

# Willingham Primary School



## Freedom of Information Policy

October 2019

Date Reviewed: October 2019

Next Review Date: October 2021

## **1. Introduction**

Willingham Primary School will meet its obligations to respond to all requests for information and will supply requested information, subject to the application of the legal exemptions. This policy outlines our approach and the way in which we will manage requests.

## **2. Background**

The Freedom of Information Act 2000 has been in force since January 2005. The Act provides a right to know whether a public body holds requested information and, if so, it provides a right of access to that information, unless one or more of the legal exemptions apply.

The Act is intended to create a culture of transparency and openness and to promote the accountability of organisations that are responsible for the spending of public money.

The Act covers all information held by a public body and any information that may be held on behalf of a public body by a third party, for example, partners or sub-contractors.

The school recognises this intention and has introduced this policy to support the school in meeting its legal obligations. This policy applies to all information held by Willingham Primary school and all staff, Governors and contractors of the school

## **3. Other relevant legislation**

Requests made by an individual for their own personal information will be covered and dealt with as a subject access request under the [General Data Protection Regulation \(EU\) 2016/679 \(GDPR\)](#) and the [Data Protection Act 2018 \(DPA 2018\)](#).

Requests for environmental information, including information relating to air, water, land, the natural or built environment and any factors or measures that affect these, will be covered and dealt with by the Environmental Information Regulations 2004 (EIR).

Where a single request contains elements of personal or environmental information, these elements must be dealt with under the GDPR or EIR as appropriate.

## **4. Obligations and duties**

In addition to the right of access, the Act places additional obligations and duties on the school. The school recognises its duty to:

- i. Advise and assist requestors as necessary.
- ii. Confirm whether or not the information is held by the school (duty to confirm or deny), and provide access to information where it is held in accordance with the school's procedure.

## **5. Publication scheme**

Willingham Primary School has adopted the Model Publication Scheme for Schools as approved by the Information Commissioner.

The publication scheme and the materials it covers will be readily available from Willingham Primary School on request.

## **6. Responsibilities**

The Governing Body of the school has overall responsibility for ensuring compliance with the Freedom of Information Act.

The Head Teacher will have day-to-day responsibility for FOI compliance

## **7. Dealing with requests**

Requests can be made by anybody, from anywhere and for any information that may be held by the school. When dealing with requests, no regard will be given to the identity or motive of the requestor, unless they are requesting their own personal information. These requests will be dealt with under the the [General Data Protection Regulation \(EU\) 2016/679 \(GDPR\)](#) and the [Data Protection Act 2018 \(DPA 2018\)](#).

Anyone can receive a request in their professional capacity as a representative of the school and the twenty working day clock begins from the day after the request is received.

Responses will be provided to requestors within twenty school days, or sixty working days if this is shorter, of receipt of their request.

## **8. Complaints**

Any complaints about Freedom of Information requests or requests for internal reviews will be dealt with by the Chair of Governors. We will aim to respond to all complaints within the twenty working days as recommended by the Information Commissioner.

If the school's original decision is upheld, then the school has a duty to inform the complainant of their right to appeal to the Information Commissioner's Office.

Appeals should be made in writing to the Information Commissioner and addressed to:  
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF