Kingsmead School & Sixth Form

Freedom of Information Policy

This policy is reviewed annually in the summer term.

Next Review Due: July 2027

History of Document:

Issue No.	Date Issued	Prepared By	Approved By	Comments
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			FS&P June 2024	No changes
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			TB	**No changes**

Contents

1. Introduction....3
2. Policy statement and objectives....3
3. Making a request for information under the publication scheme....4
4. Making a request for information under the Freedom of Information Act....4
5. Exemptions....5
6. Refusing to respond to a request.....6
7. Complaints....6
8. Policy Review....6
9. Appendix....7

1. Introduction

1.1 The Freedom of Information Act (FOIA) 2000, which came fully into force on 1st January 2005, provides public access to information held by public authorities, which includes maintained schools and academies. It does this in two ways:

- Under Section 19 of the Act, public authorities are obliged to publish certain information about their activities, in the form of an approved publication scheme.
- Members of the public are entitled to request information from public authorities, subject to certain exemptions, to be supplied within twenty working days.

1.2 Any request for "environmental information" is required to be answered in accordance with the Environmental Information Regulations (EIR) 2004 rather than the FOIA.

1.3 Further information on these acts can be found here:

- Freedom of Information
- Environmental Information Regulations

1.4 The FOIA does not apply to personal data as this is covered by the Data Protection Act (DPA) 2018. Access to personal data should be made via a Subject Access Request and not a Freedom of Information Request.

2. Policy statement and objectives

2.1 School/Trust is committed to the principles of accountability, transparency, and the general right of access to information, subject to legal exemptions. We will make every effort to meet our obligations under the respective legislation, and this policy outlines how we manage our obligations for complying with the FOIA.

2.2 We have produced a publication scheme which sets out:

- The classes of information which we publish or intend to publish.
- The manner in which information is to be published, for example, online or in hard copy; and
- Whether there is any charge for the information.

2.3 The publication scheme conforms to the model scheme for schools and academies published by the Information Commissioner's Office (ICO) in October 2021 and can be found in the Appendix at the end of this document.

2.4 The scheme covers information already published and information which is to be published in the future. All information in our publication scheme is either published on our website or available on request as hard copy or electronically.

2.5 The ICO would expect us to make the information in the publication scheme available unless:

- We do not hold the information.
- The information is exempt under one of the FOI exemptions or EIR exceptions, or its release is prohibited under another statute.
- The information is readily and publicly available from an external website.
- The information is archived, out of date or otherwise inaccessible; or
- It would be impractical or resource-intensive to prepare the material for routine release.

3. Making a request for information under the publication scheme

3.1 If a requester needs a hard copy of any of the documents within the scheme, they should contact the school by telephone, email, or letter, giving clear details of the information requested. In order to help us process the request more quickly, we recommend clearly marking any correspondence "PUBLICATION SCHEME REQUEST". Contact details are set out below as well as on our website.

Email: enquiries@kingsmead.org Tel: 0208 351 5000

Address: Kingsmead School, 196 Southbury Road, Enfield, London, EN1 1YQ.

3.2 Information published on our website is free. However, if the request means that we have to do a lot of photocopying or printing, or pay a large postage charge, or is for a priced item such as some printed publications or videos, then we will inform the requester of the cost before fulfilling the request.

4. Making a request for information under the Freedom of Information Act

4.1 If the required information is not available via our publication scheme, then a Freedom of Information (FOI) request is required. This must be in writing and must contain the requestor's name and contact details (either postal address or email address) as well as sufficient details to enable us to identify and locate the required information.

4.2 We are entitled to ask for more detail, if needed, to enable us to identify and locate the information sought. We will contact the requester as soon as possible and, as far as reasonably practicable, provide assistance to them to enable them to describe more clearly the information requested. Such assistance might include:

- Providing an outline of the different kinds of information which might meet the terms of the request.
- Providing access to detailed catalogues and indexes, where these are available, to help the applicant ascertain the nature and extent of the information held by us; or
- Providing a general response to the request setting out options for further information which could be provided on request.

4.3 All FOI requests must be responded to by us within 20 school days or 60 working days (whichever is shorter) from receipt of a valid request. However, where further clarification has been asked for, the time for compliance will not begin until we have received the necessary information to allow us to answer the request.

4.4 Provided all requirements are met for a valid request to be made, we will provide the information that we hold (unless an exemption applies). If the information is held by another public authority, such as the Local Authority, we may transfer the request to them. We will continue to answer any parts of the enquiry in respect of information that we do hold.

4.5 Where we do not hold the information, we are not required to create or acquire it in order to answer the enquiry, although we must carry out a reasonable search to determine if this is the case.

4.6 A fee can be charged for providing information for an FOI request, which takes account of the staff costs and time for locating and retrieving the information, and whether this exceeds the threshold for complying with the request. The threshold is currently £450 with staff costs calculated at a fixed rate of £25 per hour (therefore 18 hours' work is required before the threshold is reached).

4.7 If a request would cost more than the threshold, then we are entitled to turn the request down, to answer and charge a fee, or answer and waive the fee.

4.8 If a request would cost less than the threshold, then we can only charge for the cost of informing the requester whether the information is held, and communicating the information to the requester (e.g., photocopying, printing, and postage costs).

4.9 Where a fee is applicable under the legislation, we will advise the requester as promptly as possible. If they indicate that they are not prepared to pay the fee, we will consider whether there is any information that may be of interest to them that is available free of charge.

5. Exemptions

5.1 The presumption of the FOIA is that we should disclose information unless the Act provides a specific reason to withhold it. However, the Act also recognises the need to preserve confidentiality and protect sensitive material under certain circumstances.

5.2 We may refuse all or part of a request, if one of the following applies:

- There is an exemption to disclosure within the FOIA.
- The information sought is not held.
- The request is considered vexatious or repeated; or
- The cost of compliance exceeds the threshold.

5.3 A series of exemptions are set out in the Act which allow the withholding of information in relation to a request. Some are very specialised in their application and would not usually be relevant to us. There are two general categories of exemptions:

5.3.1 Absolute: where there is no requirement to confirm or deny that the information is held, disclose the information, or consider the public interest. Applicable exemptions are:

- Information accessible to the requester by other means (for example by way of our publication scheme).
- National security/court records.
- Personal information; or
- Information provided in confidence.

5.3.2 Qualified: where, even if an exemption applies, there is a duty to consider the public interest test by considering if the public interest in applying the exemption outweighs the public interest in disclosing it. Applicable exemptions are:

- Information requested is intended for future publication.
- Reasons of national security.
- Government/international relations.
- Release of the information is likely to prejudice any actual or potential legal action or formal investigation.
- Law enforcement (i.e., if disclosure would prejudice the prevention or detection of crime, the prosecution of offenders or the administration of justice).
- Release of the information would prejudice our ability to carry out an effective audit of our accounts, resources, and functions.
- For health and safety purposes.
- Information requested is subject to legal professional privilege; or
- For "commercial interest" reasons.

6. Refusing to respond to a request.

6.1 If it is decided to refuse a request, we will send a refusals notice, which must contain:

- The fact that we cannot provide the information asked for.
- Which exemptions apply (where applicable).
- Why the exemptions apply to this enquiry (if it is not self-evident).
- Reasons for refusal; and
- Details of how to complain.

6.2 We will maintain a register of requests where we have refused to supply information, and the reasons for the refusal.

7. Complaints

7.1 We provide a right of complaint to all requesters in the event they are dissatisfied with the handling of their request. Any such complaints should be directed to our DPO via email at dpo@kingsmead.org, who will make an independent assessment of the case.

7.2 If the requester remains dissatisfied, then they can contact the ICO either via their helpline number 0303 123 1113 or via their website.

8. Policy Review

8.1 This policy is reviewed annually with reference to the relevant legislation or guidance in effect at the time. Further reviews will take place as required.

9. Appendix

Information available from Kingsmead School under the model publication scheme

Information to be published	How the information can be obtained	Cost (if any)
Class 1 - Who we are and what we do. *Information about us; our structures, locations, and contacts*		
Contact details for the school/academy, postal and email address (if used)	Website	No charge
Head teacher's contact details	Website	No charge
Who's who in the school/academy	Website	No charge
For academies: Trustees' who's who and contact details	Website	No charge
Instrument of Government / Articles of Association	Website	No charge
School/academy prospectus	Website	No charge
School/academy session times and term dates	Website	No charge
Class 2 – What we spend and how we spend it. *Financial information about projected and actual income and expenditure, procurement, contracts, and financial audit* *current and previous financial year as a minimum*		
Annual budget plan and financial statements	On request	Schedule of charges
For academies: Annual accounts	Website	No charge
Capital funding	On request	Schedule of charges
Financial audit reports	On request	Schedule of charges
Details of expenditure items over £5000 *published at least annually, where practical, at a more frequent quarterly or six-monthly interval*	On request	Schedule of charges
Staff pay – details of senior staff salaries in bands of £5,000.	On request	Schedule of charges
Staff allowances and expenses that can be incurred or claimed, with totals paid to individual senior staff members	On request	Schedule of charges
For academies: Trustees' allowances that can be incurred or claimed, and a record of total payments made to individual trustees	On request	Schedule of charges
Procurement and contracts we have entered into	On request	Schedule of charges
Details of any premiums we receive such as Pupil premium	On request	Schedule of charges
Class 3 – What our priorities are and how we are doing. *Strategies and plans, performance indicators, audits, inspections, and reviews*		
Annual Report	On request	Schedule of charges

Information to be published	How the information can be obtained	Cost (if any)
Latest reports from Ofsted - Summary - Full report - Post-inspection action plan	Website and on request (post-inspection action plan)	Schedule of charges
Exam and assessment results	On request	No charges
Performance tables	On request	No charges
Careers programme information	On request	No charges
The school's future plans, e.g., proposals for and any consultation on the future of the school, such as a change in status	On request	No charges
School profile and performance data supplied to the Government.	On request	No charges
Data Protection Impact Assessments (in full or summary format) or any other impact assessment (e.g., Health & Safety Impact Assessment, Equality Impact Assessments etc.), as appropriate and relevant	On request	Schedule of charges
Class 4 – How we make decisions. Decision making processes and records of decisions *current and previous three years as a minimum*		
Admissions policy and, where applicable, admission decisions	Website and on request	No charge website/on request schedule of charges
Agendas and minutes of meetings of the governing body and its committees, unless an exemption applies to the information or parts of it	On request	Schedule of charges
Class 5 – Our policies and procedures *Current written protocols, policies, and procedures for delivering our services and responsibilities*		
School policies and other documents, such as behaviour policy, anti-bullying policy, e-Safety, values, and ethos etc.	On website	No charges
Safeguarding and child protection, including protecting children's personal data	On website	No charges
Equality and Diversity	On website	No charges
Policies and procedures relating to recruitment and human resources	On request	Schedule of charges
Special educational needs	On website	No charges
Complaints policies and procedures	On website	No charges
Pay Policy	On request	Schedule of charges
Records management *information security policies, records retention, destruction, and archive policies*	On request	Schedule of charges
Data protection *including information sharing and CCTV usage policies*	On request	Schedule of charges
Charging regimes and policies	On website	No charge

Information to be published	How the information can be obtained	Cost (if any)
Class 6 – Lists and Registers *Currently maintained lists and registers only (this does not include the attendance register)*		
Curriculum circulars and statutory instruments	On request	Schedule of charges
CCTV Details of the locations of any overt CCTV surveillance cameras operated by us or on our behalf.	On request	Schedule of charges
Disclosure logs, i.e., information provided in response to FOIA/EIR requests	On request	Schedule of charges
Asset register and Information Asset register	On request	Schedule of charges
Any information we are currently legally required to hold in publicly available registers	On request	Schedule of charges
Class 7 – The services we offer. *Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses*		
Extra-curricular activities	Website	No charges
Out of school/academy clubs	Website	No charges
Services for which we are entitled to recover a fee, together with those fees	Website	No charges
Requests for paper copies of information	Via email	Schedule of charges
Our publications, leaflets, books, and newsletters	Website	No charges

Schedule of charges

This describes how the charges (if any) have been arrived at and should be published as part of the guide. The ICO expects the charges to be justifiable, clear, and kept to a minimum.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @ 3p per sheet (black & white)	Actual cost incurred
	Photocopying @ 10p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2nd class
Statutory Fee		In accordance with the relevant legislation (quote the actual statute)
Other		