

Introduction

Avalon School is committed to the Freedom of Information Act and to the principles of accountability and the general right of access to information. This policy outlines our response to the Act and a framework for managing requests.

Background

The school recognises that under the FoI, any person (the enquirer) has a legal right to ask for access to information held by the school. The enquirer 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 which can be obtained from the school office. Requests for other information will be dealt with in accordance with the statutory guidance.

As requests under FoI can be addressed to anyone in the school all staff will be made aware of the process for dealing with requests.

The school will 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.

The school will respond to each request within 20 days excluding school holidays.

Scope

If any element of a request to the school includes personal or environmental information, these will be dealt with under the Data Protection Act (DPA) or Environmental Regulations (EIR). Any other information is a request under FoI, 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 EIR. They also cover issues relating to Health and Safety. 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.

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 we hold the information they are requesting (the duty to confirm or deny), and provide access to the information the school hold in accordance with the procedures laid down in FoI Dealing with Requests.

Publication Scheme

Avalon School has adopted the Model Publication Scheme for Schools approved by the Information Commissioner.

The Publication Scheme is published on our website and the materials it covers will be readily available from the office.

Dealing with Requests

The school will respond to all requests in accordance with the procedures laid down in FoI dealing with requests. The school will ensure that all staff are aware of the procedures.

Exemptions

The school will consider if information requested is subject to exemption. The exemptions are listed in FoI Exemptions.

When the school wishes 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

The school will apply the Public Interest Test before any qualified exemptions are applied. Unless it is in the public interest to withhold information, it will be released. For information on applying the Public Interest Test see FoI Public Interest test.

Charging

The school will respond to most requests free of charge, and only charge where significant costs are incurred. The school may choose to charge a fee for complying with requests for information under FOI. The fees will be calculated according to FoI regulations, see FoI Charging, and the person notified of the charge before information is supplied.

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

Responsibilities

The Governing body has delegated the day-to-day responsibility for compliance with the FoI to the Head Teacher. The Headteacher is the delegated person to deal with all FoI requests.

11. Complaints

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

FOI/EIR Complaints Resolution

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

12. Review

This policy document and associated Publication Scheme will be reviewed every 3 years.