

## MONKSEATON HIGH SCHOOL

### FREEDOM OF INFORMATION POLICY AND FREEDOM OF INFORMATION PUBLICATION SCHEME

**Status:**

<b>Statutory policy or document</b>	Yes
<b>Review frequency</b>	3 yearly
<b>Approval by</b>	Governing body
<b>Approval date</b>	30/03/2022

**Publication:**

<b>Statutory requirement to publish on school website</b>	No
<b>Agreed to publish on school website</b>	Yes

**Review:**

<b>Frequency</b>	<b>Next Review Due</b>
Annually	January 2025

## **FREEDOM OF INFORMATION POLICY**

### **1. Introduction**

The Freedom of Information (FOI) Act 2000 provides individuals and organisations with the right to request information held by, or on behalf, of Monkseaton High School. As a school we must comply with the Act. The Act applies to all recorded information held by Monkseaton High School or by someone else on behalf of Monkseaton High School.

This policy applies to all staff of Monkseaton High School, and temporary staff working for or on behalf of the School.

This policy aims to ensure individuals and organisations have access to information held by the Monkseaton High School in order to promote greater openness, providing increased transparency of decision making and to build public trust and confidence.

A request for information does not need to specify itself as an FOI request or refer to the FOI Act for it to be valid.

This policy covers all requests for information except requests from individuals for their own personal data and 'business as usual' requests. A 'business as usual' request is a request for information or services that a school would expect to receive in its normal day to day operation. Any request that indicates it is an FOI request cannot be treated as 'business as usual'.

Information must be provided if it is held, unless one or more of the exemptions listed in the legislation applies. An FOI requestor has the right to be told whether the information is held and the right to receive the information, subject to exemptions. This applies regardless of the purpose of the application.

This policy does not cover Subject Access Requests (SAR). These are requests about information relating to the requestor or about an individual the requestor is authorised to act on behalf of and should be processed in accordance with the General Data Protection Regulations.

### **2. Freedom of Information Policy and Procedure**

If the school receives a request for information and it cannot be classed as 'business as usual' or it states it is an FOI request, the school must respond to requests promptly and by the twentieth working day following the date of receipt of the request.

To be valid under the FOI Act, requests:

- Must be in writing;
- Must clearly describe the information being sought;
- Can be made by an individual or an organisation;
- Can be made by letter or email;
- Must be legible;
- Must contain the name of the applicant and a return postal or email address;
- Do not have to be written on a special form;
- Do not need to mention the FOI Act;
- Do not need to refer to "Freedom of Information".

If the school receive a request that is unclear in what it asks then the school will seek clarification from the applicant to enable the request to proceed. This will pause the request until the applicant responds.

The school must not deliberately withhold or dispose of information that is covered by the Act. If there are concerns about some information that has been asked for, the school will contact the Information Governance team [dpo.schools@northtyneside.gov.uk](mailto:dpo.schools@northtyneside.gov.uk) to get advice on exemptions that may apply to the disclosure.

If a request for information is received there are two reasons why the information would not need to be provided. These are:

- the information requested is exempt from disclosure
- the request is considered a vexatious, unreasonable or repetitive.

The School has the right to refuse requests if the cost of providing the information would exceed the statutory cost limit. Where it is estimated that complying with a request will take more than 18 hours of officer time, the school has a duty to try to assist applicants to make refined requests which are more manageable.

### **3. Responsibilities and Accountabilities**

Monkseaton High School senior leadership team are responsible for ensuring that this policy is communicated to all employees and that it is adhered to.

All employees must ensure that any request for information they receive is dealt with in line with the requirements of the FOI Act and that they comply with this policy and associated procedures.

### **4. Compliance with the Freedom of Information Policy**

The Headteacher / Business Manager is responsible for monitoring compliance with this policy.

If employees knowingly do not comply with Schools policies, procedures or guidelines, the school may take appropriate action in accordance with the Employee Code of Conduct.

Other Relevant Policies, Standards and Procedures are:

- Information Security Policy
- Data Protection Act Policy

### **5. Data Protection**

Monkseaton High School is under a legal duty to protect personal data as required by the General Data Protection Regulation (GDPR). Monkseaton High School will carefully consider its responsibilities under GDPR before disclosing personal data about living individuals, including current and former employees, pupils, and school governors.

## FREEDOM OF INFORMATION PUBLICATION SCHEME

### 1. Overview

This publication scheme is based on the model publication scheme prepared and approved by the Information Commissioner which is valid until further notice.

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

The scheme commits the school:

- to proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the school and falls within the classifications below
- to specify the information which is held by the school 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 school 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 school that has been requested, and any updated versions it holds, unless the school 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 school 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. *NB the term 'dataset' is defined in section 11(5) of the Freedom of Information Act, and the term 'relevant copyright work' is defined in section 19(8) of that Act.*

### 2. Classes of information

#### Who we are and what we do

- **Instrument of Government:** The Instrument of Government is the document which records the name and category of the school and the constitution of the governing body.
- **School curriculum:** An outline of the school's curriculum covering Key Stages 3 and 4 and 5.
- **Governing Body:** The names and contact details of the governors and the basis on which they have been appointed.

- **School session times and term dates:** Details of school session times and dates of school terms and holidays.
- **Location and contact information:** The address, telephone number and email address of the school, together with the names of key personnel and the school's website details.

#### What we spend and how we spend it

- **Annual budget plan and monitoring:** Details of sources of funding and income provided to the school by the local authority, central government, or elsewhere, together with annual budget plans and the school's annual income and expenditure.
- **Details of items of expenditure over £5000:** These will be published annually if this information is held by the school.
- **Pay Policy:** The statement of the school's policy and procedures regarding teachers' pay.
- **Procurement and contracts:** Details of procedures used for acquisition of goods and services, and details of contracts that have gone through a formal tendering process.
- **Staff allowances and expenses:** Details of allowances and expenses that can be incurred or claimed, including the total of the allowances and expenses paid to individual senior staff members by reference to categories; senior staff members are defined as staff whose basic salary is at least £60,000 per annum.
- **Staff pay and grading structures:** The name and positions of all school staff and how they may be contacted; includes salaries for senior staff in bands of £10,000, and salaries defined by salary range for all other posts.
- **Governors' allowances:** Details of allowances and expenses that can be incurred or claimed, and a record of total payments made to individual governors.

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

- **Government supplied performance data**
- **Latest Ofsted report**
- **Performance management information:** Appraisal Policies and procedures adopted by the governing body.
- **Future plans:** Any major proposals for the future of the school involving, for example, consultation on a change in school status.
- **Safeguarding and child protection:** The policies and procedures that are in place to ensure that the school exercises its functions with a view to safeguarding and promoting the welfare of children, including child protection, in compliance with legislation and any guidance issued by the Secretary of State.

#### How we make decisions

- **Admissions policy/decisions:** The school's admission arrangements and procedures including information about the right of appeal; information on application numbers and patterns of successful applicants will be published if this information is held by the school.
- **Minutes of meetings of the governing body:** Minutes considered at such meetings will be published as soon as practicable, with the exception of information that is properly considered being private to the meeting.

## Our policies and procedures

- **School/school policies and other documents:** This will include policies, procedures, and documents that the school is required to have by statute, including, but not limited to:
  - Appraisal Policy
  - Relationship and Sex Education Policy
  - Behaviour Policy
  - Capability Procedure
  - Pay Policy
  - Charging and Remissions Policy
  - Special Educational Needs Policy
- **Records management and personal data policies:** This includes information security policies, records retention, destruction and archive policies, and data protection (including data sharing) policies.
- **Equality and diversity:** This includes policies, schemes, statements, procedures and guidelines relating to equal opportunities.
- **Policies and procedures for the recruitment of staff:** If vacancies are advertised as part of recruitment policies, details of current vacancies will be readily available.
- **Charging regimes and policies:** Details of any statutory charging regimes will be provided; charging policies will include charges made for information routinely published, and will clearly state what costs are to be recovered, the basis on which they are made, and how they are calculated.

## Lists and registers

- **Disclosure logs:** All disclosure logs indicating information provided in response to requests will be readily available.
- **Asset register:** Information from capital asset registers will be available if held.
- **Any information the school is currently legally required to hold in publicly available registers**

### 2.1. The services we offer:

- **Extra-curricular activities**
- **Out of school clubs**
- **School/school publications**
- **Services for which the school is entitled to recover a fee, together with those fees**
- **Leaflets, booklets and newsletters**

### 2.2. 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.

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

The school 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 the school, 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, the school 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 the school is legally required to translate any information, we 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.

### **4. 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 school for routinely published material will be justified and transparent and kept to a minimum

Material which is published and accessed on the school's 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 school.

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.

## **5. Written requests**

Information held by the school 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.



## Appendix A. Equality Impact Assessment

1. Name of the change, strategy, project or policy:	Freedom of Information Policy & Freedom of Information Publication Scheme		
2. Name of person(s) completing this form:	Marie-Anne Dowson		
<b>3. Has the policy/practice been assessed to consider any potential impact on the equality groups? Yes</b>			
<b>Where potential impact has been identified, please complete questions 5-9, if none is identified, please sign and proceed to question 10.</b>			
4. Equality Target Group (highlight):	Negative impact – it could disadvantage	Reason	
Race Religion/belief Disability Gender Gender Reassignment Sexual Orientation Age Pregnancy/Maternity Marriage & Civil Partnerships	No significant impact.		
5.		<b>Yes</b>	<b>No</b>
Is the impact legal/lawful? Seek advice from your School link HR Advisor if necessary.			
Is the impact intended?			
Does this action/policy/procedure attempt to meet the aims of the public sector equality duty? (this should feed into your Single equality scheme & action plan)		Yes, No, or N/A	If yes, please provide details
Eliminate unlawful discrimination, harassment and victimisation		NO	
Advance equality of opportunity between different equality groups		NO	
Foster good relations between different equality groups		NO	
<b>7. If you have identified any negative impact, have you identified any ways of avoiding or minimising it?</b>			
n/a			
<b>8. Is it possible to consider a different policy/strategy/action, which still achieves your aim, but avoids any negative impact on people?</b>			
n/a			
<b>9. In light of all the information detailed in this form; what practical actions would you take to reduce or remove any negative impact?</b>			
n/a			
<b>10.a) As a result of the assessment and consultation completed in Part A above, state whether there will need to be any changes made to the policy, project or planned action.</b>			
<b>10.b) As a result of this assessment and consultation, does the school need to commission specific research on this issue or carry out monitoring/data collection?</b>			
A) No changes required.			
11. Have you set up a monitoring/evaluation/review process to check the successful implementation of the policy, project or change? If yes please provide details below.	Yes		

Annual review and report to governing body.