

# LANGTOFT PRIMARY SCHOOL

## Freedom of Information Policy

### The contents of this policy:

1. Statement of intent
2. Legal framework
3. Accepting requests for information
4. General right of access to information held by the school
5. The appropriate limit
6. Charging fees
7. Means by which communication is to be made
8. Providing advice and assistance
9. Publication scheme
10. Monitoring and evaluation

### 1. Statement of intent for Freedom of Information Policy

**1.1** As an educational provider, Langtoft Primary School (known as the school hereafter) has an obligation to publish a Freedom of Information Statement, outlining how it will meet its duties under the Freedom of Information Act 2000 and associated regulations. The development and effective implementation of this policy fulfils that requirement.

**1.2** More specifically, this policy outlines:

- How the school will respond to requests from individuals for access to information held about them
- the school's policy and procedure for the release and publication of private data and public records.

**1.3** It also clarifies the position regarding the appropriate limit to the costs incurred by the school in obtaining any requested information and on charging fees for its provision.

### 2. Legal framework

**2.1** This policy has due regard to the following legislation:

- Data Protection Act 1998/**General Data Protection Regulation 2018**
- Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

**2.2** This policy should be viewed in conjunction with the following other school policies:

- Data Protection Policy (To be reviewed **May** 2018)

### 3. Accepting requests for information

**3.1** The school will only accept a request for information which meets all of the following criteria:

- It is in writing
- it states the name of the applicant and an address for correspondence
- it describes the information requested.

**3.2** A request will be treated as made in writing if it meets all of the following requirements:

- It is transmitted by electronic means
- it is received in legible form
- it is capable of being used for subsequent reference.

#### **4. General right of access to information held by the school**

**4.1** Provided that the request complies with Section 3 of this policy, the school will, no later than 20 working days from receipt of the request, comply with its duty to:

- Confirm or deny to any person making a request for information to the school, whether it holds information of the description specified in the request
- provide the documentation, if the school confirms that it holds the requested information.

**4.2** The school will not comply with section 4.1 of this policy where:

- It reasonably requires further information to meet a freedom of information request, has informed the applicant of this requirement, but the school has not subsequently been supplied with that further information
- the information is no longer readily available as it is contained in files that have been placed in archive storage or is difficult to access for similar reasons
- a request for information is exempt under Part 2 of the 2000 Freedom of Information Act
- the cost of providing the information exceeds the appropriate limit
- the request is vexatious
- the request is a repeated request from the same person made within 60 consecutive working days of the initial one
- a fee notice was not honoured.

**4.3** Where information is, or is thought to be, exempt, the school will, within 20 working days, give notice to the applicant which:

- States the fact
- specifies the exemption in question
- states why the exemption applies.

#### **5. The appropriate limit**

**5.1** The school will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450.

**5.2** When determining whether the cost of complying with a freedom of information request is within the appropriate limit, the school will take account only of the costs it reasonably expects to incur in relation to:

- Determining whether it holds the information
- locating the information, or a document which may contain the information
- retrieving the information, or a document which may contain the information
- extracting the information from a document containing it.

**5.3** Costs related to the time spent by any person undertaking any of the activities outlined in 5.2 of this policy on behalf of the school are to be estimated at a rate of £25 per person per hour.

**5.4** Where multiple requests for information are made to the school within 60 consecutive working days of each other, either by a single person or by different persons who appear to be acting in

concert, the estimated cost of complying with any of the requests is to be taken to be the total costs to the school of complying with all of them.

## **6. Charging fees**

**6.1** The school may, within 20 working days, give an applicant who has requested information from the school a written notice stating that a fee is to be charged for its compliance.

**6.2** Fees charged will not exceed the total cost to the school of:

- Informing the person making the request whether the school holds the information
- communicating the information to the person making the request.

**6.3** Where a fee is to be charged, the school will not comply with Section 4 of this policy unless the requested fee is paid within a period of three months beginning with the day on which the fees notice is given to the applicant.

**6.4** The school will not take into account any costs which are attributable to the time spent by persons undertaking any of the activities mentioned in Section 5.2 above.

**6.5** When calculating the twentieth working day in which to respond to a freedom of information request, the period beginning with the day on which the fee notice is given to the applicant and ending with the day on which the fee is received will be disregarded.

## **7. Means by which communication is to be made**

**7.1** Where, on making a request for information, the applicant expresses a preference for communication by any one of the following means, the school will, as far as is practicable, give effect to that preference:

- The provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant
- the provision to the applicant of a reasonable opportunity to inspect a record containing the information
- the provision to the applicant of a digest or summary of the information in permanent form or in another form acceptable to the applicant.

## **8. Providing advice and assistance**

**8.1** The school will meet its duty to provide advice and assistance, as far as is reasonable, to any person who proposes to make, or has made, requests for information.

## **9. Publication scheme**

**9.1** The school will meet its duty to adopt and maintain a publication scheme which specifies the information which it will publish on the school website, and whether the information will be available free of charge or on payment.

**9.2** The publication scheme will be reviewed and, where necessary, updated on an annual basis.

## **10. Monitoring and evaluation**

**10.1** This policy will be reviewed on an annual basis in line with the school's policy review schedule.