



# **Archers Brook SEMH Residential School**

## **Freedom of Information**







We are aware that under the Freedom of Information Act 2000 we have a legal duty to supply certain information to enquirers and that we must be clear and proactive about the information we make public.

To do this we must produce a publication scheme, setting out:

- The classes of information we publish or intend to publish
- The way the information will be published
- How to request information
- Payment for information

### **Aims**

- To provide certain information to enquirers under the Freedom of Information Act 2000.
- To recognise that we have a duty to provide advice and assistance to anyone requesting information.
- To ensure that personal information is not made public.
- To work with other schools to share good practice to improve this Policy.

### **Responsibility for the Policy and Procedure**

#### **Role of the Governing Body**

The Governing Body has:

- delegated powers and responsibilities to the School Business Manager, who is the GDPR Lead for the School;
- delegated powers and responsibilities to the School Business Manager to ensure all School Staff and Governors are aware of and comply with this Policy;
- responsibility for ensuring that the School complies with all equalities legislation;
- responsibility for ensuring funding is in place to support this Policy;
- responsibility for ensuring this Policy and all Policies are maintained and updated regularly;
- responsibility for ensuring all Policies are made available to Parents;
- nominated a link governor to visit the school regularly, to liaise with the Headteacher and to report back to the Governing Body;
- responsibility for the effective implementation, monitoring and evaluation of this Policy

#### **Role of the Headteacher and Senior Leadership Team**

The Headteacher and the Senior Leadership Team will:

- ensure all School Staff, Pupils and Parents are aware of and comply with this Policy;
- provide guidance, support and training to all Staff;

- monitor the effectiveness of this Policy;

## **Categories of Information Published**

Current published information is:

### **School Prospectus**

- The name, address, telephone number, email address and website
- The type of school
- The names of the Headteacher and contact details
- The School's ethos and values
- PSD, School Curriculum, School Therapies
- Residential

### **School Profile**

- Pupil achievements including reporting at the end of a Key Stage and GCSE results
- Destination data
- Analysis of results over the past three years
- Teaching and Learning
- Attendance rates compared to other schools
- The school's health, safety and well-being programme
- Working with parents and the community

### **Governors' documents**

- Instrument of Government
- Skills Audit
- Terms of Reference
- Governors Handbook
- SEF
- Competency Framework for Governors
- Attendance

### **School Policies**

- Accessibility
- Administration of Medicines
- Anti Bullying
- Attendance
- Behaviour
- Charging
- Children Looked After
- Complaints
- Dignity at Work
- E-Safety
- Equal Opportunities and Diversity
- Equality Objectives Statements
- Exclusion
- Health and Safety
- Homework
- Letter Signposting Consultation

- Missing from School
- Positive Handling
- Pupil Premium
- Safeguarding
- Safer Recruitment Guidelines
- SEN Information Report
- SEN Policy
- Single Equality Plan
- Social Media
- SRE Policy
- SRE Policy Appendix
- Staff Code of Conduct Policy
- Statement of Provider Access
- Values and Ethos
- Whistle Blowing
- Whole School Pay

### **Definitions**

“The School” means Archers Brook SEMH Residential School.

“Appropriate Limit” means the limit set by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 as amended from time to time.

“Fee Notice” means the amount the Requester will need to pay in order for the School to comply with the request for information.

“FOIA” means the Freedom of Information Act 2000 and amendments.

“GDPR” means the General Data Protection Regulation, and the Data Protection Act 2018.

“Requester” means the person making a request for information from the School.

“Social Media” means websites and applications that enable users to create and share content or to participate in social networking including Facebook, LinkedIn, Twitter, Google+, and all other social networking sites, internet postings and blogs. It applies to use of Social Media for School purposes as well as personal use that may affect the School in any way.

### **Dealing with a Request for Information**

The GDPR School Lead will deal with written requests for information by:

- deciding if the request comes under one of the following Acts namely:
  - Data Protection Act
  - Environmental Information Regulations
  - Freedom of Information Act

- deciding whether the school holds the information
- providing the information if it has already been made public
- informing the enquirer if the school does not have that information
- deciding if information disclosed might affect the interests of a third party
- deciding if the estimated cost of complying with the request will exceed the appropriate limit
- ensuring that all personal information is excluded from a requested document
- consider if the request is vexatious or repeated

### **Reasons for not Complying with a Request**

We accept the four reasons under the Freedom of Information Act 2000 for not complying with a request for information:

- that the requested information is not held
- the cost threshold is reached
- the request is considered repeated
- that one or more of the exemptions apply

### **Complaints**

All complaints will be dealt with by the School's Complaints Procedure.

### **Information Availability**

Documents can be downloaded from the School Website or by contacting the School by letter or email.

### **Reporting Requests**

All requests for information will be reported to the Governors by the GDPR Lead.

The School will seek to respond to a request for information promptly and in any event no later than 20 School days or 60 working days from the date of the request whichever occurs first.

A School day is any day on which there is a School session. A working day means any other day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday.

Where a fee is payable for responding to the request, the School will disregard any day between a Fee Notice being sent to the Requester and the correct fee being received by the School when calculating the time limit for responding.

The School may charge for requests where it incurs costs in photocopying, printing or otherwise reproducing the requested information and/or where the School will incur a significant fee for providing the requested information in the format requested by the Requester. There may also be a charge where the School has issued a Fee Notice and the Requester has agreed to pay the fee as set out in the Fee Notice.



In the event the School is unable to respond within the periods set out above, the School will write to the Requester advising it will be unable to comply and provide a new time scale for responding to the request.

### **Fees**

The School will not charge for the provision of information which is requested subject to the provisions of FOIA.

The School is not obliged to comply with a request for information if the cumulative time spent on locating, retrieving or, if necessary, extracting the information requested is estimated to exceed the Appropriate Limit.

The School may decide to provide information requested in excess of the Appropriate Limit without charging a fee where it considers it reasonable and within the public interest to do so.

Where it appears that responding to a request for information will result in the School exceeding the Appropriate Limit and the School does not waive the fee for complying with the request, the School may provide the Requester with a Fee Notice. The School will also inform the Requester as to how it has estimated that the Appropriate Limit will be exceeded, what information it could provide within the Appropriate Limit, and provide the Requester with the opportunity to narrow their request.

Where the School has issued a Fee Notice and the Requester indicates they are not prepared to pay the fee as set out in the Fee Notice or does not pay the fee as set out in the Fee Notice within three months, the School is not obliged to comply with the original request. The School will however consider any narrowed or amended request.

### **Exemptions**

The right to be provided with information requested may be limited by the application of an exemption. Some exemptions are absolute and others are qualified. Where an exemption applies to information requested, the School may also be exempt from having to confirm or deny that the information exists as well as from disclosing the requested information.

Where a qualified exemption applies to information requested from the School, the School will consider whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The absolute exemptions most relevant to the School are those that relate to:

- Information accessible by other means (Section 21);
- Personal Information (Section 40);
- Confidential Information (Section 41);
- Prohibitions on Disclosure (Section 44).

The qualified exemptions most relevant to the School are those that relate to:

- Information intended for future publication (Section 22);
- Prejudice to the Effective Conduct of Public Affairs (Section 36)
- Health and Safety (Section 38)
- Legal Professional Privilege (Section 42)
- Commercial Interests (Section 43).

Where the School relies on an exemption in not complying with a request for information, the School will write to the Requester setting out the exemption relied on explaining the reason(s) the School considers that the exemption applies to the information requested and, where appropriate, why it has decided that the public interest in withholding the information outweighs the public interest in disclosing it.

### **Feedback and Complaints**

We actively encourage the views and suggestions from Parents about how we can improve this publication scheme.

All complaints should be addressed to the Information Commissioner's Office which ensures that all organisations comply with Freedom of Information Act 2000.

### **Monitoring the Effectiveness of the Policy**

This Policy will be renewed annually or as when deemed necessary by the SLT or Governors.

### **Linked Policies**

- Data Protection Procedures
- Complaints

Signed: .....  
Mrs Myers-Whittaker  
Headteacher

Date: .....

Signed: .....  
Mr R Crompton  
Chairman of Governors

Date: .....