



THE VALLEY SCHOOL

FREEDOM OF INFORMATION REQUESTS

OCTOBER 2016 (CHAIR OF RESOURCES COMMITTEE)

KEY PRINCIPLES

“Learn to Believe – Learn to Achieve”

“Different for Different”

Governing bodies are responsible for ensuring that schools comply with the Freedom of Information Act 2000 (FOIA).

The Valley School is committed to the Freedom of Information Act 2000 and to the principles of accountability and the general right of access to information, subject to legal exemptions. This policy outlines our response to the Act and a framework for managing requests.

The Freedom of Information Act 2000 (FOI) 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. They are entitled to be told whether the school holds the information, and to receive a copy, subject to certain exemptions. The information which the school routinely makes available to the public is included on The Valley School website. Requests for other information will be dealt with in accordance with the statutory guidance.

While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information. The Act is fully retrospective, so that any past records which the school holds are covered by the Act.

The DfE has a Retention Schedule produced by the Records Management Society of Great Britain, to guide schools on how long they should keep school records. It is an offence to wilfully conceal, damage or destroy information in order to avoid responding to an enquiry, so it is important that no records that are the subject of an enquiry are amended or destroyed.

KEY LINKS

- <https://www.gov.uk/make-a-freedom-of-information-request/the-freedom-of-information-act>
- http://www.irms.org.uk/images/resources/2016_IRMS_Toolkit%20for%20Schools_v5_Master.pdf

KEY RESPONSIBILITIES AND PRACTICES

Requests under FOI must be made to the Headteacher. Requests must be in writing 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 an FOI enquiry. There is a time limit of 20 days excluding school holidays for responding to the request.

Requests for personal data are still covered by the Data Protection Act. 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 Environmental Information Regulations.

We will respond to all queries appropriately and in line with current statutory guidance. We will 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 in law and with reference to Local Authority guidance if we are unsure.

We reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450. We reserve the right to charge a fee for complying with requests for information under FOI. The fees will be calculated according to FOI regulations and the person will be notified of the charge before information is supplied.

Wherever possible, we will respond to most requests free of charge, and only charge where significant costs are incurred.

Any comments or complaints will be dealt with through the school's normal complaints procedure.

Appeals against any decisions we make in responding to requests for information under the FOI Act should be made in writing to the Information Commissioner's office. They can be contacted at:

FOI/EIR

Complaints Resolution
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF