



**St Francis Xavier Catholic Primary**

# Freedom Of Information Policy

**APPROVED BY: BOARD OF GOVERNORS**

**DATE APPROVED: FEBRUARY 2021**

**DATE REVIEWED: APRIL 2025**

**DATE OF NEXT REVIEW: APRIL 2027**



## INTRODUCTION

St Francis Xavier Catholic Primary School is committed to the Freedom of Information Act 2000 (**FOIA/the Act**) and to the principles of accountability and the general rights of access to information, subject to legal exemptions. This policy outlines our response to the FOIA and the framework for managing requests made in accordance with the FOIA.

## BACKGROUND

The Act came into force on 1st January 2005 for all schools. Under the Act, any person has a legal right to ask for 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 exceptions.

Whilst the FOIA presumes openness, it also recognises the need to protect sensitive information in certain circumstances and therefore provides exemptions in relation to whether a person can be told what information is held or receive a copy of this information. Even where certain exemptions apply, information must still be released if it is in the public interest to do so.

The Act is fully retrospective; any past records which the school holds are included. The school complies with the Retention Schedule produced by HY Education (DPO) which assess the retention period for the information that the school holds. It is an offence to wilfully conceal, damage or destroy information to avoid responding to an enquiry.

All information that 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 and this policy. Please note that requests for environmental information may be dealt with separately under the Environmental Information Regulations 2004 (EIR).

## PROCEDURE

### Obligations and Duties

The school recognises the duty to provide advice and assistance to anyone requesting information, to tell enquirers whether or not we hold the information they are requesting (the duty to confirm or deny), and to provide access to the information we hold in accordance with the FOIA procedure below, subject to the exemptions contained in the Act.

### Making a request

All requests under the Act should be made to the Executive Head Teacher. A request should be:

- In writing (including e-mail);
- State the enquirers name and correspondence address;
- Describe the information requested so that it is clearly identifiable; and
- Not covered by other legislation (e.g. data protection or environmental information)

If the information you are looking for is not available via the Publication Scheme or on our website please contact us with the details above to ask if we hold the information. A sample FOIA form is attached to the back of this policy.

Verbal requests are generally not covered by the FOIA as requests must be made in writing to be valid. Where a requester is seeking to submit their request orally, the school will advise to that the request be made in writing. However, under the Equality Act 2010, the school may accept verbal requests as a reasonable adjustment for individuals with disabilities.

### **Dealing with Requests**

Unless the school requires further time in order to apply the public interest test (see below), we will endeavour to respond to enquiries within 20 working days of receipt, excluding non-school days. If this deadline cannot be met the school will inform the enquirer.

If a request is received during school holidays the request, when valid, will begin on the first school day.

### **Charging**

Information will be provided free of charge. However we will charge a reasonable fee when a request is manifestly unfounded or excessive, particularly if it is repetitive. We will also charge a reasonable fee to comply with requests for further copies of the same information. The fee will be based on the administrative cost of providing the information, taking into account the staff time, charged at a standard rate of £25 per hour, involving the following activities:

- Determining whether the information is held,
- Locating the information or a document which may contain the information,
- Retrieving the information, or a document that may contain the information, and
- Extracting the information from a document containing it

When responding to a request and that search takes 18 hours+ a charge will be made to reflect the time spent by staff in acquiring that information. You will however be told in advance of what the charge will be.

Where the cost of complying with a request exceeds the appropriate limit of £450 (equivalent to 18 hours of work at £25 per hour), the school may refuse the request or offer the applicant an opportunity to refine it to bring it within the cost limit.

If you require copies of documents a copying charge will apply in line with our Publication Scheme together with any postage costs. We will however provide a fees notice prior to incurring any fees or charges.

### **NON-DISCLOSURE**

Information will not be disclosed if one or more of the following applies:

- An exemption applies;
- The information sought is not held;
- Requests are considered vexatious or repeated;

## COMMENTS AND COMPLAINTS

If you want to make a comment about this policy or our Publication Scheme, or if you require further assistance or wish to make a complaint this should be addressed to:

The Chair of Governors, St Francis Xavier Catholic Primary School, Roberts Road, Balby, Doncaster, South Yorkshire. DN4 0JN

Additionally, if you are dissatisfied with the handling of your request, you have the right request an internal review.

Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be addressed to: The Chair of Governors, St Francis Xavier Catholic Primary School, Roberts Road, Balby, Doncaster, South Yorkshire. DN4 0JN

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or, visit <https://ico.org.uk/>.

