



FREEDOM OF INFORMATION POLICY & PUBLICATION SCHEME

Equal opportunities lie at the heart of all that we do at Silverwood School. We are committed to ensuring that every member of the school community is given the same chance as any other to access the services and support of the school

We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

This policy is designed to meet the needs of all pupils, working through pre-formal, semi-formal and formal curricula. It is inclusive of students who function at early/preverbal levels of language and communication, through to those who express themselves verbally and in writing. The policy is designed to be child-centred and to make sure as far as is possible that pupils understand what is happening in their lives, why, and what options are available to them

Approved by:

Resource Committee

Date: June 2022

Last reviewed on:

June 2022

Next review by:

June 2023

1. Purpose:

Silverwood School is committed to the Freedom of Information Act 2000 (**FoIA**) which came into force on 1 January 2005. The school is committed to the principles of accountability and the general right of access to information, subject to legal exemptions.

This policy outlines our framework for managing requests.

Under the FoIA, any person has a legal right to ask for access to information held by the school. They are entitled to be told whether the school holds the information, and to receive a copy, subject to certain exemptions.

The information which the school routinely make available to the public includes information available on the school's web site. Requests for other information are dealt with in accordance with statutory guidance. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information.

The Act is fully retrospective, so that any past records which the school holds are covered by the Act. Silverwood School has a Retention Schedule based on the schedule recommended by its professional Data Protection Officer, which guides the school as to how long it should keep records.

It is an offence to wilfully conceal, damage, or destroy information in order to avoid responding to an enquiry, so it is important that no records that are the subject of an enquiry are amended or destroyed.

Requests under the Act can be addressed to anyone employed by the school. However, all responses are to be cleared with the Executive Headteacher prior to dispatch.

Staff need to be aware of the process for dealing with requests. Requests must be made in writing, (which can include email), and should include the enquirers name and correspondence address, and state what information they require. They do not have to mention the Act, nor do they have to say why they want the information. There is a duty to respond to all requests, telling the enquirer whether or not the information is held, and supplying any information that is held, except where exemptions apply. There is no need to collect data in specific response to an enquiry. There is a time limit of 20 days excluding school holidays for responding to the request.

2. Scope:

The Executive Headteacher is responsible for ensuring compliance with school Policies and Procedures. This procedure applies to all school staff. Requests for personal data are still covered by the Data Protection Act. The Data Protection Act 2018 controls how your personal information is used by organisations, businesses, or the government. The Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulation (GDPR). Individuals can request to see what information the school holds about them. This is known as a Subject Access Request, and must be dealt with accordingly.

Requests for information about anything relating to the environment – such as air, water, land, the natural world or the built environment and any factor or measure affecting these – are covered by the Environmental Information Regulations ((**EIR**). Requests under EIR are dealt with in the same way as those under FoIA, but they do not need to be written and can be verbal.

3. Procedure:

4.1 Obligations and Duties: The school and its governing body recognises the duty to provide advice and assistance to anyone requesting information. We will respond to straightforward verbal requests for information and will help enquirers to put more complex verbal requests into writing so that they can be

handled under the Act. The school and its governing body recognises the duty to tell enquirers whether or not we hold the information they are requesting (the duty to confirm or deny), and provide access to the information we hold in accordance with the procedures laid down.

4.2 Publication Scheme: Silverwood School will create a Publication Scheme derived from the Model Publication Scheme for Schools approved by the Information Commissioner.

The Publication Scheme and the materials it covers will be readily available from each of the school's campuses' main office and from the Silverwood School website.

4.3 Dealing with Requests: We will respond to all requests in accordance with the procedures. We will ensure that all staff are aware of the procedures.

4.4 Exemptions: Certain information is subject to either absolute or qualified exemptions. When we wish to apply a qualified exemption to a request, we will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information. We will maintain a register of requests where we have refused to supply information, and the reasons for the refusal. The register will be retained for 5 years from the date of the request.

4.5 Public Interest Test: Information Commissioner's Office (**ICO**) states that unless it is in the public interest to withhold information, it has to be released. We will apply the Public Interest Test before any qualified exemptions are applied.

4.6 Charging: We reserve the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450.

The school and its governing body reserves the right to charge a fee for complying with requests for information under FoIA. The fees are calculated according to FoIA regulations, and the person notified of the charge before the information is supplied. Appendix One at the end of the document relates to charging.

4.7 Responsibilities The school's governing body has delegated to the day-to-day responsibility for compliance with the FoIA to the executive headteacher. A member of staff at Rowde campus will be nominated to co-ordinate enquiries and to be a point of reference for advice and training.

4.8 Complaints: Any comments or complaints will be dealt with through the school's normal complaints procedure. If, on investigation, the school's original decision is upheld, then the school has a duty to inform the complainant of their right to appeal to the ICO.

Appeals should be made in writing to the Information Commissioner's Office at:

FOI/EIR Complaints Resolution, Information Commissioner's Officer
Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Freedom of Information Act - Publication Scheme

1. Introduction

This publication scheme is based on the generic model, prepared and approved by the Information Commissioner.

This publication scheme commits Silverwood School 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 school. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits Silverwood 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.

2. 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 school.

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.

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, 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.

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 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.

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.

6. The method by which information published under this scheme will be made available

Silverwood School has complied with this model publication scheme by following the suggested table below produced by the ICO (Version 3 – 20130830), which identifies the information which meets the requirements of the Information Commissioner.

Freedom of Information Act

Guide to information available from Silverwood School under the Publication Scheme

	How the information can be obtained	Charge
Class 1 Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only		
Instrument of Government – Scheme Of Delegation	Upon request	
School staff and structure – names of key personnel	School web site	
List of Governors and Governing Body Committees	School web site	
School session times, term dates and holidays	School web site	
Location and contact information – address, telephone number and website	School web site	
Contact details for the executive headteacher	School web site	
School Prospectus	School web site /Paper copy school office	
Academic results	School web site	
Annual Report	School web site	

Information to be published	How the information can be obtained	Charge
Class 2 What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and the previous financial years (accounts that have been filed)	Available on Request	As per charging policy in main document
Annual budget plan and financial statements	Available on Request	As per charging policy in main document
Capital	Available on Request	As per charging policy in main document
Financial Audit Reports	Available on Request	As per charging policy in main document
Procurement and contracts – details of procedures used for the acquisition of goods and services. Details of contracts that have gone through a formal tendering process.	Available on Request	As per charging policy in main document
Staffing and grading structure	Available on Request	As per charging policy in main document
Pay policy.	School web site	As per charging policy in main document
Staff allowances and expenses that can be incurred or claimed with totals paid to individual senior staff members (SLT) whose basic actual salary is at least £60,000 per annum.	Available on Request	As per charging policy in main document

Information to be published	How the information can be obtained	Charge
Class 3 What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current information should be published.	School web site	
School profile <ul style="list-style-type: none"> • Government supplied performance data • OFSTED report – summary and full report 	School web site	
Performance management information	School web site	
Silverwood Strategic plan.	School web site	
Safeguarding & Child Protection	School web site	
Performance Data	School web site	
Class 4 How we make decisions (Decision making processes)	School web site Scheme of Delegation	
.Admissions Policy/decisions (not individual admission decisions)- where applicable	School web site	
Silverwood agendas & minutes of meetings of the governing body & its committees	School web site	

Information to be published	How the information can be obtained	Charge
<p>Class 5 Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only These must include policies, procedures and documents required by statute or by funding agreement or equivalent.</p>	School web site	

Information to be published	How the information can be obtained	Charge
<p>The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)</p> <p>Current information only</p>	School web site	
Extra-curricular activities	School web site	
Out of school clubs	School web site	
School publications	School web site	
Leaflets, booklets and newsletters	School web site	

Appendix One

FREEDOM OF INFORMATION - SCHEDULE OF CHARGES

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
DISBURSEMENT	Photocopying/printing @ 5p per sheet (black & white)	Actual Cost* 0.4
	Photocopying/printing @25p per sheet (colour)	Actual Cost 4.4p
	Postage	Actual cost of Royal Mail Standard 2 nd class
Statutory Fee		In accordance with the relevant legislations (actual statute to be quoted)

*The actual cost incurred by Silverwood School, excluding Hire of Photocopier & paper