

Policy Agreed: December 2019

Review Date: September 2022

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**Freedom of Information policy  
2019-2022**

## **Hampreston First School - Freedom of Information Policy**

### **Rationale**

Hampreston C.E V.A First School is committed to complying with and implementing the provisions of the Freedom of Information Act (2012) and related legislation. This provides a general entitlement to any person to be able to access information held by school, subject to exemptions and conditions laid down by law. The **Freedom of Information Act** and the DPA **2018** come under the heading of **information** rights and are regulated by the ICO. When a person makes a request for their own **information**, this is a data protection subject access request.

### **Scope**

This policy applies to all information held by Hampreston C.E V.A First School regardless of how it was created or received. It applies irrespective of the media on which the information is stored and whether the information is recorded on paper or held electronically. The Act's powers are fully retrospective and thus information is accessible no matter how old it may be. Similarly, information in draft form will also be accessible under the Act.

It should be noted that access to personal information (that is information from which a living individual can be identified) is still governed under the Data Protection Act 2018. Requests for access to such information will be governed in line with the requirements of this legislation.

### **Dealing with Requests**

Hampreston C.E V.A First School will offer advice and assistance to anybody wishing to make a request for information. We are committed to dealing with requests within statutory guidelines, which means that a response will be made no more than 20 school days from the date of request and more speedily if possible. This will be extended in specific circumstances on legal advice in connection with the public interest test. However, school is committed to providing a prompt service and every attempt will be made to provide the information earlier than the expiry of the 20 school day period. Repeated or vexatious requests for information will be refused. School will claim exemptions as appropriate whilst maintaining a commitment to openness, scrutiny and the public interest. School will put in place an appropriate procedure for measuring the public interest when considering a qualified (also known as "non-absolute") exemption which requires such a test.

Any request in writing will be considered a Freedom of Information request including those received by email and fax. There is no need for requests to indicate that they are made under the Act and all requests will be dealt with under this policy. School reserves the right to refuse requests where the cost of locating, retrieving and editing (where necessary) the information would exceed the statutory maximum (currently £450).

Hampreston C.E V.A First School recognises that requests for environmental information may be made over the telephone and that different exemptions apply.

## **Adopting and Maintaining Publication Schemes**

Hampreston C.E V.A First School has adopted a Publication Scheme in accordance with Section 19 of the Freedom of Information Act and is committed to updating and maintaining it to keep it current and relevant. The Publication Scheme contains many of the documents, policies, plans and guidance which are regularly asked for. Material contained within the publication scheme, and a copy of the scheme itself, will be readily available. Where charges are applied these will be stated in the Scheme. The scheme can be accessed in school on request. School staff will give advice and assistance on how to use the scheme as appropriate.

## **Relationship with the Data Protection Act 2018**

Hampreston C.E V.A First School is under a legal duty to protect personal data under the Data Protection Act of May 2018. The new General Data Protection Regulation (GDPR) provides a modernised, accountability-based compliance framework for data protection in Europe. It is intended to strengthen privacy rights in relation to personal information.

The new accountability principle in Article 5(2) of the GDPR requires data controllers to demonstrate that they comply with the good practice principles set out in the Regulation, and states explicitly that this is their responsibility. The school is the data controller of the personal information you provide to us. This Notice sets out most of your rights under the new laws.

Further information about the new law can be found on the Information Commissioners website: <https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdp>

We will carefully consider our responsibilities under this Act before releasing personal information about living individuals, including current and former employees and pupils.

## **Responsibilities**

Hampreston C.E V.A First has a responsibility to make information available in accordance with the Freedom of Information Act. Responsibility for compliance with this and related policies will rest with the Governing Body who will delegate those responsibilities to the Head Teacher. Complaints regarding the use of this policy should be directed to the Governing Body.

All school staff have a responsibility to ensure that any request for information they receive is dealt with under the Act and in compliance with this policy. They are also responsible for good information handling practice and for implementing records management policies and procedures as appropriate to their post.

## **Contact Details**

Further advice and information about the Freedom of Information Act, including full details of exemptions and advice on the public interest test, is available from the Information Commissioner's website at [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)