert, the estimated cost of complying with any of the requests is to be taken to be the total costs to the school of complying with all of them.

6. Charging fees

The school may, within 20 working days, give an applicant who has requested information from the school, a written notice stating that a fee is to be charged for the school's compliance.

Fees charged will not exceed the total cost to the school of:

- Informing the person making the request whether we hold the information.
- Communicating the information to the person making the request.

Where a fee is to be charged, the school will not comply with section 5 of this policy unless the requested fee is paid within a period of three months, beginning with the day on which the fees notice is given to the applicant.

The school will not take into account any costs which are attributable to the time spent by persons undertaking any of the activities mentioned in section 5 above.

When calculating the 20th working day in which to respond to a freedom of information request, the period beginning the day on which the fee notice is given to the applicant and ending with the day on which the fee is received, will be disregarded.

7. Means by which communication is to be made

Where, on making a request for information, the applicant expresses a preference for communication by any one of the following means, the school will, as far as is practicable, give effect to that preference:

- The provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant.
- The provision to the applicant of a reasonable opportunity to inspect a record containing the information.
- The provision to the applicant of a digest, or summary of the information, in permanent form or in another form acceptable to the applicant.

8. Providing advice and assistance

The school will meet its duty to provide advice and assistance, as far as is reasonable, to any person who proposes to make, or has made, requests for information to the school.

The school may offer advice and assistance in the following circumstances:

- If an individual requests to know what types of information the school holds and the format in which it is available, as well as information on the fees regulations and charging procedures.
- If a request has been made, but the school is unable to regard it as a valid request due to insufficient information, leading to an inability to identify and locate the information.

- If a request has been refused, e.g. due to an excessive cost, and it is necessary for the school to assist the individual who has submitted the request.

The school will provide assistance for each individual on a case-by-case basis; examples of how the school will provide assistance include the following:

- Informing an applicant of their rights under the Freedom of Information Act 2000
- Assisting an individual in the focus of their request, e.g. by advising of the types of information available within the requested category
- Advising an applicant if information is available elsewhere and how to access this information
- Keeping an applicant informed on the progress of their request

In order to provide assistance as outlined above, the school will engage in the following good practice procedures:

- Make early contact with an individual and keep them informed of the process of their request.
- Accurately record and document all correspondence concerning the clarification and handling of any request.
- Give consideration to the most appropriate means of contacting the applicant, taking into account their individual circumstances.
- Discuss with the applicant whether they would prefer to receive the information in an alternative format, in cases where it is not possible to provide the information requested in the manner originally specified.
- Remain prepared to assist an applicant who has had their request denied due to an exemption.

The school will give particular consideration to what level of assistance is required for an applicant who has difficulty submitting a written request.

In circumstances where an applicant has difficulty submitting a written request, the school will:

- Make a note of the application over the telephone and then send the note to the applicant to confirm and return – the statutory time limit for a reply would begin here.
- Direct the individual to a different agency that may be able to assist with framing their request.

NB. This list is not exhaustive and the school may decide to take additional assistance measures that are appropriate to the case.

Where an applicant's request has been refused either because the information is accessible by other means, or the information is intended for future publication or research, the school, as a matter of good practice, will provide advice and assistance.

The school will advise the applicant how and where information can be obtained, if it is accessible by other means.

Where there is an intention to publish the information in the future, the school will advise the applicant of when this publication is expected.

If the request is not clear, the school will ask for more detail from the applicant in order to identify and locate the relevant information, before providing further advice and assistance.

If the school is able to clearly identify the elements of a request, it will respond following usual procedures and will provide advice and assistance for the remainder of the request.

If any additional clarification is needed for the remainder of a request, the school will ensure there is no delay in asking for further information.

If an applicant decides not to follow the school's advice and assistance and fails to provide clarification, the school is under no obligation to contact the applicant again.

If the school is under any doubt that the applicant did not receive the advice and assistance, the school will reissue it.

The school is not required to provide assistance where an applicant's request is vexatious or repeated, as defined under section 14 of the Freedom of Information Act 2000.

The school is also not required to provide information where the cost of complying with a request exceeds the limit outlined in the Freedom of Information Act 2000. In such cases, the school will consider whether any information can be provided free of charge if the applicant refuses to pay the fee.

A record will be kept by the Headteacher in the Headteacher's Office of all the advice and assistance provided.

Please Note:

Information which will not be made available includes:

- Information of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form or note form
- Information that is no longer readily available as it is contained in files that have been placed in archive storage and is difficult to access for similar reasons.

9. How to request information

Requested documents will be delivered electronically where possible, but paper copies can be provided by contacting the school using the contact details below.

To enable us to process your request quickly, please mark all correspondence:

'FREEDOM OF INFORMATION REQUEST'

Documents can be translated under disability legislation into accessible formats where possible.

Documents relating to any request are free to view on the school website.

Please contact the Headteacher/Governing body using the following contact details:

Email: office@burlishparkprimaryschool.worcs.sch.uk

Tel: 01299 823771

Postal Contact Address:

Burlish Park Primary School
Windermere Way
Stourport on Severn
DY13 8LA

10. Classes of Information Currently Published

Website and other information relating to the governing body – this section sets out information published on the website and in other governing body documents.

Class Description

School

Website

Governing Body Documents:**Instrument of Government****Minutes* of the meetings of the****Governing Body and its Committees**

- The name of the school
- The category of the school
- The name of the governing body
- The manner in which the governing body is constituted
- The term of office of each category of governor if less than 4 years
- The name of anybody entitled to appoint any category of governor
- The date the instrument takes effect

Agreed minutes* of meetings of the Governing Body (*current and last full academic school year*).

*some information might be confidential or otherwise exempt from the publication by law – we cannot therefore publish this.

Curriculum Policies - This section gives access to information about policies that relate to pupils and the school curriculum.

Class Description

Home – school agreement

Statement of the school's aims and values, the school's responsibilities, the parental responsibilities and the school's expectations of its pupils for example homework arrangements.

Curriculum Policy Statement

Sex and Relationship Education Policy

Statement of policy with regard to sex and relationship education

Inclusion Policy Information about the school's policy on providing for pupils with special educational needs, disability and additional educational needs

Accessibility Plans Plan for increasing participation of disabled pupils in the school's curriculum, improving the accessibility of the physical environment and improving delivery of information to disabled pupils.

Equality, Diversity and Community

Child Protection and Safeguarding Policies

Statement of policy for safeguarding and promoting welfare of pupils at the school.

Behaviour and Anti Bullying

Statement of general principles on behaviour and discipline and of measures taken by the head teacher to prevent bullying.

Summary of main Policies in School:-

A summary of main policies in our school can be found on the school website.

11. Feedback, Compliments and Complaints

We welcome any comments or suggestions you may have about the scheme. If you want to make any comments about this publication scheme or if you require further assistance or wish to make a compliment or complaint then initially this should be addressed to the Headteacher.

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made then this should be addressed to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom of Information Act 2000 (as amended) and that deals with formal complaints. They can be contacted at:

Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Or Enquiry/Information Line: 01625 545 745 or 0303 123 1113

E Mail: notification@ico.gsi.gov.uk

Website : www.ico.gov.uk

Monitoring and Review

This policy will be reviewed by the Governing Body every 3 years, or in light of any changes to relevant legislation.