



Fenstanton
PRIMARY SCHOOL

Freedom of Information Policy

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Introduction

Fenstanton Primary School will meet its obligations to respond to all requests for information and will supply requested information, subject to any legal exemptions. This policy outlines our approach and the way in which we will manage requests.

Background

The Freedom of Information Act 2000 has been in force since January 2005. The Act provides a right to know whether a public body holds requested information and, if so, it provides a right of access to that information, unless one or more of the legal exemptions apply.

The Act is intended to create a culture of transparency and openness and to promote the accountability of organisations that are responsible for the spending of public money.

The Act covers all information held by a public body and any information that may be held on behalf of a public body by a third party, for example, partners or sub- contractors.

Fenstanton Primary School recognises this intention and has introduced this policy to meet its legal obligations. This policy applies to all information held within Fenstanton Primary School and all staff, Governors and contractors of Fenstanton Primary School.

Other Relevant Legislation

Requests made by an individual for their own personal information will be covered and dealt with as a subject access request under the Data Protection Act 1998 (DPA). Please see our Data Protection Policy.

Requests for environmental information, including information relating to air, water, land, the natural or built environment and any factors or measures that affect these, will be covered and dealt with by the Environmental Information Regulations 2004 (EIR).

Where a single request contains elements of personal or environmental information, these elements must be dealt with under the DPA or EIR as appropriate.

Obligations and Duties

In addition to the right of access, the Act places additional obligations and duties on Fenstanton Primary School. Fenstanton Primary School recognises its duty to:

- i. Advise and assist requestors as necessary.
- ii. Confirm whether or not the information is held by Fenstanton Primary School (duty to confirm or deny), and provide access to information where it is held in accordance with the school's procedure.

Publication Scheme

Fenstanton Primary School has adopted the Model Publication Scheme for Schools as approved by the Information Commissioner.

The publication scheme and the materials it covers will be readily available upon request.

Responsibilities

The Governing Body of Fenstanton Primary School has overall responsibility for ensuring compliance with the Freedom of Information Act. The Headteacher of each school has day to day responsibility for FOI compliance. The Senior Office Administrator at Fenstanton Primary School is the point of contact for enquiries. office@fenstantonprimary.co.uk

Dealing with Requests

Requests can be made by anybody, from anywhere and for any information that may be held by the school. When dealing with requests, no regard will be given to the identity or motive of the requestor, unless they are requesting their own personal information. These requests will be dealt with under the Data Protection Act 1998.

Anyone can receive a request in their professional capacity as a representative of the school and the 20 working day clock begins from the day after the request is received.

Responses will be provided to requestors within 20 school days, excluding weekends and school holidays, of receipt of their request.

The process for dealing with requests is outlined in Appendix One of this policy and may be changed from time to time if necessary to meet legislative or other prescribed changes.

Complaints

Any complaints about Freedom of Information requests or requests for internal reviews will be dealt with by the Chair of Governors. We will aim to respond to all complaints within 20 working days as recommended by the Information Commissioner.

If 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 to the Information Commissioner Office:

Telephone: 0303 123 1113.

<https://ico.org.uk/>

Appendix one

The Process for Dealing with Freedom of Information Requests

1. We will determine whether the request is valid, by ensuring that the request:
 - Has been received in writing (email is acceptable)
 - Contains the name and postal or email address of requestor
 - Contains a clear description of the information required. (see Appendix A for a letter and form if more information is required)
2. Ascertain whether the information requested is a) held at the school and b) able to be collated
3. 3. Check information is not contained within the publication scheme, (e.g. in leaflets or on the website)
4. 4. Check that another body do not publish the information. (e.g. The DfCFS website publishes performance data)

If this is the case, where possible we will direct you to relevant website/resource. We will deal with the requests within 20 working days (excluding school holidays) In most cases you will receive an acknowledgement letter.

In all cases we will consider if the information requested is personal data when providing information under the Freedom of Information Act. Where applicable we will redact personal information. However, someone's identity can be guessed due to the context of the information, in this case all of the information would become exempt under section 40(1) of the FOI Act.