



## TESTBOURNE COMMUNITY SCHOOL

### FREEDOM OF INFORMATION POLICY AND PUBLICATION SCHEME

#### **This is Testbourne Community School Publication Scheme on information available under the Freedom of Information Act 2000**

Governors' Committee Responsibility	:	Resources
First Approved	:	March 2009
Date of last Review	:	9 <sup>th</sup> June 2016
Date of next Review	:	June 2017

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#### **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 or will be available in due course if such publications are in preparation or under review.

Some information which we hold may not be made public, for example personal information. [*Guidance on exempt information is set out in **Appendix A.***]

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,
- ◆ this policy and 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 six broad categories of information known as 'classes', as outlined below. A detailed list of information is set out in Section 7 of this Policy:

CLASS 1	Who we are and what we do.
CLASS 2	What we spend and how we spend it.
CLASS 3	What our priorities are and how we are doing.
CLASS 4	How we make decisions.
CLASS 5	Our policies and procedures.
CLASS 6	Lists and registers.
CLASS 7	The services we offer

### **4. HOW TO REQUEST INFORMATION**

If you require a paper version of any of the documents within the scheme, please make your request to the school in writing, by email, fax or letter. Requests should be addressed to the Headteacher who will:

- ◆ if appropriate, provide the information in writing as soon as practicable
- ◆ let the enquirer know where the information is available if it is already in the public domain [e.g. School Website]
- ◆ let the enquirer know if another Public Body holds the information requested, where it is not held at the school
- ◆ ensure that any exemption that is applied is clearly identified and, where appropriate, reasons given for its use
- ◆ the approval of the application of other exemptions and the undertaking of the public interest test, when applying qualified exemption, will be dealt with by the Headteacher and or Chair of Governors as appropriate

The implementation of the day-to-day policy is delegated to the Headteacher. We will endeavour to provide a response for requests within 20 working days, excluding school holidays. Where circumstances make it difficult for the information to be provided in time to meet this deadline, we will advise the enquirer accordingly and seek to provide the information as soon as possible. All requests will be logged by the School Administrator and their progress tracked and reported to the Governing Body.

The log will record all requests for information [including the date received], fees received [where applicable] and the date the information was provided. It will also include a record of the exemptions that have been applied and the reasons given for them were appropriate.

Any expressions of dissatisfaction about the way a request for information has been handed by the school or Governing Body will be dealt with through the school's existing Complaints Policy.

Contact details are set out below or you can visit our website at [www.testbourne.hants.gov.uk](http://www.testbourne.hants.gov.uk)

Email: [r.beasley@testbourne.hants.sch.uk](mailto:r.beasley@testbourne.hants.sch.uk)  
Tel: 01256 892061  
Textphone: N/A

Fax: 01256 896796  
Contact Address: Micheldever Road, WHITCHURCH, Hampshire RG28 7JF  
To help us process your request quickly, please clearly mark any correspondence  
**“PUBLICATION SCHEME REQUEST”** (in CAPITALS please)

Requests for information will be dealt with in accordance with the procedures set out in Appendix B of this document. A log will be kept by the head's PA of all requests for information under the Freedom of Information [FOI] policy and reported to the Governors for information purposes.

If the information you are looking for is not available via the scheme and/or is not 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.

A charge of 5p a sheet may be made for straightforward requests to cover photocopying costs. In addition a charge will be made for postage which will normally be second class unless the enquirer requests first class.

## **6. 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 Headteacher or Chair of Governors.

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)

## 7. INFORMATION AVAILABLE FROM TESTBOURNE COMMUNITY SCHOOL UNDER THE PUBLICATION SCHEME

Information to be published	How the information can be obtained		Cost: 10p a sheet unless stated otherwise
	Website	Hard copy	
<b>Class 1 ~ Who we are and what we do</b>			
[Organisational information, structures, locations and contacts]			
This will be current information only			
◆ Who's who in the school	✓	✓	
◆ Who's who on the Governing Body and the basis of their appointment	✓	✓	
◆ Instrument of Government	✓	✓	
◆ Contact details for the Headteacher and for the Governing Body [named contacts where possible with telephone number and e-mail address [if used]	✓	✓	
◆ School Prospectus	✓	✓	£5:00
◆ Staffing Structure	✓	✓	
◆ School Session Times and Term Dates	✓	✓	
<b>Class 2 ~ What we spend and how we spend it</b>			
[Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit]			
Current and previous financial year as a minimum			
◆ Annual Budget Plan and Financial Statements		✓	
◆ Capitalised Funding		✓	
◆ Additional Funding		✓	
◆ Procurement and Projects		✓	
◆ Pay Policy		✓	
◆ Staffing Structure		✓	
<b>Class 3 ~ What our priorities are and how we are doing</b>			
[Strategies and plans, performance indicators, audits, inspections and reviews]			
Current as a minimum			
School Profile			
◆ Government supplied performance data	✓	✓	
◆ The latest Ofsted Report	✓	✓	
Performance Management Policy and Procedures		✓	

adopted by the Governing Body			
School Development Plan		✓	
<b>Information to be published</b>	<b>How the information can be obtained</b>		<b>Cost:</b> 10p a sheet unless stated otherwise
	<b>Website</b>	<b>Hard copy</b>	
<b>Class 4 ~ How we make decisions</b>			
[Decision making processes and records of decisions]			
Current and previous three years as a minimum			
◆ Admissions Policy/Decisions [not individual admission decisions]	✓	✓	
◆ Agendas of Meetings of the Governing Body and [if held] its Sub-Committees		✓	
◆ Minutes of Meetings [as above]. <b>N.B.</b> This will exclude information that is properly regarded as private to the meetings.		✓	
<b>Class 5 ~ Our policies and procedures</b>			
[Current written protocols, policies and procedures for delivering our services and responsibilities]			
Current information only			
School policies including: -			
◆ Charging and Remissions Policy	✓	✓	
◆ Health and Safety	✓	✓	
◆ Complaints Procedures	✓	✓	
◆ Staff Conduct Policy } <i>as per HCC</i>		✓	
◆ Discipline and Grievance Policies } <i>Personnel</i>		✓	
		✓	
◆ Freedom of information Policy	✓	✓	
◆ Equality and Diversity [including Equal opportunities] Policies	✓	✓	
◆ Race Disability and Accessibility	✓	✓	
Pupil and curriculum policies, including: -			
◆ Home – School Agreement		✓	
◆ Curriculum [under review]	✓	✓	
◆ Sex Education	✓	✓	
◆ Special Educational Needs	✓	✓	
◆ Collective Worship	✓	✓	
◆ Careers Education	✓	✓	
◆ Behaviour Management	✓	✓	
Records Management and Personal Data Policies, including: -			
◆ Information Security Policies	✓	✓	
◆ Records Retention Destruction and Archive Policies ~ per HCC guidance	✓	✓	
◆ Data Protection, including information sharing policies	✓	✓	
<i>This should include details of any statutory charging regimes. Charging policies should include charges made for information routinely published. They should clearly state what</i>			

*costs are to be recovered, the basis on which they are made and how they are calculated.*

Information to be published	How the information can be obtained		Cost: 10p a sheet unless stated otherwise
	Website	Hard copy	

### **Class 6 ~ Lists and Registers**

Currently maintained lists and registers only

◆ Curriculum Circulars and Statutory Instruments		✓	
◆ Freedom of Information Requests Log	✓	✓	
◆ Asset Register		✓	
◆ Any information the school is currently legally required to hold in publicly available registers. <b>[This does not include the attendance register]</b>		✓	

### **Class 7 ~ The services we offer**

[Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses]

Current information only

◆ Extra-Curricular Activities	✓	✓	
◆ Out of School Clubs	✓	✓	
◆ School Publications	✓	✓	
◆ Services for which the school is entitled to recover a fee, together with those fees	✓	✓	
◆ Newsletters	✓	✓	

### **Additional Information**

The above is a summary of the main sources of information we hold. Applicants may request additional information which we may hold. Requests will be dealt with according to the same procedure, as for listed items as outlined in our Freedom of Information policy.

## **APPENDIX A – Freedom of Information Act 2000 (Section 36) Guidance on Exemptions**

Information to which this section applies (i.e. information held by the school or Governing Body) would be exempt if, in the reasonable opinion of a qualified person, disclosure of the information under the Act; would, or would be likely to inhibit A) the free and frank provision of advice, or B) the free and frank exchange of views for the purposes of deliberation, or would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

The exemptions should only be applied if the Chair of Governors is certain that the above adverse effects would or would be likely to follow from a disclosure in relation to the areas covered above. It is not enough that disclosure would result in someone's temporary embarrassment. The 'exchange of views for the purposes of deliberation' could include processes of decision-making, opinion forming or evaluation, but is likely to exclude very casual or trivial exchanges.

Section 36 is not limited to particular kinds of information; it works by reference to the effects of disclosure rather than to content. The information sought does not need to be the full record of advice or an exchange of views to be capable of having an inhibiting effect; it may merely refer to it indirectly or affect it some other way. It is not an absolute exemption and it can only be used when the prejudice or harm detailed above can be demonstrated. The exemption is also subject to the public interest test. This means that even where the effects can be demonstrated it is still necessary to consider whether the public interest in withholding outweighs the public interest in disclosure. Only if that is the case should the information be withheld. It will be extremely important to document thoroughly the reasons why information falls within Section 36(2). Therefore, if the Chair of Governors decides to withhold information then the notification to the person requesting the information must explain why the exemption is being relied upon and why the balance of the public interest comes down against the disclosure. It should be noted that the qualified person cannot delegate this decision-making function to others.

Further guidance on the issues the qualified person needs to consider when assessing if this exemption should be applied is held on the Department for Constitutional Affairs web site which can be accessed via the Hampshire Governor Services Web site under Freedom of Information in the A-Z index. Other exemptions could apply including personal information covered by the Data Protection Act 1998.

## **APPENDIX B –**

### **Freedom of Information Act 2000 Checklist for Action on Receipt of a Request for Information**

- ◆ All requests should be in writing - this may be a fax or email. Anyone making a verbal request should be asked to put it in writing.
- ◆ Enter the details of the request into the Log assigning a unique reference number to each request. Include details of the enquirer's name and address, format of request, date received, the information requested and any relevant comments.
- ◆ Consider the nature of the request. Are there, for example, Data Protection Act implications (relating to personal data), is the information likely to fall under the provisions for exemption? Seek advice and guidance where any doubt exists as to the nature of the information requested (Headteacher/ Chair of Governors). Update the Log with relevant details.

Where a request or information has been referred for guidance, consider the following: -

- ◆ The implications of the Data Protection Act.
- ◆ The implications for any third parties affected by disclosure. Consult with the third party as appropriate.
- ◆ Whether any exemptions apply and whether they are absolute or qualified.
- ◆ An assessment against the public interest test to establish whether or not applying qualified exemption outweighs the public interest in disclosing the information.
- ◆ Application of the redaction procedure whereby personal data may be blacked out in a document thus making it available to the enquirer.

If, as a result of the above consideration, we are unable to provide the information requested, advise the enquirer accordingly and record the details on the Log. Determine whether or not the school holds the information. If it is held provide the information if it has already been made public. If the information has not yet been made public (e.g. draft minutes) advise the enquirer accordingly and follow up once the information is publicly available. Record the details in the Log.

If the information is not held advise the enquirer and record this in the Log. If there is another source where the information may be held, refer the enquirer to it. At an early stage determine the likely cost of providing the information, referring to the charging structure in the policy document. Advise the enquirer that any charges must be paid before the information will be provided.

**(N.B.** Should the work involved in providing the information be considered excessive or likely to have an impact on other duties within the school, refer to the Headteacher for guidance before proceeding?) Ensure that the Log records all action taken. In addition, retain copies of all correspondence relating to the request.