# WAULUD PRIMARY SCHOOL

## GDPR - FREEDOM OF INFORMATION POLICY

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Our Shared Vision

*"Working together to provide a safe, inclusive learning environment where all are valued, respected and achieve their very best.*
*Challenges are met with determination and welcomed as opportunities to flourish and grow."*

## 1 Introduction

1.1 Waulud Primary School are committed to complying with the provisions of the Freedom of Information Act 2000 (FOI).

1.2 The FOI Act 2000 gives the public the right of access to all recorded information held by all public authorities including schools, subject to exemptions.

1.3 Access to information will only be denied where a relevant exemption applies under the Act.

1.4 The FOI is regulated by the Information Commissioner.

1.5 The Freedom of Information Act complements or supports the following legislation:

- The UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, which give individuals rights over personal data held about them, including a right of access.

1.6 In complying with its duty, the school must take account of the Code of Practice in relation to Freedom of Information issued by the Ministry of Justice under Section 45 of the Act. The school will abide by the terms of Code of Practice whenever this is possible or appropriate.

## 2 Policy Statement

2.1 Waulud Primary School will comply with all the relevant provisions of the Freedom of Information Act 2000.

2.2 Schools will provide advice and assistance to help people make requests under the FOI. Schools will aim to respond to all requests promptly and within the statutory response period of 20 working days of receipt of a valid request.

2.3 In cases where a qualified exemption applies, the school will consider whether the public interest in disclosure outweighs the exemption.

2.4 The school is committed to conducting its affairs in a transparent manner and enabling public access to its information whenever this is appropriate. We will act in as open and transparent a manner as possible, whilst ensuring the integrity of its information and protecting the privacy of its students and staff.

## 3 Scope

3.1 This Policy informs recipients of school services, members of the public and external parties of the processes the school has established for complying with the FOIA.

3.2 This Policy operationally applies to all employees of the school, governors, contractors, agents, and temporary staff working for or on behalf of the school.

3.3 This policy does not cover Subject Access Requests (requests for personal data relating to a living individual). Such requests are exempt under section 40 of the Freedom of Information Act and must be processed in accordance with the UK GDPR and the Data Protection Act 2018.

## 4 Relationship with the UK GDPR and the Data Protection Act 2018

4.1 Schools are under a legal duty to protect personal data as required by the Data Protection legislation. The schools will carefully consider its responsibilities under the DPA before disclosing personal data about living individuals, including current and former members of staff, governors and pupils.

## 5 Roles and Responsibilities

5.1 All employees are responsible for ensuring that any request for information they receive is dealt with in line with the requirements of the FOI and in compliance with this policy and procedures. They must understand how to recognise a request, which must be made in writing (including email), and how to process such requests.

All staff must recognise that all recorded information may be provided to the public, and that the law requires that information should be disclosed unless a relevant exemption applies.

5.2 Senior Management / Head Teachers are required to ensure that the school have in place adequate guidance on Freedom of Information and effective measures to comply with this policy.

Third parties who are users of information supplied by the school will be required to confirm that they will abide by the requirements of the FOI; and indemnify the school against any prosecutions, claims, proceedings, actions or payment of compensation or damages, without limitation.

5.3 The school will ensure that:

- Everyone managing and handling information understands that they are responsible for following good information management practice;
- Staff who handle information are appropriately supervised and trained;
- Methods of handling information are regularly assessed and evaluated;
- Any disclosure of data will be in compliance with approved procedures;
- All necessary steps will be taken to ensure that data is kept secure at all times against unauthorised or unlawful loss or disclosure; and
- All contractors who are users of information supplied by the school will be required to confirm that they will comply with the requirements of the Act with regard to information supplied by the school.
- It will abide by any Code of Practice on the discharge of the functions of Public Authorities which is issued by the Ministry of justice. In addition, the school will take account of any guidance which is issued by the Information Commissioner to promote good practice.

## 6 Right to refuse a request:

6.3 The school may refuse a request where the cost of compliance exceeds the appropriate limit of £450 (calculated at £25 per hour, equivalent to 18 hours of work), in accordance with the Act.

6.4 Refuse requests that are vexatious or repeated, in accordance with the Act

6.5 Where the school already publishes the information requested, enquirers will be directed to the public resource where they may find the information they require

6.6 Withhold information if it is subject to an exemption under the Freedom of Information Act 2000

6.7 Not provide copies of items subject to copyright restrictions, although these will still be open for inspection under the Act.

## 7 Review and Complaints

7.3 If you are not satisfied with the response to your request, you have the right to ask for a review. You should make this request in 20 working days of receipt of our response and set out what you are not satisfied with, sending it to the address below.

7.4 The school has a Complaints Process and any complaints about the general handling of a request under, or the Freedom of Information Act may be dealt with by clearly marking your correspondence 'Complaint' and addressing it to:

Deanne Evans
School Business Manager & Data Controller

7.5 If you are not content with the outcome of the review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:-

Information Commissioner's
Office Wycliffe House
Water
Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.org.uk
Tel: 0162 545745

7.6 The school will maintain a record of all complaints and their outcomes.