**ST. BEDE’S CATHOLIC JUNIOR SCHOOL**

celebrates life and learning

****

**FREEDOM OF INFORMATION POLICY**

|  |  |
| --- | --- |
| **AUTHOR:** | **Ms. F. HOUSLEY** |
| **APPROVED BY:** | **GOVERNING BODY** |
| **APPROVAL DATE:** | **Awaiting Approval** **MARCH, 2025** |
| **REVIEWED:** | **EVERY 2 YEARS** |
| **NEXT REVIEW:** | **Spring 2027** |

**AWAITING RATIFICATION**

ST. BEDE’S CATHOLIC JUNIOR SCHOOL

***celebrates life and learning***

**FREEDOM OF INFORMATION POLICY**

**MISSION STATEMENT**

**St. Bede, patron of our school, wrote:**

***“It was always my delight to learn and to teach”.***

We are a celebrating community, living the
Gospel Values, committed to educating children
in the light of the Catholic Faith.

**We journey together so that we**

***“Might have life - life in all its fullness”.***

**John 10:10**

**INTRODUCTION**

St. Bede’s Catholic Junior 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 the school’s response to the Act and a framework for managing requests.

**BACKGROUND**

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. He/she is 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 FoI 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 an FoI enquiry. There is a time limit of 20 days excluding school holidays for responding to the request.

For further information and guidance, see the DfE “Freedom of Information Act 2000 – A Guide for Maintained Schools on Full Implementation from January 2005.” This can be found on [Teachernet](http://www.teachernet.gov.uk/management/atoz/f/freedomofinformationforschools/), under Freedom of Information in the A-Z of School Leadership.

### 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 FoIA, but unlike FoIA 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.

**OBLIGATIONS AND DUTIES**

The school recognises its duty to

* provide advice and assistance to anyone requesting information. The school 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 it holds the information they are requesting (the duty to confirm or deny), and provide access to the information held in accordance with the procedures laid down in Appendix 1.

**PUBLICATION SCHEME**

St. Bede’s Catholic Junior School has adopted the Model Publication Scheme for Schools approved by the Information Commissioner.

**DEALING WITH REQUESTS**

The school will respond to all requests in accordance with the procedures laid down in Appendix I.

**EXEMPTIONS**

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

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

The school 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.

### PUBLIC INTEREST TEST

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

For information on applying the Public Interest Test see Appendix III.

**CHARGING**

The Governing Body reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450.

**RESPONSIBILITIES**

The Governing Body have delegated the day to day running of FoI requests to the Headteacher. The Headteacher can in turn delegate this to other members of staff.

Decisions based around vexatious requests, charging or exemptions to FoI requests should always be discussed by the Headteacher and the person delegated to deal with FoI, with the Governing Body being consulted if necessary.

**COMPLAINTS**

Any comments or complaints will be dealt with through the school’s normal complaints procedure (See Complaints Policy).

The school will aim to determine all complaints within 20 days of receipt.The school will publish information on our success rate in meeting this target. 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. They can be contacted at:

FOI/EIR Complaints Resolution

**Information Commissioner’s Office**

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

**POLICY REVIEW**

The Freedom of Information Policy is reviewed in the light of guidance, training, changes in legislation, or following an evaluation of effectiveness. The staff and Governing Body will agree any amendments.

APPENDIX I

**FREEDOM OF INFORMATION ACT 2000**

**PROCEDURE FOR DEALING WITH REQUESTS**

Note: This Appendix is adapted from the DfE Guide for Maintained Schools on Full Implementation from January 2005, with the exception of paras 17 – 21 which have been changed to reflect amended guidance.

To handle a request for information the Governing Body or delegated person will need to ask themselves a series of questions. These are set out below:

**Is it a FOI request for information?**

A request for information may be covered by one, or all, of three information rights:

* Data Protection enquiries (or subject access requests) are ones where the enquirer asks to see what personal information the school holds about the enquirer. If the enquiry is a Data Protection request, follow your existing school DPA guidance.
* FOI enquiries are concerned with all other information and the reasoning behind decisions and policies. The request does not have to mention the FOI Act. All requests for information that are not data protection or environmental information requests are covered by the FOI Act.

**Is this a valid FOI request for information?**

An FOI request should:

* be in **writing**, including email or FAX;
* **state the enquirer’s name and correspondence address** (email addresses are allowed);
* **describe the information requested** - there must be enough information to be able to identify and locate the information1; and
* not be covered by one of the other pieces of legislation.

Verbal enquiries are not covered by the FOI Act. Such enquiries can be dealt with where the enquiry is relatively straightforward and can be dealt with satisfactorily. However, for more complex enquiries, and to avoid disputes over what was asked for, you should ask the enquirer to put the request in writing or email, when the request will become subject to FOI.

1 In cases where the enquiry is ambiguous assist the enquirer to describe more clearly the information requested. Where possible, establish direct contact. The aim is to clarify the nature of the information requested and not to determine the aims or motivation of the enquirer. If you notify the enquirer that you need further information to enable you to answer, you do not have to deal with the request until the further information is received. The response time limit starts from the date this is received. It is not intended to include otherwise valid requests in which the applicant may make complaints or vent frustrations. In addition, you do not have to comply with repeated identical or substantially similar requests from the same applicant unless a “reasonable” interval has elapsed between requests.

**Does the school hold the information?**

“Holding” information means information relating to the business of the school:

* the school has created, or
* the school has received from another body or person, or
* held by another body on the school’s behalf.

**Information means both hard copy and digital information, including email.**

If the school does not hold the information, you do not have to create or acquire it just to answer the enquiry, although a reasonable search should be made before denying that you have got information the school might be expected to hold.

**Has the information requested already been made public?**

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

**Is the request vexatious or manifestly unreasonable or repeated?**

The Act states that there is no obligation to comply with vexatious requests. This is taken to mean a request which is designed to cause inconvenience, harassment or expense rather than to obtain information, and would require a substantial diversion of resources or would otherwise undermine the work of the school[[1]](#footnote-1). This however does not provide an excuse for bad records management.

**Can the school transfer a request to another body?**

If the information is held by another public authority, such as your local authority, first check with them that they hold it, then transfer the request to them. You must notify the enquirer that you do not hold the information and to whom you have transferred the request. You should answer any parts of the enquiry in respect of information your school does hold.

**Could a third party’s interests be affected by disclosure?**

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. You do not need to consult where you are not going to disclose the information because you will be applying an exemption.

**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 you to determine if information is exempt from disclosure, or
* the views of the third party may assist you to determine the public interest.

**Does an exemption apply?**

The presumption of the legislation is that you will disclose information unless the Act provides a specific reason to withhold it. There are more than 20 exemptions. They are set out in Appendix II and are mainly intended to protect sensitive or confidential information.

Only where you have real concerns about disclosing the information should you look to see whether an exemption might apply. Even then, where the potential exemption is a qualified exemption, you need to consider the public interest test to identify if the public interest in applying the exemption outweighs the public interest in disclosing it. Therefore, unless it is in the public interest to withhold the information, it has to be released. Appendix III contains guidance on conducting a public interest test.

**What if the request is for personal information?**

Personal information requested by the subject of that information is exempt under the FOI Act as such information is covered by the Data Protection Act. Individuals must, therefore, continue to make a ‘subject access request’ under the Data Protection Act if they wish to access such information.

**What if the details contain personal information?**

Personal information requested by third parties is also exempt under the FOI Act 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. The procedure for redaction is here[[2]](#footnote-2).

**How much can we charge?**

The Act allows governing bodies to charge for providing information.

The first step is to determine if the threshold (currently £450) would be exceeded. Staff costs should be calculated at £25 per hour. You can take account of the costs of determining if the information is held, locating and retrieving the information, and extracting the information from other documents. You cannot take into account the costs involved in determining whether information is exempt.

If a request would cost less than the appropriate limit, (currently £450) the school can only charge for the cost of informing the applicant whether the information is held, and communicating the information to the applicant (e.g. photocopying, printing and postage costs).

If a request would cost more than the appropriate limit, (£450) the school can turn the request down, answer and charge a fee, or answer and waive the fee.

The Governing Body will consider whether calculating the cost of the fee outweighs the cost of providing the information. If a charge is to be made we will send the enquirer a fees notice. The Governing Body will not comply with the request until the fee has been paid.

**Is there a time limit for replying to the enquirer?**

Compliance with a request must be prompt and certainly within the legally prescribed limit of 20 working days, excluding school holidays.[[3]](#footnote-3) Failure to comply could result in a complaint to the Information Commissioner. The response time starts from the time the request is received. Where you have asked the enquirer for more information to enable you to answer, the 20 days start time begins when this further information has been received.

If a qualified exemption applies and you need more time to consider the public interest test, you should reply within the 20 days stating that an exemption applies but include an estimate of the date by which a decision on the public interest test will be made. This should be within a “reasonable” time – in practice, it is recommended by the Department that normally this should be within 10 working days.

Where an enquirer has been notified that a charge is to be made, the time period stops until payment is received and then continues again once payment has been received.

**What action is required to refuse a request?**

If the information is not to be provided, the person dealing with the request must immediately contact the person in the school with delegated responsibility for FOI to ensure that the case has been properly considered and the reasons for refusal are sound. If it is decided to refuse a request, you need to send a refusals notice, which must contain

1. the fact that the responsible person cannot provide the information asked for;
2. which exemption(s) you are claiming apply;
3. why the exemption(s) apply to this enquiry (if it is not self-evident);
4. reasons for refusal if based on cost of compliance (see Appendix IV)
5. in the case of non-absolute exemptions, how you have applied the public interest test, specifying the public interest factors taken into account before reaching the decision (see Appendix 3)
6. reasons for refusal on vexatious or repeated grounds
7. the internal complaints procedure.

For monitoring purposes and in case of an appeal against a decision not to release the information or an investigation by the Information Commissioner, the responsible person must keep a record of all enquiries where all or part of the requested information is withheld and exemptions are claimed. The record must include the reasons for the decision to withhold the information. Records should be retained for 5 years. There are no requirements to keep records where you have supplied the information requested.

**What do I do if someone complains?**

Any written (including email) expression of dissatisfaction - even if it does not specifically seek a review – should be handled through the school’s existing complaints procedure which should be fair and impartial. The procedure should be clear and non bureaucratic. Wherever practicable the review should be handled by someone not involved in the original decision. The Governing Body should set and publish a target time for determining complaints and information on the success rate in meeting the target. The school should maintain records of all complaints and their outcome.

When the original request has been reviewed and the outcome is that the information should be disclosed this should be done as soon as practicable. When the outcome is that procedures within the school have not been properly followed, the school should review procedures to prevent any recurrence. When the outcome upholds the school’s original decision or action, the applicant should be informed of their right to appeal to the Information Commissioner. The appeal should be made in writing to:

FOI Compliance Team (complaints)

Wycliffe House,

Water Lane,

Wilmslow, Cheshire. SK9 5AF

Process Map 1 for Dealing with Requests Request for information received In writing (inc email), By telephone or in person. Is it simple enough to deal with? If too complex, ask to put request in writing. Provide information. Is the information held by the school? Is it asking to see personal information about the enquirer. Is it about environmental issues? Treat as a subject access request under Data Protection Act Treat as a request under Environmental Information Regulations Treat as a Freedom of Information request – Go to process map 2 Is the information held by another public body? Transfer request to relevant body, tell enquirer YES NO Inform the person the information is not held.

**FREEDOM OF INFORMATION ACT 2000**

APPENDIX II

**Exemptions**

*Note: This Appendix is taken from the DfES Guide for Maintained Schools on Full Implementation from January 2005.*

Although decisions on disclosure should be made on a presumption of openness, the FOI Act recognises the need to preserve confidentiality and protect sensitive material in some circumstances.

You cannot withhold information in response to a valid request UNLESS one of the following applies:-

* an exemption to disclosure, or
* the information sought is not held, or
* the request is considered vexatious or repeated or
* the cost of compliance exceeds the threshold (see Appendix 4)

**The duty to confirm or deny**

A person applying for information has the right to be told if the information requested is held by the school, and if that is the case to have the information sent (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 (see paragraph 6), or
* in the case of qualified exemptions (see paragraph 8), confirming or denying would itself disclose exempted information

**Exemptions**

A series of exemptions are set out in the Act which allow the withholding of information in relation to an enquiry. Some are very specialised in their application (such as national security) and would not usually be relevant to schools. There are more than 20 exemptions but schools are likely to use only a few of them.

There are two general categories of exemptions:-

* ***Absolute***: where there is no requirement to confirm or deny that the information is held, disclose the information or consider the public interest; and
* ***Qualified****:*where, even if an exemption applies, there is a duty to consider the public interest in disclosing information.

**What are the Absolute Exemptions?**

There are 8 absolute exemptions listed in the Act. Even where an absolute exemption applies:-

* it does not mean that you can’t disclose in all case, it means that disclosure is not required by the Act. A decision could be taken to ignore the exemption and release the information taking into account all the facts of the case
* there is still a legal obligation to provide reasonable advice and assistance to the enquirer

The absolute exemptions in the Act are set out below.

* ***Information accessible to the enquirer by other means*** (Section 21) - if information is reasonably accessible to the applicant by another route than the Act, it is exempt information. This is the case even if the enquirer would have to pay for the information under that alternative route. This exemption includes cases where you are required to give information under other legislation, or where the information is available via the Publication Scheme.
* ***Personal information*** (Section 40) - see also the qualified exemption part of Section 40. Where enquirers ask to see information about themselves, this is exempt under the Act because it is covered by the Data Protection Act. Consult the school’s Data Protection Policy.
* ***Information provided in confidence*** (Section 41) - this relates to information obtained from a person if its disclosure would constitute a breach of confidence actionable by that, or another, person.
* ***Prohibitions on disclosure*** (Section 44) - information is exempt where its disclosure is prohibited under any other legislation by order of a court or where it would constitute a contempt of court or where it is incompatible with any EC obligation.

**What are the Qualified Exemptions?**

With qualified exemptions, even if it is decided that an exemption applies, there is a duty to consider the public interest in confirming or denying that the information exists and in disclosing information. Guidance on carrying out the public interest test is at Annex C. The qualified exemptions in the Act are set out below.

* ***Information intended for future publication*** (Section 22) - if at the time the request was made, information is held with a view to publication, then it is exempt from disclosure if it is reasonable that it should not be disclosed until the intended date of publication. This could apply for instance to statistics published at set intervals, for example annually or where information is incomplete and it would be inappropriate to publish prematurely[[4]](#footnote-4). Remember, you still have a legal duty to provide reasonable advice and assistance.
* ***Investigations and proceedings conducted by public authorities*** (Section 30) - information is exempt if it has at any time been held by the school for the purposes of criminal investigations or proceedings, such as determining whether a person should be charged with an offence or whether a charged person is guilty, or investigations which may lead to a decision to institute criminal proceedings. The duty to confirm or deny does not apply to such information.
* ***Law enforcement*** (Section 31) - information which is not exempt under Section 30 Investigations and Proceedings, may be exempt under this exemption in the event that disclosure would, or would be likely to, prejudice the following among others:-
	+ the prevention or detection of crime
	+ the apprehension or prosecution of offenders
	+ the administration of justice
	+ the exercise of functions such as ascertaining if a person has broken the law, is responsible for improper conduct, whether circumstances justify regulatory action, ascertaining a person’s fitness or competence in relation to their profession, ascertaining the cause of an accident or protecting or recovering charities or its properties
	+ any civil proceedings brought by or on behalf of the school which arise out of an investigation carried out for any of the purposes mentioned above.

The duty to confirm or deny does not arise where prejudice would result to any of these matters.

* ***Communications with the Queen*** (Section 37) - information is exempt if it relates to communications with the Queen, the Royal Family or Royal Household or if it relates to the award of honours. The duty to confirm or deny does not arise where this exemption applies.
* ***Health and Safety*** (Section 38) - information is exempt if its disclosure would or would be likely to endanger the safety or physical or mental health of any individual. The duty to confirm or deny does not arise where prejudice would result.
* ***Environmental information*** (Section 39) - information is exempt under FOI where it is covered by the Environmental Information Regulations. Environmental information can cover information relating to: air, water, land, natural sites, built environment, flora and fauna, and health. It also covers all information relating to decisions or activities affecting any of these.
* ***Personal information*** (Section 40) – see also the absolute exemption part of Section 40 Where an individual seeks information about themselves Data Protection Act powers apply. Where the information concerns a third party, it is exempt if its disclosure would contravene the Data Protection Act, or the data protection principles; or if the person to whom the information relates would not have a right of access to it because it falls under one of the exemptions to the Data Protection Act. The duty to confirm or deny does not arise in relation to this information if doing so would be incompatible with any of the above.
* ***Legal professional privilege*** (Section 42) - legal professional privilege covers any advice given by legal advisers, solicitors and barristers. Generally such information will be privileged. A school wishing to disclose the information will need to seek consent from the provider of the advice. This exemption covers all such information where a claim to legal professional privilege can be maintained in legal proceedings. The duty to confirm or deny does not arise where to do so would involve the disclosure of such information.
* ***Commercial interests*** (Section 43) - information is exempt if it constitutes a trade secret or would be likely to prejudice the commercial interests of any person or body (including the school). The duty to confirm or deny does not arise where prejudice would result to commercial interests but not where the information constitutes a trade secret.

**Protective Markings and Applying Exemptions**

When considering if an exemption to disclosure should apply, bear in mind that the presence of a protective marking (Restricted, Confidential or Secret, with or without descriptors such as Staff, Management, Commercial etc) does not constitute an exemption and is not in itself sufficient grounds on which to prevent disclosure. Each case must be considered on its merits.

**Timing**

Where information has previously been withheld, it must not be assumed that any subsequent requests for the same information will also be refused. Sensitivity of information decreases with age and the impact of any disclosure will be different depending on when the request is received. Therefore, for each request, it will be necessary to consider the harm that could result at the time of the request and, while taking into account any previous exemption applications, each case should be considered separately.

**Next steps**

In all cases, before writing to the enquirer, the person given responsibility for FOI by the school governing body will need to ensure that the case has been properly considered, and that the reasons for refusal, or public interest test refusal, are sound.

APPENDIX III

**FREEDOM OF INFORMATION ACT 2000**

***Applying the Pubic Interest Test***

*Note: This Appendix is taken from the DfES Guide for Maintained Schools on Full Implementation from January 2005.*

**Background**

Having established that a qualified exemption(s) definitely applies to a particular case, you must then carry out a public interest test to identify if the public interest in applying the exemption outweighs the public interest in disclosing it. Therefore, unless it is in the public interest to withhold the information, it has to be released. Although precedent and a developed case law will play a part, individual circumstances will vary and each case will need to be considered on its own merits.

**Carrying out the test**

It is worth noting that what is in the public interest is not necessarily the same as that which may be of interest to the public. It may be irrelevant that a matter may be the subject of public curiosity. In most cases it will be relatively straightforward to decide where the balance of the public interest in disclosure lies. However, there will inevitably be cases where the decision is a difficult one. Applying such a test depends to a high degree on objective judgement and a basic knowledge of the subject matter and its wider impact in the school and possibly wider. Factors that might be taken into account when weighing the public interest include:-

|  |  |
| --- | --- |
| **For Disclosure**  | **Against Disclosure**  |
| Is disclosure likely to increase access to information held by the school?  | Is disclosure likely to distort public reporting or be misleading because it is incomplete?  |
| Is disclosure likely to give the reasons for a decision or allow individuals to understand decisions affecting their lives or assist them in challenging those decisions?  | Is premature disclosure likely to prejudice fair scrutiny, or release sensitive issues still on the internal agenda or evolving?  |
| Is disclosure likely to improve the accountability and transparency of the school in the use of public funds and help to show that it obtains value for money?  | Is disclosure likely to cause unnecessary public alarm or confusion?  |
| Is disclosure likely to contribute to public debate and assist the understanding of existing or proposed policy?  | Is disclosure likely to seriously jeopardise the school’s legal or contractual position?  |
| Is disclosure likely to increase public participation in decision-making?  | Is disclosure likely to infringe other legislation e.g. Data Protection Act?  |
| Is disclosure likely to increase public participation in political processes in general?  | Is disclosure likely to create a controversial precedent on the release of information or impair your ability to obtain information in the future?  |
| Is disclosure likely to bring to light information affecting public safety?  | Is disclosure likely to adversely affect the school’s proper functioning and discourage openness in expressing opinions?  |

Note also that:

* + potential or actual embarrassment to, or loss of confidence in, the school, staff or governors is NOT a valid factor
	+ the fact that the information is technical, complex to understand and may be misunderstood may not of itself be a reason to withhold information
	+ the potential harm of releasing information will reduce over time and should be considered at the time the request is made rather than by reference to when the relevant decision was originally taken
	+ the balance of the public interest in disclosure cannot always be decided on the basis of whether the disclosure of particular information would cause harm, but on certain higher order considerations such as the need to preserve confidentiality of internal discussions
	+ a decision not to release information may be perverse i.e. would a decision to withhold information because it is not in the public interest to release it, itself result in harm to public safety, the environment or a third party?

You will need to record the answers to these questions and the reasons for those answers. Deciding on the public interest is not simply a matter of adding up the number of relevant factors on each side. You need to decide how important each factor is in the circumstances and go on to make an overall assessment.

**For Disclosure**

Where the balance of the public interest lies in disclosure, the enquiry should be dealt with and the information required should be made available. Where the factors are equally-balanced, the decision should usually favour disclosure (but see 3rd bullet point above).

**Against Disclosure**

After carrying out the public interest test if it is decided that the exemption should still apply, proceed to reply to the request.

There will be occasions when it has been decided that a qualified exemption applies but consideration of the public interest test may take longer. In such a case, you must contact the enquirer within 20 working days stating that a particular exemption applies, but including an estimate of the date by which a decision on the public interest test will be made. This should be within a “reasonable” time – in practice, it is recommended this decision is made and communicated within the 20 days but where not possible it is suggested that no more than 10 working days beyond the 20 days should be allowed.

**FREEDOM OF INFORMATION ACT 2000**

APPENDIX IV

**Classes of Information Currently Published**

**School Prospectus –** this section sets out information published in the school prospectus.

|  |  |
| --- | --- |
| **Class** | **Description** |
| **School Prospectus**Available on the school website \* | The contents of the school prospectus are as follows:* the name, address and telephone number of the school, and the type of school
* the names of the Headteacher and Chair of Governors
* information on the school Admissions Policy
* a statement of the school’s ethos and values
* details of any affiliations with a particular religion or religious denomination, the religious education provided, parents’ right to withdraw their child from religious education and collective worship and the alternative provision for those pupils
* information about the school’s policy on providing for pupils with Special Educational Needs
* number of pupils on roll and rates of pupils’ authorised and unauthorised absences
* National Curriculum assessment results for appropriate Key Stage 2, with national summary figures
* the arrangements for visits to the school by prospective parents/carers
* pastoral care
* behaviour for learning
* child protection
* cxtra-curricular activities
* residential visits
* uniform
* school calendar
 |

\* [www.stbedesjuniors.co.uk](http://www.stbedesjuniors.co.uk)

**Governing Body –** this section sets out information in Governing Body documents.

|  |  |
| --- | --- |
| **Class** | **Description** |
| **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 any body entitled to appoint any category of Governor
* Details of any trust
* If the school as a religious character, a description of the ethos
* The date the instrument takes effect
 |
| **Minutes of meeting of the governing body and its committees** | Agreed minutes of meetings of the Governing Body and its committees *[current and last full academic school year]* Part One*.* |

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

|  |  |
| --- | --- |
| **Class** | **Description** |
| Curriculum Policy | Statement on following the policy for the secular curriculum subjects and religious education and units of work studied |
| Relationship, Sex and Health Education Policy | Statement of Policy with regard to Relationship, Sex and Health Education Policy |
| Special Education Needs and Disabilities Policy | Information about the school’s policy on providing for pupils with SEND (Special Education Needs and Disabilities). |
| Accessibility Plans | 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 |
| Race Equality Policy | Statement of Policy for Promoting Race Equality |
| Collective Worship | Statement of arrangements for the required daily Act of Collective Worship |
| Safeguarding Policy | Statement of Policy for Safeguarding and Promoting Welfare of Pupils at the School. |
| Pupil Behaviour for Learning 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.

|  |  |
| --- | --- |
| **Class** | **Description** |
| 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 Policy | 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 |
| Appraisal/ Performance Management of Staff | Statement of procedures adopted by the Governing Body relating to the appraisal/performance management of staff  |
| 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 |
| Appendix V | Appendix V provides a list of other documents that are held by the school and are available on request |

**FREEDOM OF INFORMATION ACT 2000**

APPENDIX V

**Other documents held by the school and available on request
(not listed in any order of priority):**

* Subject Specific Policies, for example, English, Mathematics, science, ICT, etc.
* Arts Education Policy
* Prayer and Liturgy Policy
* Spiritual, Moral, Social and Cultural Development Policy
* Personal, Social and Health Education Policy
* Anti-~Bullying Policy
* Inclusion Policy
* Citizenship Policy
* Learning and Teaching Policy
* Data Security Policy
* E-Safety Policy
* Induction Procedures
* Positive Handling Policy
* Accessibility Plan
* Risk Management Policy
* Accident Report Procedures
* Violent Incident Reporting Procedures
* Attendance and Punctuality Policy (Staff and Pupils)
* Allegations of Abuse Against Staff Policy
* Complaints Procedure
* Confidentiality Policy
* Continuing Professional Development Policy
* Drug Education Policy
* Financial Management and Administration Policy and Guidelines for Implementation
* Fire Risk Assessment Policy
* Procedures for Staff Discipline, Conduct and Grievance
* Well-Being Policy
* School Pay Policy
* Whistleblowing Policy

VERSION CONTROL:

Reviewed with revision of policies in Appendix V: January, 2025- FH

1. It is not intended to include otherwise valid requests in which the applicant may make complaints or vent frustrations. In addition, you do not have to comply with repeated identical or substantially similar requests [↑](#footnote-ref-1)
2. On no account must you use the computer to rewrite the document or email and simply delete the exempted passages so that the resulting document appears as though they did not exist. The one circumstance where this would be permissible would be where the only redacted parts are personal information such as people’s names and the covering letter explains this. [↑](#footnote-ref-2)
3. An order to this effect is to be made under section 10(4) of the Act and should take effect from 1 January 2005 [↑](#footnote-ref-3)
4. Note the following:-

	* the intended publication does not have to be by the school, it can be by another person or body on behalf of the school
	* the date of publication does not have to be known, it could be at some future date (although it is recommended that some idea of a likely date is given)
	* the duty to confirm or deny does not apply if to do so would involve the disclosure of any of the relevant information [↑](#footnote-ref-4)