

Freedom of Information Policy

Name of Unit/Premises/Centre/School	The Toynbee School
Date of Policy Issue/Review	Spring 2022 / Spring 2024
Name of Responsible Manager/Headteacher	Headteacher
Governors' Sub-Committee	Welfare & Guidance

This is the Toynbee School's Publication Scheme on information available under the Freedom of Information Act 2000.

The Head Teacher is responsible for maintenance of this scheme.

1. Policy Statement:

One of the aims of the Freedom of Information Act 2000 is that all schools should be clear and proactive about the information they will make public.

This policy sets out:

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

This covers information already published and information which is to be published in the near 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 on request. Some information which we hold will not be made public, for example, personal information. The publication scheme conforms to the model scheme for schools approved by the Information Commissioner.

The Environmental Information Regulations 2004

The Environmental Information Regulations 2004 ("the EIR") implement European Council Directive 2003/4/CE on public access to environmental information in the UK. As with the FOIA, under the EIR, public authorities must publish certain information and comply with requests for information from members of the public.

The FOIA and EIR are very similar, and the manner in which requests are handled are broadly the same as described in this policy.

The school's response to The General Data Protection regulations (GDPR) May 2018 including for Subject Access Requests to access to an individual's personal data held is covered by a separate Data Protection policy. See school website, governor policies: Data Protection.

2. Categories of information Published:

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

- School Website
 - From September 2012, there is a statutory requirement for specific information to be available on the school website – see section 4.
 - From September 2012 a School Prospectus is not a statutory requirement.
- Governors' Documents – information published in open minutes;
- Pupils and Curriculum – information about policies that relate to pupils and the school curriculum;
- An individual pupil school record.

2.1 Requests for personal information

A request for personal data is dealt with as a Subject Access Request (SAR) in accordance with the school's Data Protection Policy, following The General Data Protection Regulations May 2018.

2.2 Information requested "in the course of normal business"

Not all requests for information will be dealt with under the FOIA or the EIR procedure. Most requests can and will be dealt with in the course of normal business. "In the course of normal business" or "business as usual" means a request for information that is routinely available as part of normal service delivery (e.g. current leaflets, or information that is readily available).

2.3 Time Limits

Under both the FOIA and EIR, we must respond to requests promptly, although we are given a limit of 20 working days (excluding school holidays) or 60 working days if this is shorter, to provide the information requested. If the request is ambiguous and/or the School require further information in order to deal with your request, the School will request this further information directly from the individual making the request. Please note that the School do not have to deal with the request until the further information is received. Therefore, the time limit starts from the date that the School receives all information required in order to deal with the request.

2.4 Exemptions and Exceptions

Both the FOIA and the EIR allow the School to withhold certain information if there is a valid reason for us to do so. This might be where the information is considered to damage commercial interests, contains personal information, or is readily available by other means.

Exemptions come in two forms: Absolute and Qualified.

An Absolute Exemption means the School can automatically withhold the information, and includes situations where information is already accessible to the applicant by other means, contains personal information, or has been provided in confidence.

A Qualified Exemption means that, before deciding whether to withhold information under an exemption, the School must consider the public interest in disclosing. Common qualified exemptions include information that is considered to be commercially sensitive, prejudicial to investigations or law enforcement, or intended for future publication.

When the School does not hold the information, it has no duty to create or acquire it just to answer the enquiry; although a reasonable search will be made before confirming whether the School has the information requested.

If the information requested is already in the public domain, for instance, through the Publication Scheme or on the School's website, the School will direct the enquirer to the information and explain how to access it.

The requester has the right to be told if the information requested is held by the School (subject to any of the exemptions). This obligation is known as the school's duty to confirm or deny that it holds the information. However, the school does not have to confirm or deny if:-

The exemption is an absolute exemption; or

In the case of qualified exemptions, confirming or denying would itself disclose exempted information.

A full list of exemptions (for the FOIA) can be found on the ICO's website¹. A full list of exceptions (for the EIR) can be found on the ICO's website².

2.5 Third Party Data

Consultation of third parties may be required if their interests could be affected by release of the information requested, and any such consultation may influence the decision.

Consultation will be necessary where:

- Disclosure of information may affect the legal rights of a third party, such as the right to have certain information treated in confidence or rights under Article 8 of the European Convention on Human Rights;
- The views of the third party may assist the School to determine if information is exempt from disclosure; or
- The views of the third party may assist the School to determine the public interest test.

Personal information requested by third parties is also exempt under this policy where release of that information would breach the Data Protection Act. If a request is made for a document (e.g. Governing Body minutes) which contains personal information whose release to a third party would breach the Data Protection Act, the document may be issued by blanking out the relevant personal information as set out in the redaction procedure.

We may also refuse requests if they are repeated, whether or not they are also vexatious. We will normally refuse to comply with a request if it is identical or substantially similar to one it previously complied with from the same requester.

2.6 Vexatious or repeated requests

If a request is likely to cause a disproportionate or unjustifiable level of distress, disruption or irritation to respond, it may be considered vexatious. As such, the FOIA states that we do not have to comply with any part of it, or even confirm or deny whether we hold the information requested.

3. Practice

How to request information

Parents who wish to request a paper version of any of the documents within the scheme, should contact the school by telephone, email, fax or letter. Contact details are set out below:

Email:	admin@toynbee.hants.sch.uk
Tel:	02380 269026
Fax:	02380 251086
Contact address:	Bodycoats Road, Chandlers Ford, Eastleigh, Hampshire SO53 2PL

To help us process your request quickly, please clearly mark any correspondence **“PUBLICATION SCHEME REQUEST”** (in CAPITALS please). If the information you’re looking for isn’t available via the scheme and isn’t on our website, you can still contact the school to ask if we have it. The request will be passed to the Headteacher.

A Freedom of Information request should:

- Be in writing, including email or fax;

- State the enquirer's name and correspondence address (email address allowed);
- Describe the information requested.

3.2 Paying for information

Information published on our website is free, although you may incur costs from your Internet service provider. If you don't have Internet access, you can access our website using a local library or an Internet café.

Single copies of information covered by this publication are provided free unless stated otherwise in section 6. If your request means that we have to do a lot of photocopying or printing, or pay a large postage charge, or is for a priced items such as some printed publications, we will let you know the cost before fulfilling your request.

4. Classes of Information Published

4.1 School Website

The statutory information that is required to be available on the school website is as follows:

- Admission arrangements;
- Recent Ofsted report;
- The most recent results as appropriate for the KS of the school (details of and links to performance data);
- Information about the curriculum in relation to each academic year including curriculum content for each subject and details as to how additional information relating to the curriculum may be obtained;
- List of courses provided to GCSE qualification and a list of other courses offered (with the qualification that may be acquired) at KS4;
- Schools pupil premium allocation in relation to current academic year and how it intends allocating it;
- Policies relating to behaviour, SEN and disability and charging;
- SEN Information Report.

4.2 Governors

4.2.1 Instrument of Government

- 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.

4.2.2 Minutes of meetings of the governing body and its committees

Agreed open minutes of meetings of the governing body and its committees.

4.3 School Policies

The statutory policies are as follows:

- Accessibility Plan
- Admissions
- Behaviour & Exclusions
- Charging & Remissions
- Child Protection
- Safeguarding
- Complaints Procedure
- Confidentiality
- Data Protection
- Freedom of Information
- Governors' Allowances
- Health & Safety (also Child Protection Policy and First Aid Policy)
- Performance Management
- Public Sector Equality Duty – Single Equality Statement
- Sex and Relationships
- Special Education Needs (SEN)
- Teachers' Pay
- Whistle Blowing

5. Monitoring This Policy

5.1 Feedback 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 complaint then initially this should be addressed to The Headteacher, The Toynbee School, Bodycoats Road, Chandlers Ford, Eastleigh, Hampshire SO53 2PL.

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 organization that ensures compliance with the Freedom of Information Act 2000 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 545745

Email: casework@ico.org.uk

Website: www.ico.org.uk

Conclusion:

Properly operated, this policy should help to ensure a healthily open climate at the school with regard to stored information.

FREEDOM OF INFORMATION POLICY – APPENDIX

Rationale:

The Freedom of Information Act (FOI) 2000 was introduced to promote greater openness and accountability across the public sector. It establishes a general right of access to information held by all public authorities, including maintained schools and is intended to promote a culture of openness and accountability amongst public sector bodies, and therefore facilitate better public understanding of how public authorities carry out their duties.

“The act recognizes the need to protect sensitive information in certain circumstances and provides for exemptions.”

Aims:

1. To comply with the 2000 Act (implemented fully 1st January 2005).
2. To try to ensure that the spirit of the Act is reflected in the school’s practice.

Guidelines:

1. Any person can submit a written request for information held by the school.
2. There is a time limit of 20 working days (excluding school holidays) to respond to requests from the date of the request.
3. There is a right of appeal if an enquirer is unhappy with the way the request has been handled, initially through the School’s Complaints Procedure and then to the Information Commissioner.
4. The school will charge at the current rate for photocopying, with an additional administration charge for requests requiring extensive staff time and costs.
5. The school will operate by the safeguard in the Act whereby any ‘manifestly unreasonable’ request or one where the information is already in the public domain or the cost in time or labour is excessive need not to be complied with.
6. Requests for information can be received by any member of staff.
7. Decisions relating to items 4 and 5 above will be taken by the Headteacher.
8. Where requests for information relate to professional activity (eg academic research) the school will attempt to be supportive; where a request seems to stem from dissatisfaction with the work of the school the attempt will be made to conduct a constructive discussion with the person(s) concerned (see Complaints Policy).
9. Staff will be reminded that the 2000 Act makes it important that documentation is carried out appropriately.