

REGENT HOUSE SCHOOL



FREEDOM OF INFORMATION POLICY

1. Rationale

Regent House School is committed to the principles of accountability and the general right of access to information, subject to legal exemptions. In line with the requirements of Freedom of Information Act (2000), the Board of Governors wishes to promote a culture of openness and accountability. It will make information available, on request, to those who are entitled to receive it. At the same time, it recognises the need to protect sensitive personal information. All the information provided by the school will either be available on the school website or in paper form.

The school recognises its duty to provide advice and assistance to anyone requesting information and to 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 agreed procedures.

2. Definition

The Freedom of Information Act 2000 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 Act is fully retrospective, so that any past records which the school holds are covered by the Act. The Code of Practice on the Management of Records under the FOI Act (section 46) sets out the practices which public authorities should follow in relation to creating, keeping, managing and disposing of 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.

The information which the school routinely makes available to the public is included in the Publication Scheme. Requests for other information should be dealt with in accordance with the statutory guidance.

The Freedom of Information Act joins the Data Protection Act and the Environmental Information Regulations as legislation under which anyone is entitled to request information from the school.

Requests for personal data are still covered by the Data Protection Act (DPA). 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 (EIR). They also cover issues relating to Health and Safety. For example queries about chemicals used in the school or on school land, phone masts, car parks etc. would all be covered by the Environmental Information

Regulations. Requests under Environmental Information Regulations are dealt with in the same way as those under Freedom of Information Act, but unlike Freedom of Information Act requests, they do not need to be written and can be verbal.

If any element of a request to the school includes personal or environmental information, these elements must be dealt with under Data Protection Act or Environmental Information Regulations. Any other information is a request under Freedom of Information Act, and must be dealt with accordingly.

3. Aims and Objectives:

Regent House School aims to:

- ensure that the school responds effectively and efficiently to requests for information in accordance with agreed procedures
- ensure a well-managed records and management information system is maintained to allow the school to meet requests
- clarify for staff, pupils, parents and the public, the nature of information currently and recently published or to be published in the future
- indicate the manner in which information will be published
- indicate whether the information is available free of charge or on payment.

4. Procedures:

A valid Freedom of Information request should be submitted in writing, state the enquirer's name and correspondence address and describe the information requested.

The enquirer is entitled to be told whether the school holds the information (the duty to confirm or deny) except where certain exemptions apply.

There is no need to collect data in specific response to an Freedom of Information Act enquiry.

Requests should be dealt with within 20 working days excluding school holidays.

The school reserves the right to refuse to supply information where the cost of doing so exceeds the statutory maximum.

Expressions of dissatisfaction should be handled through the school's existing complaints procedure.

5. Roles and responsibilities:

The Board of Governors will delegate the day-to-day responsibility for compliance with the Freedom of Information Act to the Principal who will:

- decide whether the request is a request under Data Protection Act, Environmental Information Regulations or Freedom of Information
- decide whether the school holds the information or whether the request should be transferred to another body if the information is held by them
- provide the information if it has already been made public
- inform the enquirer if the information is not held
- consider whether a third party's interests might be affected by disclosure and if so consult them
- consider whether any exemptions apply and whether they are absolute or qualified
- consider whether the request is vexatious or repeated
- carry out a public interest test to decide if applying the qualified exemption outweighs the public interest in disclosing the information
- decide whether the estimated cost of complying with the request will exceed the appropriate limit
- ensure that any exempt personal information is removed by applying the redaction procedure
- maintain a register of requests where we have refused to supply information, and the reasons for the refusal. The register will be retained for 5 years.

6. Review and Evaluation:

This policy will be reviewed annually by the Board of Governors. The policy will be kept under review by senior members of staff who will keep Governors informed of any difficulties that may arise.

PUBLICATION SCHEME ON INFORMATION AVAILABLE UNDER FREEDOM OF INFORMATION ACT 2000

Guidelines

School information can be divided into four broad categories:

- (a) school prospectus – information published in the school prospectus
- (b) governors' documents – information published in the Governors' Annual Report and in other governing body documents
- (c) documents relating to Pupils and the Curriculum – information about policies that relate to pupils and the school curriculum
- (d) school policies and other information related to the school - information about policies that relate to the school in general.

See Appendix for a more detailed list of documents.

Information can be requested by contacting the school by email, telephone or in writing:

- Single copies of information covered by this policy are free, on request. If responding to a request involves a significant amount of photocopying or printing, or (b) the payment of a large postage charge, or (c) is for a priced item, such as a printed publication, the cost will be quoted, before the request is fulfilled.
- The Board of Governors welcomes comments or suggestions about this publication scheme. In the first instance, comments or suggestions should be addressed to the Chair of the Board of Governors, at the school address.
- If there is dissatisfaction with the response from the Board of Governors, a formal complaint may be made to the Information Commissioner's Office as the organisation that ensures compliance with the Freedom of Information Act 2000 and that deals with formal complaints at:
Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Enquiry/Information Line: 01625 545 700
E Mail: publications@ic-foi.demon.co.uk.

Information is made available by the school through its prospectus, Annual Report and website.