

# Freedom of Information Policy



Signed:

Date:

Review Date:

# SCHOOL FOI POLICY – September 2024

## **1. Introduction**

- 1.1 The aim of the Freedom of Information Act 2000 ("FOIA") is to make public bodies more open, transparent and accountable, by creating the right for any person to request any information held by them (subject to specific exemptions). The same applies to the Environmental Information Regulations ("EIR") which specifically provide access to environmental information (these are subject to exceptions).
- 1.2 St Mary's CIW VA School, Ruabon is subject to FOIA and EIR and is committed to complying with the legislation. This policy document sets out the school's aspirations in respect of FOIA and the arrangements it has put in place to comply with it.

## **2. Responsibility for FOIA / EIR**

- 2.1 The school's governing body has overall responsibility for ensuring that the school complies with FOIA and EIR. However, all staff are required to have an awareness of the legislation and the school's arrangements for compliance with it.
- 2.2 The school's Headteacher has day-to-day responsibility for co-ordinating FOIA / EIR issues, including requests made under FOIA, and for maintaining the school's Publication Scheme.
- 2.3 The Schools Data Protection Officer will provide advice to the school on FOIA / EIR issues. Should any legal advice be required, this can be obtained from the Council's Legal department.

## **3. The school's Publication Scheme**

- 3.1 The school's Publication Scheme lists the information that the school routinely makes available, indicates where such information can be obtained from, and advises whether there is a cost for providing such information.
- 3.2 The school is obliged by FOIA to keep the Publication Scheme up to date and available to the public.
- 3.3 The Publication Scheme is available on the school's website.

## **4. Requests for Information**

- 4.1 Any person may request any information held by the school (subject to exemptions / exceptions). All requests for FOI must be in writing, but do not need to specifically mention FOIA. Requests for EIR can be made verbally.

- 4.3 The school will attempt to provide advice and assistance to all persons making requests. However, it is not obliged to deal with repeated or vexatious requests.
- 4.4 In most cases, the school is obliged to deal with requests within 20 working days. Where the school is considering the public interest test required by some exemptions, it is required to deal with such requests within a reasonable time (within a further 20 working days). Where this is the case, and it is likely to take more than the initial 20 working days to reach a decision, the school will inform the applicant and provide an estimate of the date by which it expects to deal with the request.

## **5. Fees**

- 5.1 Most information will be provided free of charge. However, the school may charge a fee if the cost of dealing with a request exceeds the figure set for such purposes by regulations. The amount of fees payable will be in accordance with such regulations.
- 5.2 The school will not charge a fee if it decides not to disclose the information because it is exempt under FOIA.

## **6. Exemptions / Exceptions**

- 6.1 There are a number of exemptions in FOIA (or exceptions in EIR) that provide circumstances in which information may be withheld by the school, e.g. information which is subject to data protection legislation. The school is obliged to consider exemptions carefully and, in some circumstances, must apply the public interest test (i.e. consider whether it is in the public interest to disclose or withhold information). If the school withholds information because it believes it is exempt under FOIA/EIR we will tell the person who has requested the information why we believe the information should be withheld.
- 6.2 The school has assigned members of staff responsible for determining whether information is to be withheld or disclosed as a result of particular requests.

## **7. Complaints**

- 7.1 Applicants may ask for a review of their request if they are unhappy with the school's response. The matter will then proceed in line with the school's complaints process, and will be undertaken by The Governing Body. Any legal advice would be sought through the Council's Legal department.

Requests for such reviews should be sent to The Clerk to the Governing Body.

- 7.2 The school aims to deal with internal reviews within 20 working days of receipt.

- 7.3 If applicants are dissatisfied with the outcome of the internal review, they may complain directly to the Information Commissioner (ICO) at:

Information Commissioner's Office – Wales,  
2nd Floor, Churchill House,  
Churchill Way,  
Cardiff  
CF10 2HH.

Telephone: 0330 414 6421, Email: [wales@ico.org.uk](mailto:wales@ico.org.uk)

The ICO will generally require that complainants pursue the matter through the school's internal complaints procedure (as referred to above), before they make a decision on the matter.

- 7.4 Appeals against the decision of the ICO can be made to the First-Tier Information Rights Tribunal. Details of how to do this can be found on the ICO's website.

## 8. **Contacts**

FOI / EIR Requests:	St Mary's CIW VA School, Park Street, Ruabon, Wrexham, LL14 6LE
Telephone:	01978 820979
Email:	<a href="mailto:mailbox@stmarys-ruabon-pri.wrexham.sch.uk">mailbox@stmarys-ruabon-pri.wrexham.sch.uk</a>