

Freedom of information policy & Publication scheme

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Contents

1.0 Introduction	2
SECTION 1 – FREEDOM OF INFORMATION REQUESTS	2
2.0 Requests	2
3.0 Information	3
4.0 Vexatious Requests	4
5.0 Fees	4
6.0 Time Limits	5
7.0 Third Party Data	5
8.0 Exemptions	6
9.0 Refusal	6
SECTION 2 – FREEDOM OF INFORMATION PUBLICATION SCHEME	7
10.0 Introduction	7
11.0 Classes of Information	7
12.0 Making Information Available.....	7
13.0 Charges for Information Published Under this Scheme	8
14.0 How to request information	8
15.0 Guide to information available from KLB School under the ICO model publication scheme	9
16.0 SCHEDULE OF CHARGES.....	17
17.0 Internal Review	17
18.0 Complaints and/or Appeals	18

1.0 Introduction

- 1.1 The Freedom of Information Act 2000 gives individuals the right to access official information from public bodies. Under the Act, any person has a legal right to ask for access to information held by the school. They are entitled to be told whether Katharine Lady Berkeley's School (KLB School) holds the information, and to receive a copy, subject to certain exemptions. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information. Full details on how requests can be made are set out in section 1 of this policy.
- 1.2 Public Authorities should be clear and proactive about the information they will make public. For this reason, a publication scheme is available and can be found at section 2 of this policy.
- 1.3 This policy should be used in conjunction with our Data Protection Policy.
- 1.4 Please note that in this policy 'the school' means Katharine Lady Berkeley's School.

SECTION 1 – FREEDOM OF INFORMATION REQUESTS

2.0 Requests

- 2.1 Requests under Freedom of Information should be made to rjackman@klbschool.org.uk
- 2.2 Requests for information that are not data protection or environmental information requests will be covered by the Freedom of Information Act: -
 - 2.2.1 Data Protection enquiries (or Subject Access Requests/SARs) are requests where the enquirer asks to see what personal information the school holds about the enquirer. If the enquiry is a Data Protection request, the School's Data Protection Policy should be followed.
 - 2.2.2 Environmental Information Regulations enquiries are those which relate to air, water, land, natural sites, built environment, flora and fauna, health, and any decisions and activities affecting any of these. These could, therefore, include enquiries about recycling, phone masts, school playing fields, car parking etc. If the enquiry is about environmental information, follow the guidance on the Department for Environment, Food and Rural Affairs (DEFRA) website.

2.3 Freedom of Information requests must be made in writing, (including email), and should include the enquirer's name, correspondence address (email addresses are allowed), and state what information they require. There must be enough information in the request to be able to identify and locate the information. If this information is covered by one of the other pieces of legislation (as referred to above), they will be dealt with under the relevant policy/procedure related to that request.

2.4 If the request is ambiguous and the school require further information in order to deal with your request, they will request this further information directly from the individual making the request. Please note that the school do not have to deal with the request until the further information is received. Therefore, the time limit starts from the date that the school receives all information required in order to deal with the request.

2.5 The requester does not have to mention the Act, nor do they have to say why they want the information. There is a duty to respond to all requests, telling the enquirer whether or not the information is held, and supplying any information that is held, except where exemptions apply. There is a time limit of 20 school days (i.e. excluding school holidays) for responding to the request.

3.0 Information

3.1 Provided all requirements are met for a valid request to be made, KLB School will provide the information that it holds (unless an exemption applies).

3.2 Information means both hard copy and digital information.

3.3 When we do not hold the information, there is no duty to create or acquire it just to answer the enquiry; although a reasonable search will be made before confirming whether the school has the information requested.

3.4 If the information requested is already in the public domain, for instance, through the school website, we will direct the enquirer to the information and explain how to access it.

3.5 The requester has the right to be told if the information requested is held by the school (subject to any of the exemptions). This obligation is known as our duty to confirm or deny that it holds the information. However, the school does not have to confirm or deny if:-

3.5.1 The exemption is an absolute exemption; or

3.5.2 In the case of qualified exemptions, confirming or denying would itself disclose exempted information.

4.0 Vexatious Requests

- 4.1 There is no obligation on KLB School to comply with vexatious requests. A vexatious request is one which is designed to cause inconvenience, harassment or expense rather than to obtain information, and would require a substantial diversion of resources or would otherwise undermine the work of the school. However, this does not provide an excuse for bad records management.
- 4.2 In addition, the school do not have to comply with repeated identical or substantially similar requests from the same applicant unless a reasonable interval has elapsed between requests.

5.0 Fees

- 5.1 KLB School may charge the requester a fee for providing the requested information. This will be dependent on whether the staffing costs in complying with the request exceeds the threshold. The threshold is currently £450 with staff costs calculated at a fixed rate of £25 per hour (therefore 18 hours' work is required before the threshold is reached).
- 5.2 If a request would cost less than the threshold, then the school can only charge for the cost of informing the applicant whether the information is held, and communicating the information to the applicant (e.g. photocopying, printing and postage costs).
- 5.3 When calculating costs/threshold, KLB School can take account of the staff costs/time in determining whether the information is held by the school, locating and retrieving the information, and extracting the information from other documents. KLB School will not take account of the costs involved with considering whether information is exempt under the Act.
- 5.4 If a request would cost more than the appropriate limit, (£450) the school can turn the request down, answer and charge a fee or answer and waive the fee.
- 5.5 If KLB School are going to charge they will send the enquirer a fees notice, the school do not have to comply with the request until the fee has been paid. More details on fees can be found on the ICO website.
- 5.6 If planning to turn down a request for cost reasons, or charge a high fee, you should contact the applicant in advance to discuss whether they would prefer the scope of the request to be modified so that, for example, it would cost less than the appropriate limit.

5.7 Where two or more requests are made to KLB School by different people who appear to be acting together or as part of a campaign the estimated cost of complying with any of the requests may be taken to be the estimated total cost of complying with them all.

6.0 Time Limits

6.1 Compliance with a request must be prompt and within the time limit of 20 school days (this does not include the school holidays or weekends). Failure to comply could result in a complaint by the requester to the Information Commissioner's Office. The response time starts counting as the first day from the next working day after the request is received (so if a request was received on Monday 6th May the time limit would start from the next working day, the 7th May).

6.2 Where the school has asked the enquirer for more information to enable it to answer, the 20 school days start time begins when this further information has been received.

7.0 Third Party Data

7.1 Consultation of third parties may be required if their interests could be affected by release of the information requested, and any such consultation may influence the decision.

7.2 Consultation will be necessary where:

7.2.1 Disclosure of information may affect the legal rights of a third party, such as the right to have certain information treated in confidence or rights under Article 8 of the European Convention on Human Rights;

7.2.2 The views of the third party may assist the school to determine if information is exempt from disclosure; or

7.2.3 The views of the third party may assist the school to determine the public interest test.

7.3 Personal information requested by third parties is also exempt under this policy where release of that information would breach the Data Protection Act. If a request is made for a document (e.g. Governing Body minutes) which contains personal information whose release to a third party would breach the Data Protection Act, the document may be issued by blanking out the relevant personal information as set out in the redaction procedure.

8.0 Exemptions

8.1 The presumption of the Freedom of Information Act is that the school will disclose information unless the Act provides a specific reason to withhold it. The Act recognises the need to preserve confidentiality and protect sensitive material in certain circumstances.

8.2 KLB School may refuse all/part of a request, if one of the following applies: -

8.2.1 There is an exemption to disclosure within the act;

8.2.2 The information sought is not held;

8.2.3 The request is considered vexatious or repeated; or

8.2.4 The cost of compliance exceeds the threshold.

8.3 A series of exemptions are set out in the Act which allow the withholding of information in relation to an enquiry.

8.4 Where the potential exemption is a qualified exemption, the school will consider the public interest test to identify if the public interest in applying the exemption outweighs the public interest in disclosing it.

8.5 In all cases, before writing to the enquirer, the person given responsibility by the school for dealing with the request will need to ensure that the case has been properly considered, and that the reasons for refusal, or public interest test refusal, are sound.

9.0 Refusal

9.1 If it is decided to refuse a request, the school will send a refusals notice, which must contain:

9.1.1 The fact that the responsible person cannot provide the information asked for;

9.1.2 Which exemption(s) apply;

9.1.3 Why the exemption(s) apply to this enquiry (if it is not self-evident);

9.1.4 Reasons for refusal; and

9.1.5 The school complaints procedure.

- 9.2 For monitoring purposes and in case of an appeal against a decision not to release the information or an investigation by the Information Commissioner, the responsible person must keep a record of all enquiries where all or part of the requested information is withheld and exemptions are claimed. The record must include the reasons for the decision to withhold the information.

SECTION 2 – FREEDOM OF INFORMATION PUBLICATION SCHEME

10.0 Introduction

- 10.1 This publication scheme follows a model approved by the Information Commissioners Office.
- 10.2 This scheme is not a list of individual publications but rather a description of the classes of types of information. This list is not an exhaustive list of all of the types of information that we hold. We try to proactively publish as much information as we can where the information would have a wider public interest.
- 10.3 This scheme does not include information that we consider to be sensitive, such as personal information, information prevented from disclosure by law or information about security matters.

11.0 Classes of Information

- 11.1 Classes of information that we hold: -
- 11.1.1 Who we are and what we do
 - 11.1.2 What we spend and how we spend it
 - 11.1.3 What our priorities are and how we are doing
 - 11.1.4 How we make decisions
 - 11.1.5 Our policies and procedures

12.0 Making Information Available

- 12.1 Information will generally be made available on the school website. Where it is not possible to include this information on the websites, or when an individual does not wish to access the information by the websites, the school will indicate how information can be obtained by other means and provide it by those means. This may be detailed in response to a request or within the scheme itself. This will usually be by way of a paper copy.

12.2 In some exceptional circumstances, some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

12.3 Information will be provided in the language in which it is held or in such other language that is legally required. Where we are legally required to translate any information, we shall do so.

13.0 Charges for Information Published Under this Scheme

13.1 KLB School may charge individuals for information published under this scheme. The purpose of this scheme is to make the maximum amount of information readily available at the minimum inconvenience and cost to the public. Charges made by the school for routinely published material will be justified and transparent and kept to a minimum.

13.1.1 Material which is published and accessed on the website will be provided free of charge.

13.1.2 Charges may be made for information subject to a charging regime specified by law.

13.2 Charges will be made to cover:

13.2.1 Photocopying;

13.2.2 Postage and Packaging; &

13.2.3 The costs directly incurred as a result of viewing information.

13.3 Single copies of information requested which are covered by the publication scheme will be provided free unless otherwise stated within the scheme. If the request involved a large amount of photocopying, printing or postage, then this may be at a cost. If this is the case we will let you know as well as let you know the cost before fulfilling your request.

14.0 How to request information

14.1 If you require a paper version of any of the documents within the scheme please contact the school using the contact details below.

info@klbschool.org.uk

15.0 Guide to information available from KLB School under the ICO model publication scheme

Class 1 - Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only	
Information to be published.	How the information can be obtained
Who's who in the school	info@klbschool.org.uk
Who's who on the governing body / board of governors and the basis of their appointment	https://klbschool.org.uk/our-school/trustees/
Instrument of Government	https://klbschool.org.uk/our-school/trustees/
Contact details for the Head teacher and for the governing body, via the school (named contacts where possible).	info@klbschool.org.uk
School prospectus	info@klbschool.org.uk

Class 1 - Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only	
Information to be published.	How the information can be obtained
Annual Report	https://klbschool.org.uk/our-school/trustees/
Staffing structure	info@klbschool.org.uk
School session times and term dates	Term Dates and Training days https://klbschool.org.uk/our-school/term-dates/
Address of school and contact details, including email address.	Contact Details info@klbschool.org.uk

Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum	
Information to be published.	How the information can be obtained
Annual budget plan and financial statements	info@klbschool.org.uk
Capital funding	info@klbschool.org.uk
Financial audit reports	info@klbschool.org.uk
Details of expenditure items over £2000	info@klbschool.org.uk
Procurement and contracts the school	info@klbschool.org.uk
Pay policy	info@klbschool.org.uk
Staff allowances and expenses that can be incurred or claimed, with totals paid to individual senior staff members, (whose basic actual salary is at least £60,000 per annum) by reference to categories.	info@klbschool.org.uk
Staffing, pay and grading structure. As a minimum the pay information should include salaries for senior staff in bands of £10,000 and for junior posts, by salary range.	info@klbschool.co.uk
Governors' allowances	info@klbschool.org.uk

Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current information as a minimum	
Information to be published.	How the information can be obtained
Performance data supplied to the Government	info@klbschool.org.uk
The latest Ofsted report – Summary and full report	https://klbschool.org.uk/our-school/ofsted/
Post-inspection action plan	info@klbschool.org.uk
Performance management policy (Appraisal policy) and procedures adopted by the governing body.	info@klbschool.org.uk
The school's future plans; for example, proposals for and any consultation on the future of the school, such as a change in status	info@klbschool.org.uk

Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous three years as a minimum	
Information to be published.	How the information can be obtained
Admissions policy/decisions (not individual admission decisions)	https://klbschool.org.uk/joining-us/admissions/
Agendas and minutes of meetings of the governing body and its committees. (NB this will exclude information that is properly regarded as private to the meetings).	info@klbschool.org.uk

Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only.	
Information to be published.	How the information can be obtained (hard copy or website)
School Policies e.g. • Special Educational Needs and Disability • Behaviour • Anti-bullying • Child Protection • Health and Safety • Complaints • Attendance	https://klbschool.org.uk/our-school/policies/ For other policies not listed on the school website, contact info@klbschool.org.uk
Records management and personal data policies, including: • Records retention, destruction and archive policies • Data protection (including information sharing policies)	Data protection policy and retention schedule is available on the school website https://klbschool.org.uk/our-school/policies/

Class 6 – Lists and Registers

Currently maintained lists and registers only (this does not include the attendance register).

Information to be published.	How the information can be obtained
Curriculum circulars and statutory instruments	info@klbschool.org.uk
Any information the school is currently legally required to hold in publicly available registers (This does not include the Attendance register)	info@klbschool.org.uk

Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only	
Information to be published.	How the information can be obtained
Extra-curricular activities	Extra-Curricular School clubs info@klbschool.org.uk
Out of school clubs	info@klbschool.org.uk
Services for which the school is entitled to recover a fee, together with those fees	info@klbschool.org.uk
School newsletters	https://klbschool.org.uk/newsletters/

16.0 SCHEDULE OF CHARGES

16.1 This describes how the charges have been arrived at and should be published as part of the guide.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying/printing @ 4p per sheet (black & white)	6p per sheet
	Photocopying/printing @ 10p per sheet (colour)	15p per sheet
	Postage	Actual cost of Royal Mail standard 2 nd class
Statutory Fee	We will comply in accordance with the Freedom of Information Act in particular section 12.	In accordance with the relevant legislation

17.0 Internal Review

17.1 The requester has the right to ask for an internal review if they are dissatisfied with the handling of a request. Internal review requests should be made within 40 working days of the initial response. This deadline should be communicated to the requester in that response. We are not obliged to provide a review if it is requested after more than 40 working days.

17.2 Requests for internal review must make clear why they are dissatisfied with the original decision, detailing why they feel that the School has not complied with Freedom of Information Law. The internal review process will be undertaken by our DPO (Data Protection Officer), Gloucestershire County Council (schoolsdpo@gloucestershire.gov.uk).

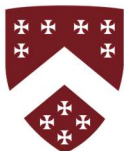
18.0 Complaints and/or Appeals

18.1 Any written (including email) expression of dissatisfaction should be handled through the school's existing complaints procedure. Wherever practicable the review should be handled by someone not involved in the original decision.

18.2 If the outcome is that the school's original decision or action is upheld, then the applicant can appeal to the Information Commissioner. The appeal can be made via their website or in writing to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

KLB



Katharine Lady Berkeley's School
Wotton-under-Edge, Gloucester, GL12 8LX

Tel: 01453 842227

Mail: info@klbschool.org.uk

www.klbschool.org.uk