



## **Freedom of Information Policy**

The school will comply with:

The terms of the Freedom of Information Act 2000, and any subsequent relevant legislation, to ensure all information held by the school is treated in a manner that is fair and lawful.

Birmingham Children Young People & Families Directorate advice and guidance, including information published via Birmingham City Council's staff intranet, Inline, in the Schools Workzone.

Information and guidance displayed on the Information Commissioner's website  
[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

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

### **Data Gathering and Storage**

Information will only be gathered and stored for specified purposes.

In order to be able to respond to requests for information the school will implement effective records management policies to enable staff to identify whether data is held and, if it is, locate it quickly and easily.

Information held by the school will be regularly reviewed with a view to archiving or destruction, where appropriate.

### **Publication Scheme**

The school will adopt and publish the appropriate model publication scheme, as recommended by the DCFS, Information Commissioner and Birmingham City Council, and approved by school governors.

### **Dealing with Requests for Information**

Theoretically any request for information is a request under the Freedom of Information Act, however Birmingham City Council has taken the decision that it will not consider any request that forms part of the normal pattern of work to be a Freedom of Information request. Only those requests which are considered to be outside the normal remit of the service will be recorded as Freedom of Information requests.

The school will assist applicants in making their request to have access to information held by the school.

Assistance will be given to applicants whose requests need to be transferred to another public authority (e.g. school, LA, hospital).

The school will exercise its duty to confirm or deny the existence of requested data, subject to any exemptions that may apply.

The school will supply data requested within 20 working days (or in line with the Information Commissioner's current policy during school holidays), subject to any exemptions that may apply, and the estimated cost of complying with the request falling within the current defined charge limit. All requests for information will be dealt with in compliance with the 20 day deadline, whether they are recorded as Freedom of Information requests or not.

If a response will take longer than 10 working days to respond an acknowledgement will be sent to the person making the request, informing them when the information will be supplied. This acknowledgement will not allow the school to exceed the overall 20 day deadline.

The charge limit is currently £450, calculated at 18 hours work at a flat rate of £25 per hour, as set by the Department for Constitutional Affairs. If the estimated cost of complying with the request does not exceed this amount the school is not entitled to make a charge for fulfilling the request. The Learning and Culture Data Protection and Freedom of Information Manager will notify any changes to these rates to Birmingham schools.

The Head Teacher will be responsible for ensuring requests are fulfilled within the stipulated deadline and recording details of the request on the school's tracking database.

Persons requesting data will be supplied with a copy of our complaints procedure.

Copies of data supplied will be retained for two years from the date it was put into the public domain.

### **Applying Exemptions**

The school will use the list of exemptions which 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 school.

The decision to apply absolute or qualified exemptions will not be taken by individual members of staff but will be made by a constituted group of at least three of the following: Chair of Governors, other governors, Head teacher, Deputy Head teacher.

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 will be disclosed.

Advice will be sought from Learning and Culture's Data Protection and Freedom of Information Manager or Legal Services if there is any doubt as to whether information should be disclosed.

### **Logging Requests Received**

The school will keep a record of all requests received for monitoring purposes, noting:

- a) the date the request was received,
- b) name and contact details of the person or organisation making the request,
- c) the date the request was fulfilled or refused,
- d) the reason for any exemption being applied,
- e) the reason for any failure to meet the 20 day deadline.

This policy will be included in the **Staff Handbook**.

## Appendix 1

### **This is James Brindley School's Publication Scheme on information available under the Freedom of Information Act 2000**

*The governing body is responsible for maintenance of this scheme.*

#### **1. Introduction: what a publication scheme is and why it has been developed**

One of the aims of the Freedom of Information Act 2000 (which is referred to as FOIA in the rest of this document) is that public authorities, including all maintained schools, should be clear and proactive about the information they will make public.

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

- *The classes of information which we publish or intend to publish;*
- *The manner in which the information will be published; and*
- *Whether the information is available free of charge or on payment.*

The scheme covers information already published and information which is to be published in the future. All information in our publication scheme is either available for you on our website to download and print off or available in paper form.

Some information which we hold may not be made public, for example personal information.

This publication scheme conforms to the model scheme for schools approved by the Information Commissioner.

#### **2. Aims and Objectives**

The school aims to:

- enable every child to fulfil their learning potential, with education that meets the needs of each child,
- help every child develop the skills, knowledge and personal qualities needed for life and work,

**and this publication scheme is a means of showing how we are pursuing these aims.**

#### **3. Categories of information published**

The publication scheme guides you to information which we currently publish (or have recently published) or which we will publish in the future. This is split into categories of information known as 'classes'. These are contained in section 6 of this scheme.

The classes of information that we undertake to make available are organised into four broad topic areas:

***School Prospectus* – information published in the school prospectus.**

***Governors' Documents* – information published in the Governors Annual Report and in other governing body documents.**

***Pupils & Curriculum* – information about policies that relate to pupils and the school curriculum.**

***School Policies and other information related to the school* - information about policies that relate to the school in general.**

#### 4. How to request information

If you require a paper version of any of the documents within the scheme, please contact the school by telephone, email, fax or letter. Contact details are set out below or you can visit our website at: [www.jamesbrindley.bham.sch.uk](http://www.jamesbrindley.bham.sch.uk)

Email: [enquiry@jamesbrindley.bham.sch.uk](mailto:enquiry@jamesbrindley.bham.sch.uk)

Tel: 0121 – 666 6409

Fax: 0121 – 666 6956

Contact Address: James Brindley School; Bell Barn Road; Birmingham; B15 2AF

To help us process your request quickly, please clearly mark any correspondence “PUBLICATION SCHEME REQUEST

If the information you’re looking for is not available via the scheme and isn’t on our website, you can still contact the school to ask if we have it.

#### 5. Paying for information

Information published on our website is free, although you may incur costs from your Internet service provider. If you don’t have Internet access, you can access our website using a local library or an Internet café.

Single copies of information covered by this publication are provided free unless stated otherwise in section 6. If your request means that we have to do a lot of photocopying or printing, or pay a large postage charge, or is for a priced item such as some printed publications or videos we will let you know the cost before fulfilling your request. Where there is a charge this will be indicated by a £ sign in the description box.

## 6. Classes of Information Currently Published

School Prospectus – **this section sets out information published in the school prospectus.**

Class	Description
<b>School Prospectus</b>	<p>The statutory contents of the school prospectus are as follows, (other items may be included in the prospectus at the school’s discretion):</p> <ul style="list-style-type: none"> <li>• the name, address and telephone number of the school, and the type of school</li> <li>• the names of the head teacher and chair of governors</li> <li>• information on the school policy on admissions</li> <li>• a statement of the school's ethos and values</li> <li>• details of any affiliations with a particular religion or religious denomination, the religious education provided, parents' right to withdraw their child from religious education and collective worship and the alternative provision for those pupils</li> <li>• information about the school's policy on providing for pupils with special educational needs</li> <li>• number of pupils on roll and rates of pupils’ authorised and unauthorised absences</li> <li>• National Curriculum assessment results for appropriate Key Stages, with national summary figures</li> <li>• GCSE/GNVQ results in the school, locally and nationally</li> <li>• a summary of GCE A/AS level results in the school and nationally</li> <li>• the number of pupils studying for and percentage achieving other vocational qualifications</li> <li>• the destinations of school leavers<sup>1</sup></li> <li>• the arrangements for visits to the school by prospective parents</li> </ul>

Governors’ Annual Report and other information relating to the governing body– **this section sets out information published in the Governors’ Annual Report and in other governing body documents.**

Class	Description
<b>Governors’ Annual Report</b>	<p>The statutory contents of the governors’ annual report to parents are as follows, (other items may be included in the annual report at the school’s discretion):</p> <ul style="list-style-type: none"> <li>• details of the governing body membership, including name and address of chair and clerk</li> <li>• a statement on progress in implementing the action plan drawn up following an inspection</li> <li>• a financial statement, including gifts made to the school and amounts paid to governors for expenses</li> <li>• a description of the school’s arrangements for security of pupils staff and the premises</li> <li>• information about the implementation of the governing body’s policy on pupils with special educational needs (SEN) and any changes to the policy during the last year</li> <li>• a description of the arrangements for the admission of pupils with disabilities; details of steps to prevent disabled pupils 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</li> </ul>

<sup>1</sup> Some information might be confidential or otherwise exempt from the publication by law – we cannot therefore publish this

	<p>disabilities to the school</p> <ul style="list-style-type: none"> <li>• a statement of policy on whole staff development identifying how teachers' professional development impacts on teaching and learning</li> <li>• number of pupils on roll and rates of pupils' authorised and unauthorised absence</li> <li>• National Curriculum assessment results for appropriate Key Stages, with national summary figures</li> <li>• GCSE/GNVQ results in the school, locally and nationally</li> <li>• GCE A/AS and vocational qualification results in the school and nationally</li> <li>• the number of pupils studying for and percentage achieving other vocational qualifications</li> <li>• the destinations of school leavers<sup>1</sup></li> <li>• a statement of the extent to which proposals in the post- inspection action plan have been carried into effect</li> </ul>
<b>Instrument of Government</b>	<ul style="list-style-type: none"> <li>• The name of the school</li> <li>• The category of the school</li> <li>• The name of the governing body</li> <li>• The manner in which the governing body is constituted</li> <li>• The term of office of each category of governor if less than 4 years</li> <li>• The name of anybody entitled to appoint any category of governor</li> <li>• Details of any trust</li> <li>• If the school has a religious character, a description of the ethos</li> <li>• The date the instrument takes effect</li> </ul>
<b>Minutes<sup>2</sup> of meeting of the governing body and its committees</b>	Agreed minutes of meetings of the governing body and its committees [ <i>current and last full academic school year</i> ]

Pupils & Curriculum Policies - **This section gives access to information about policies that relate to pupils and the school curriculum.**

<b>Class</b>	<b>Description</b>
Home – school agreement	Statement of the school's aims and values, the school's responsibilities, the parental responsibilities and the school's expectations of its pupils for example homework arrangements
Curriculum Policy	Statement on following the policy for the secular curriculum subjects and religious education and schemes of work and syllabuses currently used by the school
Sex Education Policy	Statement of policy with regard to sex and relationship education
Special Education Needs Policy	Information about the school's policy on providing for pupils with special educational needs
Accessibility Plans	Plan for increasing participation of disabled pupils in the school's curriculum, improving the accessibility of the physical environment and improving delivery of information to disabled pupils.
Race Equality Policy	Statement of policy for promoting race equality
Collective Worship	Statement of arrangements for the required daily act of collective worship

<sup>2</sup> Some information might be confidential or otherwise exempt from the publication by law – we cannot therefore publish this

Careers Education Policy	Statement of the programmes of careers education provided for Key 4.
Child Protection Policy	Statement of policy for safeguarding and promoting welfare of pupils at the school. <i>(from March 2004)</i>
Pupil Discipline	Statement of general principles on behaviour and discipline and of measures taken by the head teacher to prevent bullying.

School Policies and other information related to the school - **This section gives access to information about policies that relate to the school in general.**

Class	Description
Published reports of Ofsted referring expressly to the school	Published report of the last inspection of the school and the summary of the report
Post-Ofsted inspection action plan	A plan setting out the actions required following the last Ofsted inspection
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 publications, music tuition, trips
School session times and term dates	Details of school session and dates of school terms and holidays
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
Complaints procedure	Statement of procedures for dealing with complaints
Performance Management of Staff	Statement of procedures adopted by the governing body relating to the performance management of staff and the annual report of the head teacher on the effectiveness of appraisal procedures
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 and Skills to the head teacher or governing body relating to the curriculum
Annex A - Other documents	Annex A provides a list of other documents that are held by the school and are available on request

**[\*\* Information available on our website]**

**(Our website is at [www.jamesbrindley.bham.sch.uk](http://www.jamesbrindley.bham.sch.uk))**

## **7. Feedback and Complaints**

We welcome any comments or suggestions you may have about the scheme. If you want to make any comments about this publication scheme or if you require further assistance or wish to make a complaint then initially this should be addressed to **The Head Teacher**.

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made then this should be addressed to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom of Information Act 2000 and that deals with formal complaints. They can be contacted at:

***Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF***

*or*

**Enquiry/Information Line: 01625 545 700**

**E Mail: [publications@ic-foi.demon.co.uk](mailto:publications@ic-foi.demon.co.uk).**

**Website : [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)**

**[INSERT School Name]  
Freedom of Information Publication Scheme  
Annex A – Further documents held by the school**

Name of Document	Description
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