Freedom of Information Policy

Mission Statement:

'In St Margaret Mary's School
we welcome everyone into our community
in order to live, love and learn
together in the light and example of the life of Christ.'

Policy to be reviewed July 2027

St MARGARET MARYS PRIMARY SCHOOL
Freedom of Information Policy

The school will comply with:
The terms of the Freedom of Information Act 2000, and any subsequent relevant legislation, to ensure all information held by the school is treated in a manner that is fair and lawful.
Birmingham Learning and Culture Directorate advice and guidance, including information published via the Birmingham Grid for Learning website: www.bgfl.org/services/foi/default.htm
Information and guidance displayed on the Information Commissioner's website www.informationcommissioner.gov.uk

This policy should be used in conjunction with the school's **Internet Use Policy** and **Data Protection Policy**.

Data Gathering and Storage
Information will only be gathered and stored for specified purposes.
In order to be able to respond to requests for information the school will implement effective records management policies to enable staff to identify whether data is held and, if it is, locate it quickly and easily.
Information held by the school will be regularly reviewed with a view to archiving or destruction, where appropriate.

Publication Scheme
The school will adopt and publish the appropriate model publication scheme, as recommended by the DfES, Information Commissioner and Birmingham City Council, and approved by school governors.
The current recommended model schemes can be viewed via the Information Commissioner's website and any changes will be notified to Birmingham schools by the Learning and Culture Data Protection and Freedom of Information Manager.

Dealing with Requests for Information

Theoretically any request for information is a request under the Freedom of Information Act, however Birmingham City Council has taken the decision that it will not consider any request that forms part of the normal pattern of work to be a Freedom of Information request. Only those requests which are considered to be outside the normal remit of the service provided will be recorded as Freedom of Information requests. The school will assist applicants in making their request to have access to information held by the school.

Assistance will be given to applicants whose requests need to be transferred to another public authority (eg school, LEA, hospital).
The school will exercise its duty to confirm or deny the existence of requested data, subject to any exemptions that may apply.

The school will supply data requested within 20 working days (or in line with the Information Commissioner's current policy during school holidays), subject to any exemptions that may apply, and the estimated cost of complying with the request falling within the current defined charge limit. All requests for information should still be dealt with in compliance with the 20 day deadline, whether they are recorded as Freedom of Information requests or not.
If a response will take longer than 10 working days to respond an acknowledgement should be sent to the person making the request, informing them when the information will be supplied. This acknowledgement does to allow the school to exceed the overall 20 day deadline.

The charge limit is currently £450, calculated at 18 hours work at a flat rate of £25 per hour, as set by the Department for Constitutional Affairs. If the estimated cost of complying with the request does not exceed this amount the school is not entitled to make a charge for fulfilling the request. The Learning and Culture Data Protection and Freedom of Information Manager will notify any changes to these rates to Birmingham schools.

A senior member of staff will be responsible for ensuring requests are fulfilled within the stipulated deadline and recording details of the request on the school's tracking database.
Persons requesting data will be supplied with a copy of our complaints procedure.
Copies of data supplied should be retained for two years from the date it was put into the public domain.

Applying Exemptions

A full list of exemptions can be found at the Information Commissioner's website. There are two types of exemption – absolute and qualified. In practice there are very few which are likely to be applied by the education sector.

The decision to apply absolute exemptions should not be taken by individual members of staff but should be made by a constituted group of at least three of the following: Chair of Governors, other governors, Headteacher.
The decision to apply qualified exemptions should not be taken by individual members of staff but should be made by a constituted group of at least three of the following: Chair of Governors, other governors, Headteacher. Even if the group decides information should not be disclosed, a public interest test should be carried out when applying qualified exemptions, to decide whether the public interest in disclosure outweighs the objection to disclosure. If it does the information must be disclosed.

Advice should be sought from Learning and Culture's Data Protection and Freedom of Information Manager or Legal Services if there is any doubt as to whether information should be disclosed.

Logging Requests Received

The school should keep a record of all requests received for monitoring purposes, noting:

a) the date the request was received,
b) name and contact details of the person or organisation making the request,
c) the date the request was fulfilled or refused,
d) the reason for any exemption being applied,
e) the reason for any failure to meet the 20 day deadline.

This policy will be available in the staffroom or on request from the office..