



# St Peter's Anglican Methodist V.C Primary School

## Freedom of Information Policy

<b>School Address</b>	Bank Road Pilning South Gloucestershire BS35 4JG
<b>School Contact Number</b>	01454 631137

### 1. Introduction

St Peters Primary 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.

### 2. Background

The Freedom of Information Act 2000 (Fol) 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 in the Publication Scheme. Requests for other information should 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 issued 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.

Requests under Fol can be addressed to anyone in the school; so, all staff need to be aware of the process for dealing with requests. Requests must be made in writing, (including email), and should include the enquirers 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 a FoI enquiry. There is a time limit of 20 days excluding school holidays for responding to the request.

### **3. Scope**

The FoI 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 EIR. Requests under EIR are dealt with in the same way as those under FoI, but unlike FoI 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 DPA or EIR. Any other information is a request under FoIA, and must be dealt with accordingly.

### **4. Obligations and Duties**

The school recognises its duty to:

- provide advice and assistance to anyone requesting information. We will respond to straightforward verbal requests for information, and will help enquirers to put more complex verbal requests into writing so that they can be handled under the Act.
- 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 by the local authority.

### **5. Publication Scheme**

The school has created a Publication Scheme derived from the South Gloucestershire model. 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 Appendix 1 of this policy.

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

- School General Information – information published on the school website relating to the work of the school

- Governors' Documents – information recorded relating to the work of the governing body
- Pupils & 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

## 6. How to request information

If you require a paper version of any of the documents within the scheme, please contact the school by telephone, email or letter. Contact details are set out below.

- Email: [office@stpetersprimary.co.uk](mailto:office@stpetersprimary.co.uk)
- Tel: 01454 631137
- Address: St Peter's Primary School, Bank Road, Pilning, S Gloucestershire, BS35 4JG

To help us process your request quickly, please clearly mark any correspondence

### “FREEDOM OF INFORMATION REQUEST”

## 7. Exemptions

Certain information is subject to either absolute or qualified exemptions. The exemptions are listed in Appendix 2.

When we wish to apply a qualified exemption to a request, we will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information.

We will 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.

## 8. Public Interest Test

Unless it is in the public interest to withhold information, it has to be released. We will apply the Public Interest Test before any qualified exemptions are applied.

## 9. Charging

Where appropriate, it is intended that information will be freely available through the St Peter's website. Enquirers will be directed to the website if the information they request is available on it.

Under Section 12 of the FOIA, we reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum.

## 10. Complaints

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

We will aim to determine all complaints within 10 days of receipt. The school will maintain records of all complaints and their outcome.

If on investigation the school's original decision is upheld, then the school has a duty to inform the complainant of their right to appeal to the Information Commissioner's office.

Appeals should be made in writing to the Information Commissioner's office at:

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

## **11.Policy Agreed:**

At the meeting of the Full Governing Body held on 8<sup>th</sup> July 2024.

**Review Date: June 2027**

## Appendix 1 Publication Scheme

All statutory policies are available on the school website

**School Information** – this section sets out information published in the school website

Class	Description
<b>School Information</b>	<p>The statutory pieces of school information for publication are as follows:</p> <ul style="list-style-type: none"> <li>• the name, address and telephone number of the school, and the type of school</li> <li>• the names of the head teacher and chair of governors</li> <li>• information on the school policy on admissions</li> <li>• a statement of the school's ethos and values</li> <li>• details of any affiliations with a particular religion or religious denomination</li> <li>• information about the school's policy on providing for pupils with special educational needs</li> <li>• the schools use of the pupil premium funding</li> <li>• National Curriculum assessment results for appropriate Key Stages, with national summary figures</li> <li>• the arrangements for visits to the school by prospective parents</li> <li>• links to inspection reports</li> <li>• details of Governor attendance &amp; interests</li> </ul>

**Governors' Documents** – information recorded in governing body recording - this section sets out information published in governing body documents.

Class	Description
<b>Instrument of Government</b>	<ul style="list-style-type: none"> <li>• The name of the school</li> <li>• The category of the school</li> <li>• The name of the governing body</li> <li>• The manner in which the governing body is constituted</li> <li>• The term of office of each category of governor if less than 4 years</li> <li>• The name of anybody entitled to appoint any category of governor</li> <li>• Details of any trust</li> <li>• If the school has a religious character, a description of the ethos</li> <li>• The date the instrument takes effect</li> </ul>
<b>Minutes<sup>1</sup> of meetings of the governing body and its committees</b>	<p>Agreed minutes of meetings of the governing body and its committees [<i>current and last full academic school year</i>]</p>

---

<sup>1</sup> Some information might be confidential or otherwise exempt from the publication by law – we cannot therefore publish this

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

<b>Class</b>	<b>Description</b>
Curriculum Documents	Curriculum overview documents for each class showing subjects, topics and broad objectives.
Relationships & Sex Education Policy	Statement of policy with regard to relationships & sex education
Special Education Needs Policy	Information about the school's policy on providing for pupils with special educational needs
Accessibility Plan	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
Equalities Policy	Statement of policy for promoting equality as per Section 75 of the 1998 NI Act
Collective Worship	Statement of arrangements for the required daily act of collective worship
Child Protection Policy	Statement of policy for safeguarding and promoting welfare of pupils at the school
Anti-bullying policy Behaviour Policy	Statement of general principles on behaviour and discipline and of measures taken by the head teacher to prevent bullying.

**School Policies and other information related to the school** - This section gives access to information about policies that relate to the school in general

<b>Class</b>	<b>Description</b>
Published reports of Ofsted referring expressly to the school	Published report of the last inspection of the school and the summary of the report and where appropriate inspection reports of religious education in those schools designated as having a religious character
Charging and Remissions Policies	A statement of the school's policy with respect to charges and remissions for any optional extra or board and lodging for which charges are permitted, for example school publications, music tuition, trips
School session times and term dates	Details of school session and dates of school terms and holidays
Health and Safety Policy	Statement of general policy with respect to health and safety at work of employees (and others) and the organisation and arrangements for carrying out the policy
Complaints procedure	Statement of procedures for dealing with complaints
Staff Conduct, Discipline and Grievance	Statement of procedure for regulating conduct and discipline of school staff and procedures by which staff may seek redress for grievance

Curriculum circulars and statutory instruments	Any statutory instruments, departmental circulars and administrative memoranda sent by the Department of Education to the head teacher or governing body relating to the curriculum
--	---

## Appendix 2 - Exemptions

### Absolute exemptions:

- It is reasonably accessible to the applicant by other means even if this involves payment; (Sect. 21)
- It is information supplied by, or relating to bodies dealing with security matters; (Sect. 23)
- It constitutes court records; (Sect. 32)
- It is required for the purpose of avoiding an infringement of the privileges of either House of Parliament; (Sect. 34)
- Disclosure would prejudice the effective conduct of public affairs; (Sect. 36)
- It is personal data the disclosure of which would contravene the Data Protection Act; (Sect. 40)
- It was provided in confidence; (Sect. 41)
- Its disclosure is prohibited by any enactment, is incompatible with a community obligation, or would constitute contempt of court; (Sect 44)

**Information protected by absolute exemptions is not made available to applicants, and the school is not obliged to confirm or deny that such information is held.**

### Qualified exemptions:

- It is intended for publication at a later date and can reasonably be withheld until publication; (Sect. 22)
- It is required for the purpose of safeguarding national security; (Sect. 24)
- Its disclosure would prejudice the defence of the realm; (Sect. 26)
- Its disclosure would prejudice international relations; (Sect. 27)
- Its disclosure would prejudice relations between the administration of the UK and any other such administration; (Sect. 28)
- Its disclosure would prejudice the economic interests or financial interest of the UK, or any administration in the UK; (Sect. 29)
- It is information held for criminal investigations or proceedings; (Sect. 30)
- It is information which has been used or was obtained to investigate, detect or prevent crime or other areas of law enforcement; (Sect. 31)
- It is some form of information held by a public authority for audit functions; (Sect. 33).
- It is data which relates to the formulation of government policy, ministerial communications, provision of advice by any of the Law Officers, or the operation of any Ministerial private office; (Sect. 35)
- Disclosure would prejudice the effective conduct of public affairs (excluding matters covered under the absolute exemption for this area); (Sect. 36)
- It is data which relates to communications with members of the Royal Family or Household, or the conferring of Crown honours or dignities; (Sect. 37)
- Disclosure would endanger an individual's physical or mental health or safety; (Sect. 38)
- It is environmental information covered by the Environmental Information Regulations; (Sect. 39)

- It is personal data (concerning a third party) the disclosure of which would contravene the Data Protection Act; (Sect. 40). The duty to confirm or deny does not apply to this information.
- It is subject to legal professional privilege; (Sect. 42)
- Disclosure would be prejudicial to commercial interests; (Sect. 43)

For qualified exemptions the school must confirm or deny that such information exists, even if a public interest test exempts such information, unless the statement of confirmation/denial would itself disclose exempt information.