



FREEDOM OF INFORMATION ACT POLICY

<p>POLICY OWNER: Full Governing Body AUTHOR: Catherine Bennett DATE OF LAST REVIEW: June 2016 DATE OF APPROVAL: July 2016 APPROVED BY: Full Governing Body DATE OF NEXT REVIEW: June 2018</p>

1. POLICY STATEMENT

Harborne Academy (the “Academy”) takes its responsibilities with regards to the management of the requirements of the Freedom of Information Act 2000 (“FOIA”) seriously. FOIA gives the public a general right of access to information held by public authorities and publicly funded organisations.

The Academy is obliged to respond in writing within 20 working days to specific requests from any individual. In its response, it will state whether it holds information of the type requested, and, if so, subject to certain exemptions (including issues of Data Protection), communicate it.

2. SCOPE

The Academy recognises its corporate responsibility under FOIA to provide a general right of access to information held. The Senior Officer with overall responsibility for this policy is the Data Manager.

The Data Manager is responsible for drawing up guidance on freedom of information and promoting compliance with this policy in such a way as to ensure the easy, appropriate and timely retrieval of information.

Wherever possible, members of staff should receive an introductory briefing on FOIA procedures.

3. PUBLICATION SCHEME

The Academy has adopted the Model Publication Scheme. This provides a list of the information routinely published by secondary schools/academies which the ICO expects to be made available unless:

- the information is not held;
- the information is exempt under one of the FOI exemptions or Environmental Information Regulations (EIRs) exceptions, or its release is prohibited under another statute;
- the information is archived, out of date or otherwise inaccessible; or, it would be impractical or resource-intensive to prepare the material for routine release.

The current Model Publication Scheme is set out in Appendix B.

4. REQUESTS FOR INFORMATION

A request for information regarding the Academy may be made by contacting the Data Manager who is the Information Officer for the Academy. Contact details are set out below:

The Data Manager
Harborne Academy
Harborne Road
Birmingham
B15 3JL

All requests must:

- be made in written form (including email and fax);
- give the applicant's name and address and return address; and
- describe the information being sought.

A response must be provided within 20 working days although further reasonable details can be requested in order to identify and locate the information. Working days exclude weekends and bank holidays but include days upon which organisations within the BMET Group are closed but which are neither weekends nor bank holidays.

5. FREEDOM OF INFORMATION ACT EXEMPTIONS

There are several exemptions under FOIA, some exemptions where the public interest test applies and others which are absolute exemptions. A list of exemptions likely to apply to the Academy can be found at Appendix A of this policy.

The Academy may decide that some information it holds could be regarded as exempt information under FOIA. Where a request for information includes exemptions, the Academy will consider the prejudice test and the public interest test and may, in some circumstances, withhold the requested information.

6. CHARGES

Details of charges are set out in the Model Publication Scheme for the Academy (Appendix B).

7. COMPLAINTS

The Data Manager will co-ordinate any complaints received in respect of this policy.

The complaint should be addressed to the Data Manager in the first instance. The complaint will be acknowledged immediately and every reasonable effort will be made to offer a more comprehensive reply within 21 days.

If the applicant is not satisfied with the reply then they should inform the Data Manager within 21 days. The complaint will then be dealt with in accordance with the Academy's General Complaints or Grievance Procedures as appropriate.

If the applicant is dissatisfied with the outcome of the complaints procedure, they may seek an independent review from the Information Commissioner. Requests for review from the Information Commissioner should be made in writing to:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 545 510

APPENDIX A

FREEDOM OF INFORMATION ACT EXEMPTIONS

1. ABSOLUTE EXEMPTIONS (PART 5)

Section 21: Information already available and accessible by other means

Section 32: Court Records

Section 40: Personal Information

Section 41: Information that has been provided in confidence

Section 44: Prohibited Information

2. QUALIFIED EXEMPTIONS

Qualified exemptions are subject to the “Public Interest” test. There is a general presumption that information should be disclosed but it must be judged whether disclosure of the requested information is in the public interest. In refusing to disclose particular information under “qualified exemption”, it will be necessary to specify why that would not be in the public interest.

Section 22: Information intended for future publication

Section 36: Information prejudicial to the effective conduct of public affairs

Section 42: Legal Professional Proceedings

Section 43: Commercial Interests

APPENDIX B – PUBLICATION SCHEME FOR HARBORNE ACADEMY

The Academy Full Governing Body is responsible for the maintenance of this scheme.

The Academy is required to produce a publication scheme setting out:

- *the classes of information published or intended to be published;*
- *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 the Academy's publication scheme is either available on the Academy's website to download and print off or available in paper form.

Some information which the Academy holds may not be made public, for example personal information.

This publication scheme conforms to the model scheme for schools approved by the Information Commissioner.

Categories of information published

The publication scheme is a guide to information which the Academy currently publishes (or has recently published) or which will publish in the future. These are split into categories of information known as 'classes' and are organised into four broad topic areas:

Academy Prospectus – information published in the Academy prospectus.

Governors' Documents – information published in the Governors' Annual Report and in other governing body documents.

Pupils & Curriculum – information about policies that relate to pupils and the Academy curriculum.

Academy Policies and other information related to the Academy - information about policies that relate to the Academy in general.

Classes of Information Currently Published

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

Class	Description
Academy Prospectus	<p>The statutory contents of the Academy prospectus is as follows (other items may be included in the prospectus at the Academy's discretion):</p> <ul style="list-style-type: none"> • the name, address and telephone number of the Academy, and the type of Academy • the names of the head teacher and chair of governors • information on the Academy policy on admissions • a statement of the Academy's ethos and values • 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 • information about the Academy's policy on providing for pupils with special educational needs • number of pupils on roll and rates of pupils' authorised and unauthorised absences • National Curriculum assessment results for appropriate Key Stages, with national summary figures • GCSE/Level 1 or 2 Awards in the Academy, locally and nationally • the number of pupils studying for and percentage achieving other vocational qualifications • the destinations of Academy leavers¹ • the arrangements for visits to the Academy by prospective parents • the number of places for pupils of normal age of entry in the preceding Academy year and the number of written applications / preferences expressed for those places

Governors' Annual Report and other information relating to the Governing Body– this section sets out information published in the Governors' Annual Report and in other governing body documents.

Class	Description
Governance	<ul style="list-style-type: none"> • The name of the Academy • The category of the Academy • The name of the governing body • The manner in which the governing body is constituted • The term of office of each category of governor if less than 4 years • The name of any organisation entitled to appoint any category of governor • Details of any trust • If the Academy has a religious character, a description of the ethos

¹Some information might be confidential or otherwise exempt from the publication by law – we cannot therefore publish this

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	<ul style="list-style-type: none"> The date the Academy was established
Minutes² of meeting of the governing body and its committees	Approved minutes of meetings of the governing body and its committees for the current and last full academic year

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

Class	Description
Home – School agreement	Statement of the Academy's aims and values, the Academy's responsibilities, the parental responsibilities and the Academy's expectations of its pupils for example homework 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 Academy
Sex Education Policy	Statement of policy with regard to sex and relationship education
Special Education Needs Policy	Information about the Academy's policy on providing for pupils with special educational needs
Accessibility Plans	Plan for increasing participation of disabled pupils in the Academy'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
Collective Worship	Statement of arrangements for the required daily act of collective worship
Careers Education Policy	Statement of the programmes of careers education provided for all students.
Child Protection Policy	Statement of policy for safeguarding and promoting welfare of pupils at the Academy.
Pupil Discipline	Statement of general principles on behaviour and discipline and of measures taken by the head teacher to prevent bullying.

Academy Policies and other information related to the Academy - This section gives access to information about policies that relate to the Academy in general.

Class	Description
Published reports of Ofsted referring expressly to the Academy	Published report of the last inspection of the Academy and the summary of the report and where appropriate inspection reports of religious education in those Academies designated as having a religious character
Post-Ofsted inspection action plan	A plan setting out the actions required following the last Ofsted inspection and where appropriate an action plan following inspection of religious education where the Academy is designated as having a religious character
Charging and Remissions Policies	A statement of the Academy's policy with respect to charges and remissions for any optional extra or board and lodging for which charges are permitted, for example Academy publications, music tuition, trips
Academy session times and term dates	Details of Academy session and dates of Academy 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
Performance Management of Staff	Statement of procedures adopted by the governing body relating to the performance management of staff and the annual report of the head teacher on the effectiveness of appraisal procedures
Staff Conduct, Discipline and Grievance	Statement of procedure for regulating conduct and discipline of Academy staff and procedures by which staff may seek redress for grievance
Curriculum and instruments	Any statutory instruments, departmental circulars and administrative memoranda sent by the Department of Education and Skills to the head teacher or governing body relating to the curriculum