

Freedom of Information Policy

Review Date	October 2015	Leader of Policy Review	Mrs L K Donnelly
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Guidance to The Freedom of Information Act, Environmental Information Regulations for Flintshire Schools
19 Sep 14

Freedom of Information & Environmental Information Regulations Summary

The intention of this the Freedom of Information Act and The Environmental Regulations is to develop a more open attitude to information. Both FOIA & EIR relate to access to information and provide a general right to information (subject to exemptions under FOIA and exceptions under EIR). Compliance is regulated by The Information Commissioner

Freedom of Information Act

Anyone anywhere may request any information from a public body such as a school.

Requests must:

- be in writing;
- provide a valid address to respond to [an e-mail is sufficient];
- describe the information requested

What the school must do

1. Respond to the request in 20 working days [even when no information is held or a request is being refused]

Note working days are term time days only – school holidays do not count towards the time limit

2. Provide the information or an explanation of why it is not being provided e.g. information not held or why an exemption is being applied.

Note if some [absolute] exemptions are being applied then there may be no need to confirm or deny

3. Publish a "Publication scheme" which is a list of information which the school will routinely publish e.g. School Policies, Governing Body minutes. The information Commissioner's Office [ICO] model template for schools must be used

4. Provide Advice and Assistance to the Requestor for example the school may not hold some information but may be able to suggest who does.

It is advisable to:

Keep a log of requests;

Provide an internal review process where the request is reviewed by someone who has not been involved in responding to the original request e.g. Chair of Governors or The Head Teacher. If there is an internal review process the ICO will not consider a request until the internal process is complete

Keep statistics on the number of requests received and the number completed within the time limit

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Environmental information Regulations

Most requests received by a school are likely to be FOI requests but the Environmental Information Regulations would apply to the following:

The state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;

Factors, such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases into the environment, affecting or likely to affect the elements of the environment referred to in (a);

Measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements and factors referred to in (a) and (b) as well as measures or activities designed to protect those elements;

Requests relate to any information held in writing, visual, aural, electronic or any other material form.

Requests do not have to be in writing they may be verbal

What the school must do

1. Respond to the request in 20 working days [even when no information is held or a request is being refused]

Note working days are term time days only – school holidays do not count towards the time limit

2. Provide the information or an explanation of why it is not being provided e.g. information not held or why an exception is being applied.

Note if some [absolute] exception are being applied then there may be no need to confirm or deny

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Further detailed guidance is available on this site and from the Information Commissioners Office

www.ico.org.uk