

Name of Policy:	Freedom of Information Policy and Publication Scheme
Date of Policy:	January 2022
Policy written by:	Marie Holmes
Governor committee:	Personnel
Date Policy to be reviewed:	May 2024

The Grey Coat Hospital
FREEDOM OF INFORMATION POLICY & PUBLICATION SCHEME

Introduction

The Freedom of Information Act 2000 gives individuals the right to access official information from public bodies. Under the Act, any person has a legal right to ask for access to information held by the school. They are entitled to be told whether the school holds the information, and to receive a copy, subject to certain exemptions. While the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information. Full details on how requests can be made are set out in section 1 of this policy.

Public Authorities should be clear and proactive about the information they will make public. For this reason, a publication scheme is available and can be found at section 2 of this policy.

This policy does not form part of any individual's terms and conditions of employment with the School and is not intended to have contractual effect.

This policy should be used in conjunction with the school's Data Protection Policy.

SECTION 1 – FREEDOM OF INFORMATION REQUESTS

Requests under Freedom of Information should be made to Marie Holmes, Bursar.

Requests for information that are not data protection or environmental information requests will be covered by the Freedom of Information Act:

Data Protection enquiries (or Subject Access Requests/SARs) are requests where the enquirer asks to see what personal information the school holds about the enquirer.

Environmental Information Regulations enquiries are those which relate to air, water, land, natural sites, built environment, flora and fauna, health, and any decisions and activities affecting any of these. If the enquiry is about environmental information, the school will follow the guidance on the Department for Environment, Food and Rural Affairs (DEFRA) website.

Freedom of Information requests *must* be made in writing, (including email), and should include the enquirer's name, correspondence address (email addresses are allowed), and state what information they require. There must be enough information in the request to be able to identify and locate the information. If this information is covered by one of the other pieces of legislation (as referred to above), they will be dealt with under the relevant policy/procedure related to that request.

If the request is ambiguous and/or the School requires further information in order to deal with your request, the School will request this further information directly from the individual making the request. Please note that the School does not have to deal with the request until the further information is received. Therefore, the time limit starts from the date that the School receives all information required in order to deal with the request. There is a time limit of 20 school days (i.e. excluding school holidays) for responding to the request.

Information

Provided all requirements are met for a valid request to be made, the School will provide the information that it holds (unless an exemption applies). However, the school does not have to confirm or deny if:

- The exemption is an absolute exemption; or
- In the case of qualified exemptions, confirming or denying would itself disclose exempted information.

When the School does not hold the information, it will inform the enquirer.

If the information requested is already in the public domain, for instance, through the Publication Scheme or on the School's website, the School will direct the enquirer to the information and explain how to access it.

Vexatious Requests

There is no obligation for the school to comply with vexatious requests. A vexatious request is one which is designed to cause inconvenience, harassment or expense rather than to obtain information, and would require a substantial diversion of resources or would otherwise undermine the work of the school. This will also be the case if there are repeated identical or substantially similar requests from the same applicant unless a reasonable interval has elapsed between requests.

Fees

The School may charge the requester a fee for providing the requested information. This will be dependent on whether the staffing costs in complying with the request exceeds the threshold. 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).

When calculating costs, the School can take account of the staff costs/time in determining whether the information is held by the School, locating and retrieving the information, and extracting the information from other documents. The School will not take account of the costs involved with considering whether information is exempt under the Act. If a request would cost more than the appropriate limit, (£450) the school can turn the request down, answer and charge a fee or answer and waive the fee.

Where the school will be making a charge we will send the enquirer a fees notice. We do not have to comply with the request until the fee has been paid. More details on fees can be found on the ICO website.

If planning to turn down a request for cost reasons, the school will contact the applicant in advance to discuss whether they would prefer the scope of the request to be modified so that, for example, it would cost less than the appropriate limit.

Where two or more requests are made by different people who appear to be acting together or as part of a campaign the estimated cost of complying with any of the requests may be taken to be the estimated total cost of complying with them all.

Time Limits

Compliance with a request must be prompt and within the time limit of 20 school days (this does not include the school holidays or weekends) or 60 working days if this is shorter. The response time starts counting as the first day from the next working day after the request is received.

Where the School has asked the enquirer for more information to enable it to answer, the 20 school days start time begins when this further information has been received. Where some information is exempt this will be detailed.

If a qualified exemption applies and more time is needed to consider the public interest test, the School will reply in 20 school days stating that an exemption applies but include an estimate of the date by which a decision on the public interest test will be made. This will be within a "reasonable" time. Where the School has notified the enquirer that a charge is to be made, the time period stops until payment is received.

Third Party Data

Consultation of third parties may be required if their interests could be affected by release of the information requested, and any such consultation may influence the decision.

Consultation will be necessary where:

- Disclosure of information may affect the legal rights of a third party, such as the right to have certain information treated in confidence or rights under Article 8 of the European Convention on Human Rights;
- The views of the third party may assist the School to determine if information is exempt from disclosure; or
- The views of the third party may assist the School to determine the public interest test.

Personal information requested by third parties is also exempt under this policy where release of that information would breach the Data Protection Act. If a request is made for a document which contains personal information whose release to a third party would breach the Data Protection Act, the document may be issued by blanking out the relevant personal information as set out in the redaction procedure.

Exemptions

The School will disclose information unless the Act provides a specific reason to withhold it. The School may refuse all/part of a request, if one of the following applies: -

- 1) There is an exemption to disclosure within the act;
- 2) The information sought is not held;
- 3) The request is considered vexatious or repeated; or
- 4) The cost of compliance exceeds the threshold.

A series of exemptions are set out in the Act which allow the withholding of information in relation to an enquiry.

There are two general categories of exemptions:

- 1) Absolute:** where there is no requirement to confirm or deny that the information is held, disclose the information or consider the public interest; and
- 2) Qualified:** where, even if an exemption applies, there is a duty to consider the public interest in disclosing information.

Absolute Exemptions

- Information accessible to the enquirer by other means (for example by way of the School's Publication Scheme);
- National Security/Court Records;
- Personal information (i.e. information which would be covered by the Data Protection Act);
- Information provided in confidence.

Qualified Exemptions

The qualified exemptions under the Act are: -

- Information requested is intended for future publication (and it is reasonable in all the circumstances for the requester to wait until such time that the information is actually published);
- Reasons of National Security;

- Government/International Relations;
- Release of the information is likely to prejudice any actual or potential legal action or formal investigation involving the School;
- 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 the ability of the School to carry out an effective audit of its accounts, resources and functions;
- For Health and Safety purposes;
- Information requested is Environmental information;
- Information requested is subject to Legal professional privilege; and
- For *Commercial Interest* reasons.

Where the potential exemption is a qualified exemption, the School will consider the public interest test to identify if the public interest in applying the exemption outweighs the public interest in disclosing it.

Refusal

If it is decided to refuse a request, the School will send a refusals notice, which will contain

- The fact that the responsible person cannot provide the information asked for;
- Which exemption(s) apply;
- Why the exemption(s) apply to this enquiry (if it is not self-evident);
- Reasons for refusal; and
- The School's complaints procedure.

SECTION 2 – FREEDOM OF INFORMATION PUBLICATION SCHEME

Introduction

This publication scheme follows a model approved by the Information Commissioners Office.

This scheme is not a list of individual publications but rather a description of the classes of types of information that we are committed to publishing. This list is not an exhaustive list of all of the types of information that we publish. We try to proactively

publish as much information as we can where the information would have a wider public interest.

This scheme does not include information that we consider to be sensitive, such as personal information, information prevented from disclosure by law or information about security matters.

Classes of Information

There are six classes of information that we hold: -

- Who we are and what we do
- What we spend and how we spend it
- What our priorities are and how we are doing
- How we make decisions
- Our policies and procedures
- The services we offer

Making Information Available

Information will generally be made available on the school website. Where it is not possible to include this information on the school website, or when an individual does not wish to access the information by the website the school will indicate how information can be obtained by other means and provide it by those means. In some exceptional circumstances, some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where we are legally required to translate any information, we shall do so.

Charges for Information Published Under this Scheme

The school may charge individuals for information published under this scheme. The purpose of this scheme is to make the maximum amount of information readily available at the minimum inconvenience and cost to the public. Charges made by the school for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on the website will be provided free of charge.

Charges may be made to cover:

- Photocopying;
- Postage and Packaging; &
- The costs directly incurred as a result of viewing information.

Single copies of information requested which are covered by the publication scheme will be provided free unless otherwise stated within the scheme. If the request involved a large amount of photocopying, printing or postage, then this may be at a cost. If this is the case we will let you know as well as let you know the cost before fulfilling your request.

How to request information

If you require a paper version of any of the documents within the scheme please contact the school using the contact details below.

Telephone: 0207 969 1998

Email: info@gch.org.uk

Address: The Grey Coat Hospital, Greycoat Place, London SW1P 2DY

Please mark all correspondence *Publication Scheme Request* in order to help us process your request quickly. If the information you are looking for isn't available via the scheme, you can still contact the school to ask if we have this information.

The Publication Schedule

Who we are and what we do	Description
Information relating to the Governing Body	<ul style="list-style-type: none"> • Who is who • Basis of governors' appointment and the manner in which the governing body is constituted • Category of the school • A statement on progress in implementing the action plan drawn up following an inspection where applicable • Information about the implementation of the governing body's policy on pupils with special educational needs and any changes to the policy during the last year • A description of arrangements for the admission of pupils with disabilities, including details of the steps to prevent disabled students being treated less favourably than other pupils, details of existing facilities to assist access to the school by pupils with disabilities, the accessibility plan covering future policies for increasing access by those with disabilities to the school • Number of pupils on roll and rates of pupils authorised and unauthorised absence • National curriculum assessment results for appropriate key stages with national summary figures • Instruments of government, including the date it takes effect • The term of office of each category of governor if it lasts less than 4 years and the name of anybody entitled to appoint any category of governor.
School prospectus	<ul style="list-style-type: none"> • The name, address, website and telephone number of the school and the type of school • The name of the school Headteacher • The school's staffing structure • Information about the school's policy on providing for pupils with special educational needs • Statement on the schools aims and values • Information on the school policy on admissions • School term dates, times and attendance • Uniform • Number of pupils on roll and rates of student absence • Details of any affiliations with a particular religion or religious denomination, the religious education and collective worship
What we spend and how we spend it	Description
Financial statement for the current and previous	Relating to projected and actual income and expenditure, procurement, contracts and financial audit. Includes

financial year	financial statements and financial audit reports
Financial Procedures and protocols	Sets out the responsibilities of budget holders, thresholds for decision making and related policies
Pay policy and allowances	Policies that the school uses to govern staff pay.
Pupil Premium and other directed grants	How the school uses pupil premium and other specific grants.

What our priorities are and how we are doing	Description
Ofsted report	A published report of the outcome of our latest Ofsted inspection.
Performance management Policy	Statement of procedures adopted by the governing body relating to the performance management of staff and the annual report of the Headteacher on the effectiveness of appraisal procedures.
Charging and remissions policies	A statement of the school's policy with respect to charges and remissions for any optional extra or board and lodging for which charges are permitted, for example school publication, music tuition, trips.
Health and Safety Policy and Risk Assessment	Statement of general policy with respect to health and safety at work of employees (and others) and the organisation and arrangements for carrying out the policy.
Staff Conduct, Discipline and Grievance	Statement of procedure for regulating conduct and discipline of school staff and procedures by which staff may seek redress for grievance.
Curriculum circulars and Statutory Instruments	Any statutory instruments, departmental circulars and administrative memoranda sent by the Department of Education to the Headteacher or governing body relating to the curriculum.

How we make decisions	Description
Admissions Policy/ Decisions (not individual)	This does not include individual decisions. This is a statement of our policy with regards to admissions and how we make decisions regarding admissions.

Our policies and procedures	Description
Home-School Agreement	Written statements of the schools aims and values, the school's responsibilities, the parental responsibilities the school's expectations of its pupils for example homework arrangements.
Curriculum Policy	Statement on following the national curriculum subjects, including any syllabus used by the school.
Complaints Policy	Statement of procedures for dealing with complaints
Equality and Diversity Policy	Statement on ensuring that the school follows and promotes equality and diversity.
Child protection and safeguarding policy	Statement of policy for safeguarding and promoting welfare of pupils at the school.
Relationships and Sex Education Policy	Statement of policy with regard to sex and relationship education
Inclusion Policy	Information about the school's policy on providing for

	pupils with special educational needs.
Behaviour Policy	Statement of general principles on behaviour and discipline and of measures taken by the Headteacher to prevent bullying.
Collective Worship	Statement of arrangements for the required daily act of collective worship.

The services we offer	Description
Extra-curricular Activities and out of school clubs	Details of these are communicated to students and parents

Internal Review

The requester has the right to ask for an internal review if they are dissatisfied with the handling of a request. Requests for internal review must make clear why they are dissatisfied with the original decision, detailing why they feel that the School has not complied with Freedom of Information Law.

Internal review requests should be made within 40 working days of the initial response however the school is not obliged to provide a review if it is requested after more than 40 working days.

Complaints and/or Appeals

Any written expression of dissatisfaction will be handled through the School's existing complaints procedure and, where practicable, the review will be handled by someone not involved in the original decision.

If the outcome is that the School's original decision or action is upheld, then the applicant can appeal to the Information Commissioner. The appeal can be made via their website or in writing to:

Customer Contact
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF