

## Excelsior Multi Academy Trust Freedom of Information Policy

Links to Rights Respecting: A17: *Every child has the right to reliable information from the mass media in a way that they can understand. Governments must help protect children from materials that could harm them.*

### 1) Purpose of the policy

- 1.1 The purpose of this policy is to ensure that the provisions of the Freedom of Information Act 2000 and, where appropriate, the Environmental Information Regulations 2004 are adhered to within all schools within the Excelsior Multi Academy Trust.
- 1.2 We will ensure that:
  - A significant amount of routinely published information about the school is made available to the public as a matter of course. This is known as a Publication Scheme.
  - Requests for other information are dealt with within the statutory timescales of the appropriate legislation and, in cases where an exemption or exception is engaged, appropriate consideration is given as to whether or not the information should be released.

### 2. Publication Scheme

- 2.1 Section 19 of the Freedom of Information Act 2000 required that schools adopt and maintain an Information-Commissioner-approved Publication Scheme and to proactively publish information in accordance with that scheme.
- 2.2 This is a document which specifies:
  - the classes of information which we already publish or intend to publish
  - the manner in which the information will be published; and
  - whether or not there is any charge for the information
- 2.3 The Information Commissioner has produced both a model publication scheme and guidance for schools which makes provision for, but is not limited to, the classes of information listed below.

#### ***Who we are and what we do***

*Organisational information, structures, locations and contacts.*

#### ***What we spend and how we spend it***

*Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.*

#### ***What our priorities are and how we are doing***

*Strategies and plans, performance indicators, audits, inspections and reviews.*

#### ***How we make decisions***

*Decision making processes and records of decisions.*

#### ***Our policies and procedures***

*Current written protocols, policies and procedures for delivering our services and responsibilities.*

### ***Lists and Registers***

*Currently maintained lists and registers only.*

### ***The Services We Offer***

*Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses.*

- 2.4 There is therefore an expectation on Excelsior Multi Academy Trust and its schools to make the above information available unless:
- we do not hold it
  - it is to be withheld under a Freedom of Information exemption or Environmental Information Regulations exception; or its release is prohibited under another statute
  - the information is archived, out of date or otherwise inaccessible; or
  - it would be impractical or resource-intensive to prepare the material for routine release.
- 2.5 Our Publication Scheme can be found on each school website and hard copies of listed documents can be obtained from the Schod as directed.
- 2.6 The Governing Body has overall responsibility for the maintenance of this scheme which will be reviewed bi-annually and following new guidance from the Information Commissioner's Office. The updated Publication Scheme will be published on the website as soon as it is approved.
- 2.7 We will not charge for information listed on the Publication Scheme, except where specifically indicated.
- 2.8 In exceptional circumstances, some information may be available only by viewing in person. Where this is the case, contact details will be provided and an appointment to view the information will be arranged within a reasonable timescale
- 2.9 Information will be provided in the language in which it is held. Where we are legally required to translate any information, we will do so.
- 2.10 Obligations under disability and discrimination legislation, and any other legislation, to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

### **3. Requests for information not covered by our Publication Scheme**

- 3.1 The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 came into force for all public bodies on 1 January 2005 and their purpose is to promote both transparency and access to recorded information.
- 3.2 Anyone can make a request for recorded information.
- 3.3 Whilst a request can be in the form of a question, rather than a request for specific documents, the school does not have to answer the question if this would mean creating new information or giving an opinion or judgment that is not already recorded.

- 3.4 We will acknowledge receipt of requests, however we may need to seek clarification to establish or in some cases help refine the request before it is deemed valid. The timescales for response commence after receipt of a valid request.
- 3.5 Upon receipt of a valid request the information sought will be communicated to the applicant within statutory timescales, subject to paragraphs 3.6 – 3.9 inclusive.
- 3.6 There will be occasions where we will not supply the requested information (e.g. the school may neither hold nor be the owner of the requested information; or we may consider that an appropriate exemption or exception applies). Applicants will be informed if this is the case.
- 3.7 If any information is to be withheld, both the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 require a school, in their final response, to confirm or deny whether the information sought is held (unless the act of doing so is itself exempt) and to provide details of the exemption/exception applied.
- 3.8 The application of some exemptions/exceptions allows for an extension in the response timescale. Applicants will be informed if this is the case.
- 3.9 Charges may be applied to the communication costs of some requests (e.g. reprographics, postage and packaging, copying) and if this is the case the applicant will be informed in advance. On these occasions the information will be released up on receipt of any fees.
- 3.10 As part of the final response, we will include details of how an applicant can complain if they remain unhappy. The school can be contacted within 2 months from the date of our response to request a review.
- 3.11 Upon receipt of a request for review, both the original request and our initial response will be independently reviewed by the Local Chair of Governors or a nominated Governor. They uphold or do not uphold the original response in full or in part.
- 3.12 The reviewed response will be communicated to the applicant within 25 school days from the receipt date of that request.
- 3.13 Should an applicant remain dissatisfied following our reviewed response, they may contact the Information Commissioner directly at: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF Telephone: 01625 545700 [www.ico.gov.uk](http://www.ico.gov.uk)
- 3.14 The Information Commissioner is the independent regulatory authority for both the Freedom of Information Act 2000 and Environmental Information Regulations 2004. The school will abide by the decisions of the Information Commissioners Office, unless it considers itself to have grounds for an appeal to the Information Tribunal.
- 3.15 Requests for personal data and some third party information are covered solely by the Data Protection Act 1998. Further details are available in our Data Protection Policy.

#### **4. Roles and responsibilities**

- 4.1 The headteacher has overall responsibility for the school's compliance with both Freedom of Information Act and Environmental Information Regulations. However, day-to-day responsibility may be delegated.
- 4.2 The Qualified Person for determining whether disclosure would be likely to prejudice the

effective conduct of public affairs, should the Section 36 Exemption be engaged, is the Chair of Governors.

- 4.3 A nominated member of the Local Governing body with no prior involvement will be responsible for reviewing any complaints about the school's application of the relevant legislation should they be received.
- 4.4 All portable devices/portable media including iPads and memory sticks that contain pupil data are encrypted. (See attached Risk Assessment).
- 4.5 All schools will display a notice relating to CCTV usage.

## 5. Handling and tracking of requests

- 5.1 Requests for information under the Freedom of Information Act should be in writing and whilst all members of staff will assist any applicant where possible, we have a designated email address to assist with prompt processing.

Email:

Parkfield Community School - [enquiry@parkfield.bham.sch.uk](mailto:enquiry@parkfield.bham.sch.uk)

Turves Green Primary School – [enquiry@turvesgreen-pri.bham.sch.uk](mailto:enquiry@turvesgreen-pri.bham.sch.uk)

Please make the subject *Freedom of Information Request*

Please head a letter *Freedom of Information Request* and send to:

Office Manager  
Parkfield Community School  
Parkfield Road  
Saltley  
Birmingham  
B8 3AX

Office Manager  
Turves Green Primary School  
Turves Green  
Birmingham  
B31 4BP

- 5.2 All requests for information will be logged by the office manager and tracked thereafter. This will assist us in ensuring that timescales are met and assist identification of repeat, similar or vexatious requests.
- 5.3 We will annually review multiple or similar requests for information on subjects not already included in our Publication Scheme and consider their inclusion in it.

July 2018  
Excelsior Multi Academy Trust

To be reviewed: July 2020

## Appendix A

### **Publication Scheme under the Freedom of Information Act 2000**

The school routinely publishes the information listed below. The majority of the information is Available on the school website. All the information is available on request from the school office.

The list is organised according to the classes of information included in the Information Commissioner's model publication scheme.

#### ***Who we are and what we do***

- Our vision and values
- Prospectus
- Instrument of Governance
- Location and contact details
- Governing Body structure and contact details

#### ***What we spend and how we spend it***

- Financial information included in published performance tables
- Annual budget plan and financial statements
- Annual income and expenditure return
- Pupil premium budget plan
- Staff pay policy

#### ***What our priorities are and how we are doing***

- Published school performance tables
- Ofsted reports
- School results data
- School Development Plan
- School achievement targets

#### ***How we make decisions***

- Minutes of meetings of the Local Governing Body and their agendas and supporting papers

#### ***Our policies and procedures***

- Admission Policy
- Anti-Bullying Policy
- Appraisal Procedure
- Assessment Policy
- Behaviour Policy
- Capability Policy and Procedure
- Charging Policy
- Complaints Policy and Procedure
- Continuing Professional Development Policy
- Disciplinary Procedure (staff)
- Educational visits Policy
- Equalities Policy
- E-safety Policy

- First Aid and Medicines Policy
- Freedom of Information Policy
- Health and Safety Policy
- Homework Policy
- Literacy and Communication Policy
- Marking Policy
- Safeguarding Policy
- Sickness Absence Management Policy
- Special Educational Needs Policy
- Whistle Blowing Policy

### ***Lists and Registers***

- Vacancy information

### ***The Services We Offer***

- Weekly Newsletters
- School Calendar
- Curriculum/Year Group Newsletters
- Guidance & Information Booklet
- Clubs and activities
- Home/School agreement



# Risk Assessment

Re: Data Protection / Freedom of Information

Date: 22-10-15

## Hazard:

- 1) Transport of school/pupil data to a staff member's home.
- 2) Access by A.N.other to school/pupil confidential data out of school.

## Severity/Worst Outcome

Major Risk 4

High Risk 3

Moderate Risk 2

Minor Risk 1

## Probability/Likelihood

Certain 4

Probable 3

Possible 2

Improbable 1

**Risk Factor**

6

**16**

## Recommended Precautions/Risk Controls

- 1) All school data to be transported on an encrypted pen drive where possible. All paper copies to be kept secure. No pens, laptops, pads to be left in cars/public transport. All electronic devices to be password/code protected. All paper copies to be destroyed on task completion.

## Personnel Responsible

Risk Factor with recommended controls as above =

High

Moderate

Low

- 2) Data to be handled out of school laptop or home PC only. If home PC, evidence of security software to be evidenced in school previously + kept up to date.