



# THE KING'S SCHOOL

GRANTHAM

## The Freedom of Information Policy

### General

The Governing Body are aware that the school has a legal duty to supply certain information to enquirers.

The school will comply with any Freedom of Information (FOI) guidance issued by the DfE or the ESFA.

The school's policy is that:

- A full list of exemptions can be found at the Information Commissioner's website. There are two types of exemption – absolute and qualified. In practice there are very few which are likely to be applied by the education sector.
- The decision to apply absolute exemptions will not be taken by individual members of staff but by a constituted group of: The Head Master, the Chair of Governors, and one other from: Vice Chair, Governor or Deputy Head Master.
- The decision to apply qualified exemptions will not be taken by individual members of staff but by a constituted group of: The Head Master, the Chair of Governors, and one other from: Vice Chair, Governor or Deputy Head Master. Even if the group decides information should not be disclosed, a public interest test will be carried out when applying qualified exemptions, to decide whether the public interest in disclosure outweighs the objection to disclosure. If it does the information must be disclosed.
- Advice will be sought from the school's legal services if there is any doubt as to whether information should be disclosed.

### The School's Process:

On receipt of a request in writing for information the Head Master will:

- decide whether the request is a request under Data Protection Act (DPA), Environmental Information Regulations or Freedom of Information Act (FOIA);
- decide whether the school holds the information or whether the request should be transferred to another body if the information is held by them;
- decide if the information requested has already been made public;
- inform the enquirer if the information is not held;
- consider whether a third party's interests might be affected by disclosure and if so consult them;
- consider whether any exemptions apply and whether they are absolute or qualified;
- carry out a public interest test to decide if applying the qualified exemption outweighs the public interest in disclosing the information;
- decide whether the estimated cost of complying with the request will exceed the appropriate limit (£450 with a maximum of £50 per individual educational record);
- if a request is made for a document that contains exempt personal information ensure that the personal information is removed by applying the redaction procedure; and
- consider whether the request is vexatious or repeated

The school recognises its duty to provide advice and assistance to anyone requesting information.

Policy adopted: January 2013

Reviewed: April 2021

Next Review: April 2024

## Reasons for Not Complying with A Request

The school accepts that according to the legislation there are only four reasons for not complying with a valid request for information under FOI:

- the information is not held;
- the cost threshold is reached;
- the request is considered vexatious or repeated, or
- One or more of the exemptions apply.

The school also recognises that the exemptions provided by the FOIA are:

- Information accessible by other means;
- Personal information; a request for personal information is covered by the DPA. Individuals may continue to make a "subject access request" under the DPA – these are where the enquirer asks to see what personal information the school holds about themselves;
- Environmental information; where information is covered by the Environmental Information Regulations.

## Complaints

Expressions of dissatisfaction will be handled through the school's existing complaints procedure.

## Information to be provided

The Governors have decided that:

- All published information by the school will be made available;
- All unpublished information (including any advice or memoranda) will be made available on request, except where:
  - a) the names of individual people can be identified in the documents;
  - b) the Head Master considers that the document(s) contain sensitive material in the meaning of the FOIA and as explained in the Code of Practice; and
  - c) Where the school intends to publish it in due course.

## Charging

The Governors have resolved not to charge for the service.