

Access to Information Policy



Hazel Oak School

September 2020

(Last updated by Solihull MBC December 2018)

To be reviewed September 2021

Agreed by Governors onDate

Signed by.....Chair of Governors

Access to Information Policy

1. Purpose

- 1.1. Hazel Oak School ('the School') are committed to openness and transparency in the provision of information to all persons or organisations that request it.
- 1.2. The Freedom of Information Act 2000 ('FOI Act'), Data Protection law, including the General Data Protection Regulations (GDPR), as well as related UK Data Protection legislation, plus the Education (Pupil Information) (England) Regulations 2005 all make provision for access to information. This policy sets out how the School will process requests for different types of information under this legislation in order to ensure they are dealt with efficiently, correctly and within required timescales.
- 1.3. This policy should be read in conjunction with Data Protection Policy, Records Management Policy.

2. Freedom of Information Act

- 2.1. The FOI Act gives a general right of access to recorded information held by public authorities, including schools, subject to certain conditions and Exemptions.
- 2.2. The School will ensure clear procedures are in place to process requests for information under the FOI Act and will supply the information sought within 20 working days, calculated from the first day after a written request is received.
- 2.3. Copies of reference documents, such as policy statements and procedural guidance will be provided either free of charge or as published in the School's Publication Scheme, which is itself available from the school office.

3. Personal Information and Educational Records

- 3.1. The GDPR provides a framework for how organisations use personal information. It protects and enforces the privacy of personal information whilst also allowing for the lawful and appropriate use of this type of information about pupils, staff, parents and others who have contact with the School. It also gives to any person whose details are held/processed by the School the right to receive a copy of their own personal data; this is called a Subject Access Request.
- 3.2. The Education (Pupil Information) (England) Regulations 2005 applies to maintained schools and also gives specific rights to parents to access their child's educational record. This information is usually contained in the pupil file.
- 3.3. The School will ensure clear procedures are in place to allow for these rights of access. Personal Information will be supplied within the required 40 calendar days

and Educational Records within the 15 School days required by the Education (Pupil Information) (England) Regulations, where these regulations apply, following the receipt of a written request.

4. Provision of Information

- 4.1. Where a request for information is made in person or over the telephone, and is reasonably straight-forward, the School will respond without formality. In more complex cases the School will ask for the request to be put into writing (letter, email) to ensure that we have clear statement of what is requested.
- 4.2. Where appropriate, the School will provide information in redacted (edited) form, in line with any exemptions that need to be applied under the legislation; for example, a requested document includes details about other children besides those of the requestor.
- 4.3. The School may be unable to provide the information you request for any of the following reasons:
- the information is not held
 - an exemption to the disclosure is being applied
 - the request is made under the FOI Act and it would cost the school more than £450 to provide the information
- In all instances the School will ensure the requestor is informed of the relevant reason.

5. Charges

- 5.1. **Freedom of Information:** In the majority of cases the School may charge only for relevant photocopying, printing, faxing and postage. The School may also charge for any work required to put the information into a required format, for example, putting the information onto CD at request. The School will not normally charge for providing information in an alternative format where this is requested on grounds of disability.
- Photocopying and printing is 10p per sheet.
 - Postage costs will be at the appropriate rate.
 - Where it is estimated that the cost of meeting a request is likely to be over £450 (or over 18 hours), and the School agree to provide the information, staff time may also be charged for at a rate of <INSERT COST, e.g. £25> per hour.
- 5.2. **Personal Information.** A fee will not be charged for a Subject Access Request; however the School reserves the right to charge for the cost of photocopying, printing and faxing as well as postage costs at the aforementioned rates.
- 5.3. **Educational Records.** No fee may be charged for access, unless permanent copies are required, and there charges are on a separate scale depending on the amount of information to be supplied:

Number of pages	Maximum fee
Fewer than 20	£1

Number of pages	Maximum fee
100-149	£10

20-29	£2
30-39	£3
40-49	£4
50-59	£5
60-69	£6
70-79	£7
80-89	£8
90-99	£9

150-199	£15
200-249	£20
250-299	£25
300-349	£30
350-399	£35
400-449	£40
450-499	£45
500 or more	£50

5.4 In all instances the School will ensure the requestor is informed of any charges prior to processing the request.

6. Complaints

6.1. Complaints will be dealt with in accordance with the School's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner's Office (the statutory regulator).

7. Contacts

7.1. If you have any enquires in relation to this policy, please contact Ellen Barrett, Business Manager, who also acts as the contact point for any requests for information.

8. Review

8.1. This policy will be reviewed and updated as necessary to reflect best practice or amendments made to relevant legislation.