



## **Freedom of Information**

## **Policy & Procedure**

Responsible committee: Finance &  
Building

Ratified by Governing Body: December  
2025

Review Date: annually (autumn term)

### **MISSION STATEMENT**

Our mission is to be a happy, caring and compassionate Catholic community where each child's gifts are developed to the full and the foundations for lifelong learning are laid down.

Everyone will be supported, nurtured and inspired to be the very best they can be and to persevere to overcome life's challenges.

With God's help, we will educate our children to live safely and responsibly, to care for His wonderful creation and to live their lives through the example of Jesus and the values of the Gospel.

### **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 St. Dunstan's Catholic Primary School (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, including all maintained schools, 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 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 the Headteacher.

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. If the enquiry is a data protection request, the School's Data Protection Policy should be followed.

*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. These could, therefore, include enquiries about recycling, phone masts, school playing fields, car parking etc. If the enquiry is about environmental information, 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 require further information in order to deal with their 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 duty to respond to all requests, telling the enquirer whether or not the information is held and supplying any information that is held, except where exemptions apply. 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).

*Holding* information means information relating to the business of the School:

- That the School has created; or
- That the School has received from another body or person; or
- Held by another body on the School's behalf.

Information means both hard copy and digital information, including email.

If the information is held by another public authority (for example, the Local Authority), check whether they hold the information and if so, transfer the request to them. If this applies, the School will notify the enquirer that it does not hold the information and to whom it has transferred the request. The School will continue to answer any parts of the enquiry in respect of information it does hold.

When the School does not hold the information, it has *no duty to create or acquire it* just to answer the enquiry; although a reasonable search will be made before confirming whether the School has the information requested.

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.

The requester has the right to be told if the information requested is held by the School (subject to any of the exemptions). This obligation is known as the School's *duty to confirm or deny* that it holds the information. 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.

### **Vexatious Requests**

There is no obligation on 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. In addition, the School does not have to comply with 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).

If a request would cost less than the threshold, then the School can only charge for the cost of informing the applicant whether the information is held and communicating the information to the applicant (e.g., photocopying, printing and postage costs).

When calculating costs/threshold, 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.

If the School is going to charge, it will send the enquirer a fees notice. The School does not have to comply with the request until the fee has been paid. More details on fees can be found on the Information Commissioner's Office (ICO) website.

If planning to turn down a request for cost reasons or charge a high fee, the School should 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 to the School 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. 'School' days is defined by the ICO as any day on which there is a session, and the pupils are in attendance. Failure to comply could result in a complaint by the requester to the ICO. The response time starts counting as the first day from the next working day after the request is received (so if a request was received on Monday 6<sup>th</sup> October the time limit would start from the next working day, the 7<sup>th</sup> October). 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.

If some information is exempt this will be detailed in the School's response.

If a qualified exemption applies and the School needs more time 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 should 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.

### **Exemptions**

The presumption of the Freedom of Information Act is that the School will disclose information unless the Act provides a specific reason to withhold it. The Act recognises the need to preserve confidentiality and protect sensitive material in certain circumstances.

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. Some are specialised in their application (such as national security) and would not usually be relevant to schools.

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**

There are eight absolute exemptions set out in the Act. However, the following are the only absolute exemptions which will apply to the School: -

- 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.

If an absolute exemption exists, it means that disclosure is not required by the Act. However, a decision could be taken to ignore the exemption and release the information taking into account all the facts of the case if it is felt necessary to do so.

### **Qualified Exemptions**

If one of the below exemptions apply (i.e., a qualified disclosure), there is also a duty to consider the public interest in confirming or denying that the information exists and in disclosing information.

The qualified exemptions under the Act which would be applicable to the School 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. In all cases, before writing to the enquirer, the person given responsibility by the School for dealing with the request will need to ensure that the case has been properly considered and that the reasons for refusal or public interest test refusal, are sound.

**Refusal**

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

For monitoring purposes and in case of an appeal against a decision not to release the information or an investigation by the ICO, the responsible person must keep a record of all enquiries where all or part of the requested information is withheld, and exemptions are claimed. The record must include the reasons for the decision to withhold the information.

The School will get advice from their Data Protection Officer (DPO) prior to withholding data under an exemption or refusing the request in its entirety.

**Section 2 – Freedom of Information Publication Scheme**

This publication scheme follows a model approved by the ICO.

This scheme is not a list of individual publications but rather a description of the classes of types of information that the School is committed to publishing. This list is not an exhaustive list of all of the types of information that the School publishes. The School tries to proactively publish as much information as it can where the information would have a wider public interest.

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

**Classes of Information**

There are four classes of information that the School holds:

School Prospectus	Information published in the school prospectus.
Governors' Documents	Information published in various 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.

### **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, the School will indicate how information can be obtained by other means and provide it by those means. This may be detailed in response to a request or within the scheme itself. This will usually be by way of a paper copy.

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 the School is legally required to translate any information, it will do so.

### **How to Request Information**

If a paper version of any of the documents within the scheme is required, please contact the School by telephone, email or letter.

<b>The school address</b>	St. Dunstan's Catholic Primary School, Onslow Crescent, Woking, Surrey GU22 7AX
<b>The school website</b>	<a href="http://www.stdunstans.surrey.sch.uk">www.stdunstans.surrey.sch.uk</a>
<b>The school office telephone number</b>	01483 715190

If the information sought is not available via the scheme (and isn't on the School's website), the enquirer can still contact the School to ask if it has it.

The School's data protection officer is Judicium Consulting Limited and their contact details are as follows :

Address: 5th Floor, 98 Theobalds Road, London, WC1X 8WB  
Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)  
Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)  
Telephone: 0345 548 7000 (Option 1, then 1)

To help the prompt processing of the request, please clearly mark any correspondence "**PUBLICATION SCHEME REQUEST**" (in CAPITALS).

### **The Publication Scheme**

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

<b>Class</b>	<b>Description</b>
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<b>School Prospectus (information on school website).</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 Headteacher, Senior Leadership Team 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>• the arrangements for visits to the School by prospective parents.</li> </ul>
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**Information relating to the Governing Body**– this section sets out information published in Governing Body documents.

Class	Description
<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>

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

Class	Description
Pupil's Educational Record	<p>This covers information such as the records of pupil's academic achievement, special educational needs, educational reports.</p> <p>In certain exceptional circumstances, the school can withhold an educational record; for example, where the information might cause harm to the physical or mental health of the pupil or another individual.</p>

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 home learning 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
Relationships, Health and 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
Prayer and Liturgy Policy	Statement of arrangements for the required daily act of collective worship
Child Protection Policy	Statement of policy for safeguarding and promoting welfare of pupils at the School
Pupil Behaviour	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.

<b>Class</b>	<b>Description</b>
Published reports of Ofsted referring expressly to the school	Published report of the last inspection of the School and the summary of the report and where appropriate inspection reports of religious education in those schools designated as having a religious character
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 the School's sessions and dates of the School's 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

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 for Education to the head teacher or governing body relating to the curriculum
Equality Policy	Statement of policy for promoting equality.
Safeguarding and Child Protection Policy	Statement of policy for safeguarding and promoting welfare of pupils at the School.

### **Internal Review**

The requester has the right to ask for an internal review if they are dissatisfied with the handling of a request.

Internal review requests should be made within 40 working days of the initial response. This deadline should be communicated to the requester in that response. The School is not obliged to provide a review if it is requested after more than 40 working days.

Requests for internal review must make clear why they are dissatisfied with the original decision, detailing why they think that the School has not complied with Freedom of Information Law.

### **Complaints and/or Appeals**

Any written (including email) expression of dissatisfaction should be handled through the School's existing complaints procedure. Wherever practicable the review should 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 ICO. 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