

**FREEDOM
OF
INFORMATION
POLICY**

SIR GRAHAM BALFOUR POLICIES AND PROCEDURES

CHANGE CONTROL

Date	Issue	Details of change
13/11/06	0.a	Initial Draft
25/11/07	0.b	Updated after review by C&LLD Information Manager
13/03/07	1.0	Issue etc. updated following governor approval.

AUTHORISATION

Approved at Full Governors Meeting on 12th March 2007

Signed:

Chair of Governors

Date

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INTRODUCTION

On 1st January 2005 the Freedom of Information Act 2000 (FOIA) came fully into force and since that date there has been a legal right for any person to ask an individual school for access to any information that it holds. Schools are under a duty to provide advice and assistance to anyone wishing to request and to respond to any request promptly.

AIM

The aim of this document is to explain the process by which Sir Graham Balfour School fulfills its duties in relation to this Freedom of Information Act.

KEY ELEMENTS

INFORMATION COVERED

All requests for information that is not covered by:

- Data Protection Act 1998 (DPA)
- or
- Environmental Information Regulations 2004 (EIR)

are covered by this procedure.

OPERATION

Day to day responsibility for operation of this policy is delegated to the headteacher or, in his/her absence their appointed deputy.

REQUESTING INFORMATION

- Any request for information received by any member of the school staff must be forwarded to the headteacher.
- Requests must be made in writing, including fax or e-mail.
- Requests should include as much detail as possible about the information required to assist in provision of what is required.
- Enquirers do not have to say why they want the information and do not have to mention the FOIA.

TIMESCALES

There is a statutory deadline that requests for information must be responded to within 20 school working days of their receipt.

LOGGING OF REQUESTS

All requests for information received must be logged on an FOIA database which must also be updated at all stages of progress of the request.

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CHARGING for INFORMATION

Most requests will be provided free of charge but where the request is for a priced publication or disbursement costs, i.e. photocopying, printing, postage, are expected to exceed £5 then charges for these items will be made. Where a charge is to be applied the requestor will be advised accordingly prior to the exercise of collating the details commences.

PROCESSING of REQUESTS

On receipt of a request the headteacher should decide:

- Whether the request is under the FOIA or not.
- If the school holds the information requested or whether the request should be transferred to another body, Local Authority, etc.
- Provide the information if it has already been made public.
- Inform the enquirer if the information is not held.
- Consider whether a third party's interests might be affected by disclosure, any if so consult with them.
- Consider whether any exemptions apply and whether they are absolute or qualified.
- Carry out a public interest test to decide if applying the qualified exemption outweighs the public interest in disclosing the information.
- Ensure that personal information is removed as set out in the guidance for schools if a request is made for a document that contains exempt personal information.
- Decide whether the estimated cost of complying with the request will exceed the current cost threshold, £450 at the time of production of this procedure.
- Consider whether the request is vexatious or repeated.

If the headteacher believes that the request is not valid under the FOIA then the enquirer should be advised of this in writing.

If the request is considered to be valid under the FOIA the requested information will be provided in the timescales detailed above.

COMPLAINTS PROCEDURE

If the requestor of the information is unhappy with the outcome to any request they should invoke the formal complaint process as detailed in the Sir Graham Balfour School Complaints Procedure document.

MONITORING and EVALUATION

This policy will be monitored and evaluated by the Governors Strategy Group annually, or more frequently, if legislation or experiences suggest it appropriate.