



# **Falconhurst School**

## **FREEDOM OF INFORMATION ACT PUBLICATION SCHEME AND ACCESS POLICY**

**Approved: April 2023**

**Review: April 2026**

### **1. Background**

The Freedom of Information Act (FOIA) was introduced to promote greater openness and accountability across the public sector, and establishes a general right of access to information held by public authorities, including schools. Along with Human Rights and General Data Protection legislation, Freedom of Information (FOI) aims to build a culture of rights and responsibilities for citizens.

This policy is underpinned by the Information Commissioners Office Model Publication Scheme.

## **2. ICO Model Publication Scheme**

This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits an authority:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the authority and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the authority makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.
- To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so;
- to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public author authority is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19.

The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The term 'relevant copyright work' is defined in section 19(8) of that Act.

### **3. Classes of information**

#### **Who we are and what we do.**

Organisational information, locations and contacts, constitutional and legal governance.

#### **What we spend and how we spend it.**

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

#### **What our priorities are and how we are doing.**

Strategy and performance information, plans, assessments, inspections and reviews.

#### **How we make decisions.**

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

#### **Our policies and procedures.**

Current written protocols for delivering our functions and responsibilities.

#### **Lists and registers.**

Information held in registers required by law and other lists and registers relating to the functions of the authority.

#### **The services we offer.**

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that 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.

#### **4. The method by which information published under this scheme will be made available**

The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

In 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.

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

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

#### **5. Charges which may be made for information published under this scheme**

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

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

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

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with the terms of the Re-use of Public Sector Information Regulations 2015, where they apply, or with regulations made under section 11B of the Freedom of Information Act, or with other statutory powers of the public authority.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

## **6. Written requests**

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

There is a legal right for any person to make a request to a school for access to information held by that school. Schools are under a duty to provide advice and assistance to anyone requesting information. Enquirers do not have to say why they want the information and the request does not have to mention FOIA.

The enquirer is entitled to be told whether the school holds the information (this is known as the duty to confirm or deny) and, if so, to have access to it. Access can include providing extracts of a document or a summary of the information sought, or access to the original document. However, the FOIA recognises the need to preserve confidentiality of sensitive information in some circumstances and sets out a number of exemptions.

There are only four reasons for not complying with a valid request for information under FOI:-

the information is not held  
the cost threshold is reached

the request is considered vexatious or repeated  
one or more of the exemptions apply

## **7. Responsibility and delegation:**

The board of governors is responsible for the maintenance and review of this scheme and policy.

The board of governors delegates to the Headteacher the day-to-day responsibility for FOIA policy and the provision of advice, guidance, publicity and interpretation of the school's policy. The Headteacher, in liaison with the Data Controllers, will provide a single point of reference, coordinate FOIA and related policies and procedures, take a view on possibly sensitive areas, ensure all staff are aware of the policy and consider what information and training staff may need. The Headteacher will ensure that a well-managed records management and information system exists in order to comply with requests. This will include keeping a record of refusals and reasons for refusals, to allow the Governing Board to review its access policy on an annual basis.

## 8. How to request information

If you would like to make a request under the FOIA, please:

- make the request **in writing** (this includes email or fax)
- **state the enquirer's name and correspondence address** (email addresses are allowed);
- **describe the information requested** - there must be enough information to be able to identify and locate the information.

You do not have to explain why you want the information or state that it is a FOI request, but it may help us to reply to your request more promptly if you let us know that it is a FOI request.

Requests for information should be addressed to:

Falconhurst School High  
Trees Eaglestone  
Milton Keynes MK6  
5AX  
Tel: 01908 679354  
Fax: 01908 608838  
Email: office@fcsch.co.uk

## 9. Timeline for reply

We will do our utmost to reply to any request promptly. In any case, we will meet the legally prescribed limit of 20 working days, excluding non-school days. Where the 20th day to respond to a request is during a non-school day, we will have up to 60 days to respond. The response time starts from the time the request is received. Where we need to ask you for more information to enable us to answer, the 20 days start time begins when this further information has been received.

If a qualified exemption applies and we need more time to consider the public interest test, we will reply within the 20 days stating that an exemption applies and include an estimate of the date by which a decision on the public interest test will be made. Where we have notified you that a charge is to be made, the time period stops until payment is received and then continues again once payment has been received.

## 10. Paying for information

Information published on the school's websites is free, although you may incur costs from your Internet service provider. If you do not have Internet access, you can access the school's websites using a local library or an Internet café.

We aim to respond to FOIA requests free of charge. However, if your request means that we have to do incur significant costs, e.g. a significant amount of photocopying, printing, paying a large postage charge, or a request for a priced item such as some printed publications or DVDs, we will let you know the cost before fulfilling your request. Information will be charged at the actual cost of providing it (e.g. the cost of photocopying, plus time of employee photocopying information, plus postage and any other actual costs incurred as a result of providing the requested information). If we need to charge for providing the information, we will require payment before we can provide the information.

## 11. Categories of information published

Information which we currently publish (or have recently published) or which we will publish in the future is split into categories of information known as 'classes'.

The classes of information that we undertake to make available are organised into broad topic areas:

- **Who we are and what we do:** general information about the school e.g. its staff, leadership and governance, information about the curriculum, school terms and events.
- **What we spend and how we spend it:** financial information relating to projected and actual income and expenditure, tendering, procurement and contracts
- **What our priorities are and how we are doing:** strategy and performance information e.g. Ofsted report and results of SATs
- **How we make decisions:** decisions of the Governing Board and/or Local Authority e.g. admissions.
- **Our policies and procedures:** current written policies and procedures for delivering our services and responsibilities
- **Lists and registers:** Information held in registers required by law and other lists and registers relating to the function of the school
- **Services we offer** e.g. out of school clubs, extra-curricular activities, newsletters.

## **12. Feedback and Complaints**

We welcome any comments or suggestions anybody may have about the scheme. To make any comments about this publication scheme and policy, for further assistance, or to make a complaint, please write to:

The School Business Manager C/O  
Falconhurst School,  
High Trees,  
Eaglestone, Milton  
Keynes, MK6 5AX

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made then this should be addressed to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom of Information Act 2000 and that deals with formal complaints. The complaint should be made in writing to:

The Case Reception Unit, Customer  
Service Team, Information  
Commissioner's Office, Wycliffe House,  
Water Lane, Wilmslow,  
Cheshire.  
SK9 5AF.

### **Review of this policy**

This policy will be reviewed every three years by the board of governors. We will monitor the application and outcomes of this policy to ensure it is working effectively.