

Freedom of Information Policy

Reviewed	November 2025	Leader of Policy Review	Mrs. S. Webb e2e Education
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1. Aim

The aim of this policy is to ensure that Hawarden High School is compliant with its obligations under the Freedom of Information Act 2000 (FOIA).

It is the responsibility of the Governors to ensure procedures are in place so that the School handles information requests covered by:

- Freedom of Information Act 2000 (FOIA)
- Data Protection Act 2018 (DPA)
- General Data Protection Regulation 2018 (GDPR)
- Environmental Information Regulation 2004 (EIR)

The School will comply with the standards set out in the Lord Chancellor's Code of Practice under Section 45 of the FOIA.

2. Introduction

Hawarden High School is committed to:

- FOIA principles
- Accountability
- The general right of access to information held by the School, subject to exemptions

The FOIA promotes openness and accountability across the public sector. The Information Commissioner's Office (ICO) regulates and enforces compliance. This policy outlines the School's responsibilities and provides a framework for managing requests.

3. Background

- The FOIA provides a statutory right of access to recorded information within 20 working days.
- Section 19 obliges the School to make information proactively available through an approved publication scheme.
- Individuals also have a right of access to personal data under the DPA/GDPR.
- The EIR provides access to environmental information.

All three regimes are fully retrospective. Decisions to withhold information can be appealed to the ICO.

For this policy, public is defined as any individual or organisation worldwide, and an information request includes requests under FOIA, EIR, or DPA.

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4. Scope

This policy applies to all recorded information held by Hawarden High School relating to its business, including:

- Information created and held by the School
- Information created by the School and held by another organisation on its behalf
- Information provided by third parties related to School business (e.g., contracts)
- Information relating to Governors in relation to School functions

This policy applies to:

- All employees, Governors, contractors, agents, and temporary staff
- External parties receiving information from the School

It does not cover personal written communications (e.g., personal emails). Personal data requests are handled under the DPA/GDPR.

5. Roles and Responsibilities

- Governors hold overall responsibility for statutory compliance.
- Chair of Governors oversees information management.
- Headteacher and Senior Management ensure guidance and effective measures are in place.
- All employees must handle information requests in line with this policy and FOIA requirements.
- Data Protection Officer ensures compliance with FOIA, EIR, and DPA/GDPR.
- Third parties using information supplied by the School must comply with FOIA requirements and indemnify the School against claims or damages.

The School ensures:

- Staff handling information are trained and supervised
- Handling methods are regularly assessed
- Disclosures comply with approved procedures
- Data is secured against unauthorised access
- Contractors comply with FOIA/EIR/DPA requirements
- Guidance from the ICO is considered to promote good practice

6. Principles

- The FOIA covers all recorded information, including printed documents, computer files, letters, emails, photographs, audio/video recordings.
- The public has a right to know about School activities unless there is a lawful reason for withholding.
- Applicants are not required to provide a reason for requesting information.
- All requests are treated equally, except in cases of vexatious requests or personal data exemptions.

7. Requesting Information

- Requests for information must be in writing (letters, emails, faxes, online forms, or social media).
 - FOIA requests are processed within 20 school term days. If clarification is required, the 20-day period starts once additional information is received.
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- Requests are not refused due to information being out of date, incomplete, or inaccurate, and records will not be altered as a result.
- Personal data requests are handled under the GDPR/Subject Access Request Policy.
- Environmental information requests are handled under EIR 2004.

Requests should be sent to Debbie.bowdler@hawardenhigh.flintshire.sch.uk

8. Refusing a Request

- FOIA contains 23 exemptions:
 - Absolute exemptions – information can be withheld automatically
 - Non-absolute exemptions – information is withheld only if public interest is best served
- Some exemptions have a prejudice test.
- Only specific information covered by the exemption will be withheld; entire documents are not withheld unnecessarily.
- Non-absolute exemptions are applied only after considering:
 - Public understanding of issues
 - Accountability of decisions and public spending
 - Public safety
 - Ability to challenge decisions
 - Other public interest considerations
- Applicants will be informed of the exemption and their right to request internal review or appeal to the ICO.
- Requests may be refused if vexatious or repeated (FOIA) or manifestly unreasonable (EIR).

9. Third-Party Information

- Release of third-party information is carefully considered to avoid breaches of confidence or DPA/GDPR.
- Personal information about living individuals is disclosed in line with data protection principles.
- Suppliers are informed if information they provide may be released and may request confidentiality.

10. Information Held Within Contracts

- Contractual information is subject to FOIA/EIR.
- Confidentiality clauses are only included when justified and can be defended to the ICO.
- Commercial interests may be exempted subject to public interest test.
- The School will consult relevant organisations but retains final disclosure decisions.
- Future contracts will require contractor cooperation for FOIA/EIR requests.

11. Publishing Information

- Information is published on the School's website via a Publication Scheme.
- The Headteacher and Governing Body ensure routine availability.
- Exceptional information may only be viewed in person by appointment.
- A Disclosure Log of previous FOI responses is available online.

12. Charges

- The School may charge an administration fee of £25.00 per hour should it be applicable.
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13. Internal Review and Appeals

- Applicants can request an internal review from the Governing Body if dissatisfied.
- If unresolved, applicants may appeal to the ICO.
- Record Keeping and Monitoring

Hawarden High School will:

- Maintain a log of all requests
- Record outcomes, response times, and exemptions
- Ensure staff handling information are trained
- Regularly review information management practices for compliance

This policy fully complies with FOIA, DPA, GDPR, and EIR, ensures accountability, and promotes transparency in all information requests.

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