



# **GUISELEY SCHOOL**

## Freedom of Information Policy

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| <b>Approved on:</b>          | 02 February 2016      |
| <b>Last Review</b>           | 13 March 2023         |
| <b>Review Date:</b>          | March 2024            |
| <b>Governors' Committee:</b> | Personnel             |
| <b>Responsible Officer:</b>  | Assistant Headteacher |

## Freedom of Information Policy Background

Our school is committed to complying with and implementing the provisions of the Freedom of Information Act (2000) and related legislation. This provides a general entitlement to any person to be able to access information held by school, subject to exemptions and conditions laid down by law.

The Act does this in two ways:

- public authorities are obliged to publish certain information about their activities; and
- members of the public are entitled to request information from public authorities.

The Act covers any recorded information that is held by public authority in England, Wales and Northern Ireland, and by UK-wide public authorities based in Scotland. Information held by Scottish public authorities is covered by Scotland's own Freedom of Information (Scotland) Act 2002.

## Legislation and Guidance

This policy meets the requirements of the UK General Data Protection Regulations (UK GDPR) and the provisions of the Data Protection Act 2018 (DPA 2018). It is based on guidance published by the Information Commissioner's Office (ICO) on the UK GDPR and the Government's [Freedom of Information Code of Practice](#)

It meets the requirements of the [Protection of Freedoms Act 2012](#) when referring to our use of biometric data.

It also reflects the ICO's [code of practice](#) for the use of surveillance cameras and personal information.

In addition, this policy complies with regulation 5 of the [Education \(Student Information\) \(England\) Regulations 2005](#), which gives parents the right of access to their child's educational record.

## Scope

This policy applies to all information held by school regardless of how it was created or received. It applies irrespective of the media on which the information is stored and whether the information is recorded on paper or held electronically. Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings. The Act's powers are fully retrospective and thus information is accessible no matter how old it may be. Similarly, information in draft form will also be accessible under the Act.

The Act does not give people access to their own personal data (information about themselves) such as their health records or credit reference file. If a member of the public wants to see information that a public authority holds about them, they should make a data protection subject access request.

It should be noted that access to personal information (that is information from which a living individual can be identified) is still governed under the Data Protection Act 1998.

Requests for access to such information will be governed in line with the requirements of this legislation.

## **Dealing with Requests**

School will offer advice and assistance to anybody wishing to make a request for information. We are committed to dealing with requests within statutory guidelines, which means that a response will be made no more than 20 school days from the date of request and more speedily if possible. This will be extended in specific circumstances on legal advice in connection with the public interest test. However, school is committed to providing a prompt service and every attempt will be made to provide the information earlier than the expiry of the 20 school day period. Repeated or vexatious requests for information will be refused. School will claim exemptions as appropriate whilst maintaining a commitment to openness, scrutiny and the public interest. School will put in place an appropriate procedure for measuring the public interest when considering a qualified (also known as “non-absolute”) exemption, which requires such a test.

Any request in writing will be considered a Freedom of Information request including those received by email and fax. There is no need for requests to indicate that they are made under the Act and all requests will be dealt with under this policy. School reserves the right to refuse requests where the cost of locating, retrieving and editing (where necessary) the information would exceed the statutory maximum (currently £450). Under Regulation 4 of the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, the 'appropriate limit' is set at £450 for Local Authorities.

School recognises that requests for environmental information may be made over the telephone and that different exemptions apply.

## **Adopting and Maintaining Publication Schemes**

School has adopted a Publication Scheme in accordance with Section 19 of the Freedom of Information Act and is committed to updating and maintaining it to keep it current and relevant. The Publication Scheme contains many of the documents, policies, plans and guidance which are regularly asked for. Material contained within the publication scheme, and a copy of the scheme itself, will be readily available. Where charges are applied these will be stated in the Scheme. The scheme can be accessed in school on request. School staff will give advice and assistance on how to use the scheme as appropriate.

## **Relationship with the Data Protection Act 1998**

School is under a legal duty to protect personal data under the requirements of the UK GDPR and the provisions of the DPA 2018. We will carefully consider our responsibilities under this Act before releasing personal information about living individuals, including current and former employees and pupils. Consent to disclose information will be obtained where required under the Act. Please see the School's Data Protection Policy, which is available from our [website](#).

## Responsibilities

School has a responsibility to make information available in accordance with the Freedom of Information Act. Responsibility for compliance with this and related policies will rest with the Governing Body who will delegate those responsibilities to the Headteacher. Complaints regarding the use of this policy should be directed to the Governing Body.

All school staff have a responsibility to ensure that any request for information they receive is dealt with under the Act and in compliance with this policy. They are also responsible for good information handling practice and for implementing records management policies and procedures as appropriate to their post.

## Contact Details

For advice and assistance please contact **Catherine McGirr, Data Compliance Officer at the school:**

**Guiseley School  
Fieldhead Road  
Guiseley Leeds  
LS20 8DT**

**Email: [info@guiseleyschool.org.uk](mailto:info@guiseleyschool.org.uk)**

**Telephone: 01943 872315**

Further advice and information about the Freedom of Information Act, including full details of exemptions and advice on the public interest test, is available from Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, telephone: 0303 123 1113, website: [www.ico.org.uk](http://www.ico.org.uk)