



Freedom of Information Policy  
and Publication Scheme  
September 2018

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*\*Some information might be confidential or otherwise exempt from publication by law – we cannot therefore publish this*

*\*\*Information available on the School Website*

## **Statement of intent**

As an educational provider, our school has an obligation to publish a freedom of information statement, outlining how we will meet our duties under the Freedom of Information Act 2000 and associated regulations. The development and effective implementation of this policy fulfils that requirement.

More specifically, this policy outlines:

- How the school will respond to requests from individuals for access to information held about them.
- Our school's policy and procedures for the release and publication of private data and public records.
- Our school's policy and procedures for providing applicants with advice and assistance throughout the duration of their requests.

It also clarifies our position regarding the appropriate limit to the costs incurred by the school in obtaining any requested information, and on charging fees for its provision.

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## **1. Legal framework**

1.1. This policy has due regard to the following legislation:

- The General Data Protection Regulation
- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

1.2. This policy also has due regard to guidance, including, but not limited to, the following:

- ICO 'Model publication scheme' 2016
- ICO 'Duty to provide advice and assistance (section 16)' 2016

1.3. This policy will be viewed in conjunction with the following other school policies:

- GDPR Data Protection Policy

## **2. Accepting requests for information**

2.1. The school will only accept a request for information which meets all of the following criteria:

- It is in writing
- It states the name of the applicant and an address for correspondence
- It describes the information requested

2.2. A request will be treated as made in writing if it meets all of the following requirements:

- It is transmitted by electronic means
- It is received in legible form
- It is capable of being used for subsequent reference

2.3. The school will publish details of its procedures for dealing with requests for information on the website, which includes:

- A contact address and email address
- A telephone number

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### 3. General right of access to information held by the school

3.1. Provided that the request complies with [section 2](#) of this policy, the school will, no later than 20 working days from receipt of the request, comply with its duty to:

- Confirm or deny to any person making a request for information to the school, whether it holds information of the description specified in the request.
- Provide the documentation, if the school confirms that it holds the requested information.

3.2. The school will not comply with section 3.1 of this policy where:

- The school reasonably requires further information to meet a freedom of information request, has informed the applicant of this requirement, but was not subsequently supplied with that further information.
- The information 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.
- A request for information is exempt under section 2 of the Freedom of Information Act 2000.
- The cost of providing the information exceeds the appropriate limit.
- The request is vexatious.
- The request is a repeated request from the same person made within 60 consecutive working days of the initial one.
- A fee notice was not honoured.

3.3. Where information is, or is thought to be, exempt, the school will, within 20 working days, give notice to the applicant which:

- States the fact.
- Specifies the exemption in question.

3.4. The information provided to the applicant will be in the format that they have requested, where possible.

3.5. Where it is not possible to provide the information in the requested format, the school will assist the applicant by discussing alternative formats in which it can be provided.

3.6. The information provided will also be in the language in which it is held, or another language that is legally required. If the school is required to translate any information, it will do so.

3.7. If, under relevant disability and discrimination regulations, the school is legally obliged to provide the information in other forms and formats, it will do so.

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#### **4. The appropriate limit**

- 4.1. The school will not comply with any freedom of information request that exceeds the statutorily imposed appropriate limit of £450.
- 4.2. When determining whether the cost of complying with a freedom of information request is within the appropriate limit, the school will take account only of the costs we reasonably expect to incur in relation to:
  - Determining whether it holds the information.
  - Locating the information, or a document which may contain the information.
  - Retrieving the information, or a document which may contain the information.
  - Extracting the information from a document containing it.
  - Costs related to the time spent by any person undertaking any of the activities outlined in section 4.2 of this policy on behalf of the school, are to be estimated at a rate of £25 per person per hour.
- 4.3. Where multiple requests for information are made to the school within 60 consecutive working days of each other, either by a single person or by different persons who appear to be acting in concert, the estimated cost of complying with any of the requests is to be taken to be the total costs to the school of complying with all of them.

#### **5. Charging fees**

- 5.1. The school may, within 20 working days, give an applicant who has requested information from the school, a written notice stating that a fee is to be charged for the school's compliance.
- 5.2. Charges may be made for disbursements, such as the following:
  - Photocopying
  - Postage and packaging
  - Costs directly incurred as a result of viewing information
- 5.3. Fees charged will not exceed the total cost to the school of:
  - Informing the person making the request whether we hold the information.
  - Communicating the information to the person making the request.
- 5.4. Where a fee is to be charged, the school will not comply with [section 3](#) of this policy unless the requested fee is paid within a period of three months, beginning with the day on which the fees notice is given to the applicant.

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- 5.5. The school will not take into account any costs which are attributable to the time spent by persons undertaking any of the activities mentioned in section 5.3 above.
- 5.6. When calculating the 20<sup>th</sup> working day in which to respond to a freedom of information request, the period beginning the day on which the fee notice is given to the applicant and ending with the day on which the fee is received, will be disregarded.

## **6. Means by which communication is to be made**

- 6.1. Where, on making a request for information, the applicant expresses a preference for communication by any one of the following means, the school will, as far as is practicable, give effect to that preference:
- The provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant.
  - The provision to the applicant of a reasonable opportunity to inspect a record containing the information.
  - The provision to the applicant of a digest, or summary of the information, in permanent form or in another form acceptable to the applicant.

## **7. Providing advice and assistance**

- 7.1. The school will meet its duty to provide advice and assistance, as far as is reasonable, to any person who proposes to make, or has made, requests for information to the school.
- 7.2. The school may offer advice and assistance in the following circumstances:
- If an individual requests to know what types of information the school holds and the format in which it is available, as well as information on the fees regulations and charging procedures.
  - If a request has been made, but the school is unable to regard it as a valid request due to insufficient information, leading to an inability to identify and locate the information.
  - If a request has been refused, e.g. due to an excessive cost, and it is necessary for the school to assist the individual who has submitted the request.
- 7.3. The school will provide assistance for each individual on a case-by-case basis; examples of how the school will provide assistance include the following:
- Informing an applicant of their rights under the Freedom of Information Act 2000

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- Assisting an individual in the focus of their request, e.g. by advising of the types of information available within the requested category
- Advising an applicant if information is available elsewhere and how to access this information
- Keeping an applicant informed on the progress of their request

7.4. In order to provide assistance as outlined above, the school will engage in the following good practice procedures:

- Make early contact with an individual and keep them informed of the process of their request.
- Accurately record and document all correspondence concerning the clarification and handling of any request.
- Give consideration to the most appropriate means of contacting the applicant, taking into account their individual circumstances.
- Discuss with the applicant whether they would prefer to receive the information in an alternative format, in cases where it is not possible to provide the information requested in the manner originally specified.
- Remain prepared to assist an applicant who has had their request denied due to an exemption.

7.5. The school will give particular consideration to what level of assistance is required for an applicant who has difficulty submitting a written request.

7.6. In circumstances where an applicant has difficulty submitting a written request, the school will:

- Make a note of the application over the telephone and then send the note to the applicant to confirm and return – the statutory time limit for a reply would begin here.
- Direct the individual to a different agency that may be able to assist with framing their request.

**NB.** This list is not exhaustive and the school may decide to take additional assistance measures that are appropriate to the case.

7.7. Where an applicant's request has been refused either because the information is accessible by other means, or the information is intended for future publication or research, the school, as a matter of good practice, will provide advice and assistance.

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- 7.8. The school will advise the applicant how and where information can be obtained, if it is accessible by other means.
- 7.9. Where there is an intention to publish the information in the future, the school will advise the applicant of when this publication is expected.
- 7.10. If the request is not clear, the school will ask for more detail from the applicant in order to identify and locate the relevant information, before providing further advice and assistance.
- 7.11. If the school is able to clearly identify the elements of a request, it will respond following usual procedures and will provide advice and assistance for the remainder of the request.
- 7.12. If any additional clarification is needed for the remainder of a request, the school will ensure there is no delay in asking for further information.
- 7.13. If an applicant decides not to follow the school's advice and assistance and fails to provide clarification, the school is under no obligation to contact the applicant again.
- 7.14. If the school is under any doubt that the applicant did not receive the advice and assistance, the school will re-issue it.
- 7.15. The school is not required to provide assistance where an applicant's request is vexatious or repeated, as defined under section 14 of the Freedom of Information Act 2000.
- 7.16. The school is also not required to provide information where the cost of complying with a request exceeds the limit outlined in the Freedom of Information Act 2000. In such cases, the school will consider whether any information can be provided free of charge if the applicant refuses to pay the fee.
- 7.17. A record will be kept by the Business Manager in the KS3 school office of all the advice and assistance provided.

## **8. Publication scheme**

- 8.1. The school will meet its duty to adopt and maintain a publication scheme which specifies the information which it will publish on the school website, and whether the information will be available free of charge or on payment. See section 10.

## **9. Monitoring and review**

- 9.1. This policy will be reviewed on an annual basis, or in light of any changes to relevant legislation, by the management committee.
- 9.2. The next scheduled review date for this policy is September 2019.

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## 10. Categories of information published

One of the Freedom of Information Act 2000 is that public authorities, including maintained schools, should be clear and proactive about the information they will make public. The publication scheme guides you to information which we currently publish (or have recently published) or which we will publish in the future. This is split into categories of information known as ‘classes’.

### Classes of information published

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

- The School Website
- Information relating to the Management Committee
- Information related to the Pupils & the Curriculum
- School Policies and other information related to the school

School website: [www.riversesc.herts.sch.uk](http://www.riversesc.herts.sch.uk)

Class	Description
<b>School Information</b>	<p>The statutory information available is as follows:</p> <ul style="list-style-type: none"> <li>• The name, address and telephone number of the school, and the type of school**</li> <li>• The names of the Head Teacher and Chair of the Management Committee**</li> <li>• Information about the school’s policy on providing for pupils with special educational needs (SEN)**</li> <li>• Curriculum information for each year group by subject, including phonics/reading schemes and Key Stage 4 courses/qualifications as appropriate</li> <li>• Results in the school (Performance)</li> <li>• Destination of school leavers*</li> <li>• Ofsted report**</li> </ul>
	<p>Accessibility Plan/Policy**</p> <ul style="list-style-type: none"> <li>• Information regarding the allocation and use of the Pupil Premium Grant and its impact on attainment**</li> </ul>
<b>School’s Ethos and Values</b>	Statement of the school’s ethos and values**
<b>Equality and Diversity Policy</b>	Document setting out equality objectives of the school demonstrating how the school is meeting the aims of the general public sector equality duty and annual statement**

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- **Information relating to the Management Committee**

This section sets out information relating to Rivers ESC Management Committee (Rivers ESC Governing Body)

<b>Class</b>	<b>Description</b>
<b>Instrument of Government</b>	<ul style="list-style-type: none"> <li>• The name of the school</li> <li>• The name of the Governing Body</li> <li>• The manner in which the Governing Body is constituted</li> <li>• The term of office for each category of governor if less than 4 years</li> </ul>
<b>Terms of Reference</b>	Agreed responsibilities of the Governing Body and delegation to the committees
<b>Register of Interest</b>	<ul style="list-style-type: none"> <li>• Current term of office</li> <li>• Declaration of any business interest</li> <li>• Details of any other Governance roles held</li> </ul>
<b>Register of Attendance</b>	<ul style="list-style-type: none"> <li>• Attendance register for previous academic year</li> <li>• Attendance register for current academic year (updated termly)</li> <li>• Details of any changes that have taken effect</li> </ul>
<b>Minutes of the Full Governing</b>	Agreed final signed minutes of the Governing Body <i>(current agreed and last full academic year)</i>

**Pupils & Curriculum Policies** - This section gives access to information about policies that relate to pupils and the school curriculum.

<b>Class</b>	<b>Description</b>
Home – school agreement	Statement of the school’s aims and values, of Rivers responsibilities, the parental responsibilities and our expectations of the pupils for example homework arrangements
Curriculum Policy	Statement on following the policy for the secular curriculum subjects and religious education and schemes of work and syllabuses currently used by Rivers ESC
Sex & Relationship Education	Statement of policy with regard to sex and relationship education
Special Education Needs Statement	Information about Rivers policy on providing for pupils with special educational needs

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Accessibility Plan**	Plan for increasing participation of disabled pupils in the curriculum, improving the accessibility of the physical environment and improving delivery of information to disabled pupils.
Equality and Diversity Policy**	Statement of policy for promoting equality and diversity
Collective Worship	Statement of arrangements for the required daily act of collective worship
Child Protection Policy**	Statement of policy for safeguarding and promoting welfare of pupils at Rivers ESC.
Pupil Discipline**	Statement of general principles on behaviour and discipline and of measures taken by the Head Teacher to prevent bullying Behaviour Policies at Rivers ESC: <ul style="list-style-type: none"> <li>• Positive Behaviour Statement (Statement of Behaviour Principles)**</li> <li>• Anti-bullying**</li> </ul>
Work related Learning and Careers Policy**	Statement of the programmes of careers education provided at Rivers

**School Policies and other information related to Rivers ESC-** This section gives access to information about policies that relate to the Rivers ESC in general.

Class	Description
Published reports of Ofsted referring expressly to the Rivers	Published report of the last inspection.
School session times and term dates**	Details of school session and dates of school terms and holidays
Health and Safety Policy and risk assessment	Statement of general policy with respect to health and safety at work of employees (and others) and the organisation and arrangements for carrying out the policy
Complaints procedure**	Statement of procedures for dealing with complaints
Performance Management of	<ul style="list-style-type: none"> <li>• Pay and Appraisal Policy</li> </ul>
Staff Conduct, Discipline and Grievance	Policies are available upon request

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Information which **will not** be made available under this scheme includes:

- 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, or notes, documents in older versions, emails or other correspondence.
- 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.

## **1. How to request information**

If you require a paper version of any of the documents within the scheme, please contact Rivers ESC by telephone, email or letter. Contact details are:

Email: [admin@riversesc.herts.sch.uk](mailto:admin@riversesc.herts.sch.uk)

Website: [www.riversesc.herts.sch.uk](http://www.riversesc.herts.sch.uk)

Tel: 01992 534841

Address: Rivers ESC, Churchfields, Hertford, Herts, SG13 8AE

To enable us to process your request quickly, please mark all correspondence:

### **“FREEDOM OF INFORMATION REQUEST”**

If the information you're looking for isn't available via the scheme (and is not on our website), you can still contact Rivers ESC to ask if we have it. We undertake to provide all the information that we are required to do under the terms of the FOIA.

## **2. Charges**

Documents contained in this scheme are free to view on the school website.

Single paper copies are also available free of charge to parents/carers and prospective parents/carers of the school.

## **3. Feedback**

We welcome any comments or suggestions you may have regarding this scheme. Please contact the Management Committee using the contact details noted above.

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