

RACK HOUSE PRIMARY SCHOOL

Freedom of Information Policy

A school of excellence which nurtures and inspires all, where success is our achievement.

Rack House Primary 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. 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 DFE, Information Commissioner and Manchester City Council (MCC), and approved by school governors. The current recommended model scheme for schools in England can be viewed via the Information Commissioner's website. <https://ico.org.uk/>.

Dealing with Requests for Information

Theoretically any request in writing for information is a request under the Freedom of Information Act, but Manchester City Council and the school receives sporadic requests for information through our day-to-day operations. Most of these are dealt with as 'business as usual' requests and responded to accordingly. The City Council and school are committed to responding to all requests for information.

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 (e.g. school, LEA, hospital).

The school will exercise its duty to confirm or deny the existence of requested information, subject to any exemptions that may apply.

The school will supply information 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.

A charge for admin time and resources may be made.

The Headteacher will be responsible for ensuring requests are fulfilled within the stipulated deadline and recording details of the request .

Persons requesting data will be supplied with a copy of our complaints procedure. Copies of information 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, Deputy 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, Deputy 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 Management Support if there is any doubt as to whether information should be disclosed.

**The Public Interest here means the public good, not what is of interest to the public and not the private interests of the requester.*

Logging Requests Received

The school will 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.
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