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|---|--|--------------------------------|
|  | <b>Freedom of Information Act 2000:<br/>Publication Scheme</b> |                                |
|   | <b>Last reviewed: May 2022</b>                                 | <b>Next review: May 2025</b>   |
|   | <b>Linked Governor: Rebecca St John</b>                        | <b>SLT Member: Andrea West</b> |

The Governing Body is responsible for maintenance of this scheme. The Governing Body has delegated the day to day responsibility for compliance with FOIA to the Headteacher.

## 1 Aims

Ashlyns School is committed to the Freedom of Information Act 2000 (FOIA), which came into effect on 1 January 2005. Ashlyns School is committed to the principles of accountability and the general right of access to information, subject to legal exemptions. This policy outlines our framework for managing requests.

Under the FOIA 2000, any person has a legal right to ask for access to information held by the school. They are entitled to be told whether the school holds the information, and to receive a copy, subject to certain exemptions.

The information which the school routinely makes available to the public is included in the Publication Scheme (**Appendix 1**). Requests for other information are dealt with in accordance with statutory guidance. Whilst the Act assumes openness, it recognises that certain information is sensitive. There are exemptions to protect this information.

The Publication Scheme will set out:

- the classes of information which we publish or intend to publish
- the manner in which the information will be published
- whether the information is available free of charge or on payment

Information will be made available, unless:

- we do not hold the information
- 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- the information is archived, out of date or otherwise inaccessible
- it would be impractical or resource-intensive to prepare the material for routine release

The Scheme covers information already published and information which is to be published in the future. All information in the Publication Scheme is either available on the school website to download and print off or available in paper form by request. The Publication Scheme is derived from the model Publication Scheme for schools approved by the Information Commissioner.

The school endeavours to make as much information as possible available online. If any of the information is not available online, the scheme will explain how it can be accessed. The school continues to develop this scheme to increase the amount of information that can be accessed through it.

Requests for information about anything relating to the environment – such as air, water, land, the

natural world, or the built environment and any other factor or measure affecting these – are covered by the Environmental Information Regulations. Requests under EIR are dealt with in the same way as those under FOIA, but they do not need to be written and can be verbal.

## 2 Procedure

If you require a paper version of any of the documents within the scheme, please contact the school by telephone, email or letter. Contact details are set out below or you can visit our website at [www.ashlyns.herts.sch.uk](http://www.ashlyns.herts.sch.uk)

Email: [admin@ashlyns.herts.sch.uk](mailto:admin@ashlyns.herts.sch.uk)  
Tel: 01442 863605  
Contact address: Ashlyns School, Chesham Road, Berkhamsted, Hertfordshire HP4 3AH

To help us process your request quickly, please mark any correspondence 'Publication Scheme Request'

If the information you are looking for is not available via the scheme, you can still contact the school to ask if we have it.

## 3 Exemptions

There are certain circumstances whereby a request for information may be refused:

- it would cost too much or take too much staff time to deal with the request
- the request is vexatious
- the request repeats a previous request from the same person
- the request relates to personal data, the release of which would be contrary to the Data Protection Act
- the information is subject to either absolute or qualified exemptions (please see **Appendix 2**)

If a request for information subject to an absolute exemption is made, it will be refused. When the school wishes to apply a qualified exemption to a request, it will invoke the public interest test procedures to determine if public interest in applying the exemption outweighs the public interest in disclosing the information (please see **Appendix 2**). Detailed information and guidance on the Public Interest Test can be found at:

[https://ico.org.uk/media/for-organisations/documents/1183/the\\_public\\_interest\\_test.pdf](https://ico.org.uk/media/for-organisations/documents/1183/the_public_interest_test.pdf)

The school will maintain a register of requests including those where we have refused to supply information, and the reasons for the refusal. The register will be retained for 5 years from the date of the request.

## 4 Charges

Information published on our website is free. If you do not have access to the Internet at home, you can access our website using a local library or internet café. Single copies of information covered in the scheme will be provided free of charge unless stated otherwise. If your request results in a large amount of photocopying, printing, staff time, postage costs or is for a priced item we will let you know before fulfilling your request. Where a fees notice has been given to the person making the request, the school will not comply with the request until the fee is paid. Where a charge is likely to be applied this will be indicated by a £ sign in the scheme.

If the cost of supplying the information exceeds the statutory maximum (currently £450), the school

reserves the right to refuse the request.

## **5 Feedback and Complaints**

We welcome any comments or suggestions you may have about the scheme. If you want to make any comments about this publication scheme or if you require further assistance or wish to make a complaint then initially this should be addressed to the Headteacher's PA.

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made then this should be addressed to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom of Information Act 2000 and that deals with formal complaints. They can be contacted at:

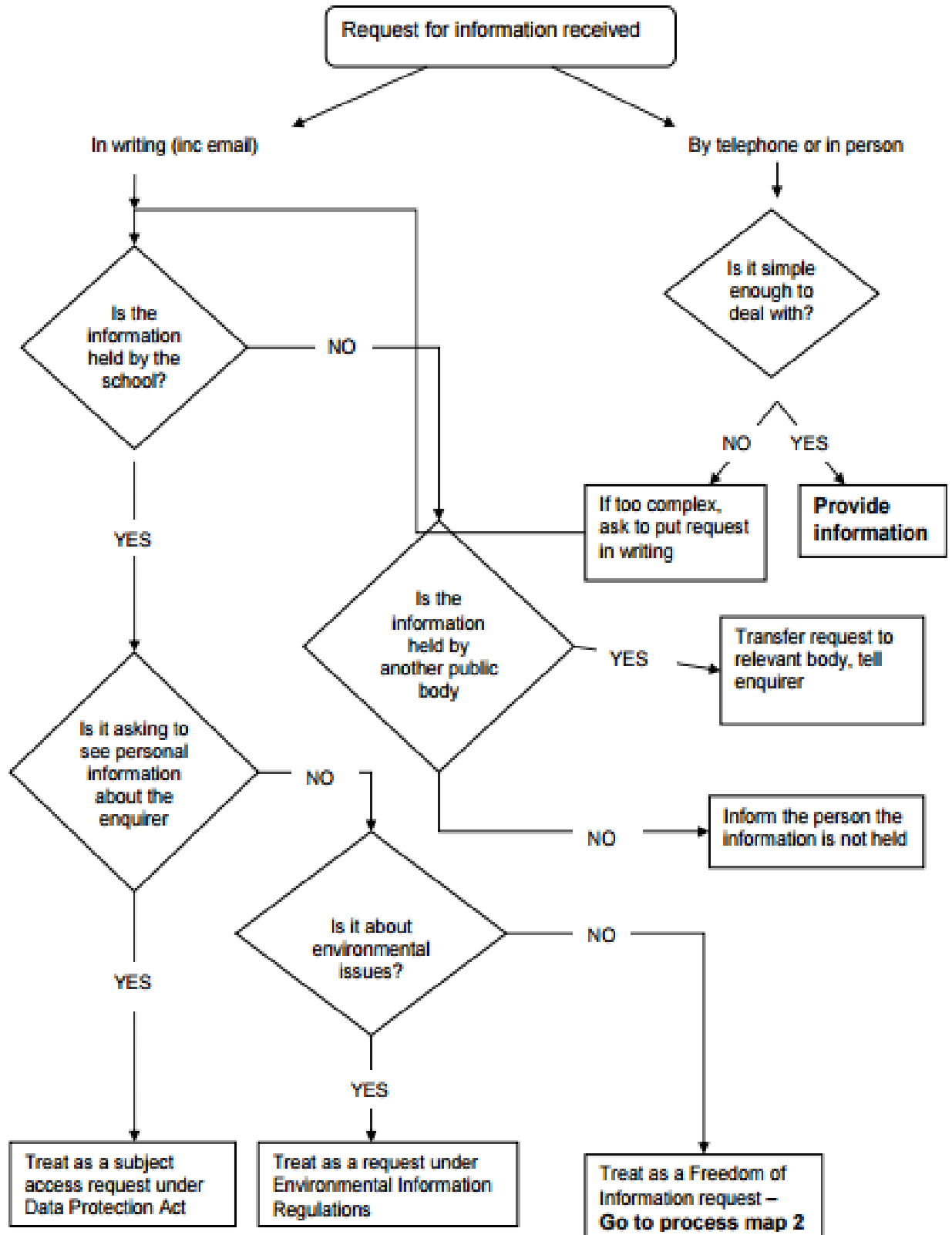
Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF *or*

Enquiry/Information Line: 01625 545 700

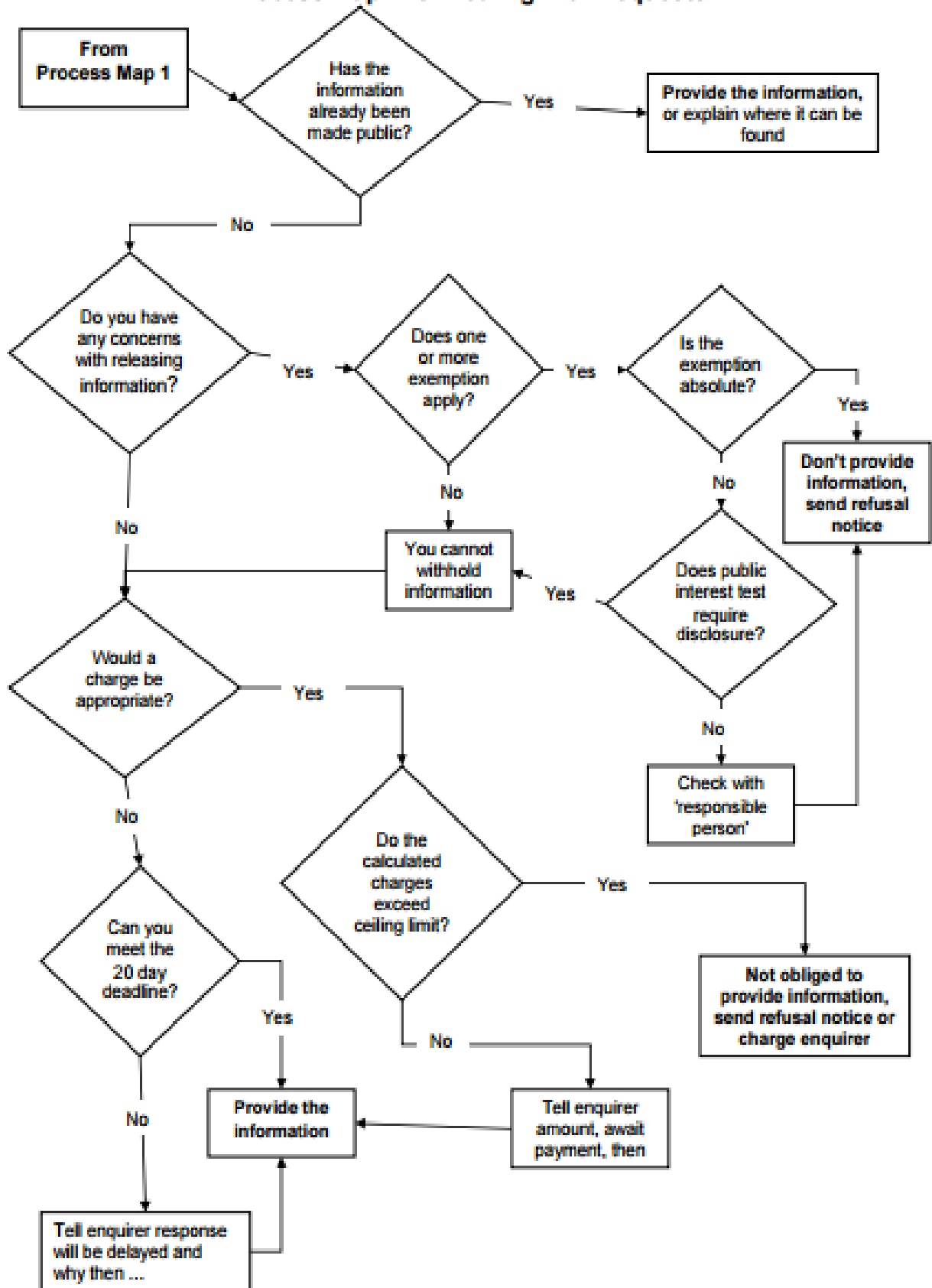
E Mail: [publications@ic-foi.demon.co.uk](mailto:publications@ic-foi.demon.co.uk)

Web site: [www.ico.gov.uk](http://www.ico.gov.uk)

## Process Map 1 for Dealing with Requests



## Process Map 2 for Dealing with Requests



## Appendix 1

### Publication Scheme Classification of Information Currently Published

| Information to be published   | How the information can be obtained                    | Cost              |
|---|--|-------------------|
| <b>Class 1 - Who we are and what we do</b>  |  |                   |
| Organisational information, structures, locations and contacts (this will be current information only).   |  |                   |
| <b>Who's who in the school</b>  | Website  |                   |
| <b>Who's who on the Governing Body</b>  | Website  |                   |
| <b>Instrument of Government</b>   | On application   | £ - to be advised |
| <b>School Prospectus</b>  | Website and hard copy on application                   |                   |
| <b>School sessions times and term dates</b>   | Website  |                   |
| <b>Location and contact information</b>   | Website  |                   |
| <b>Examination results</b>  | Website  |                   |
| <b>Class 2 – What we spend and how we spend it</b>  |  |                   |
| Procurement, contracts and financial audit (current and previous two financial years as a minimum).   |  |                   |
| <b>Annual budget plan and financial statements</b>  | On application   | £ - to be advised |
| <b>Capital funding</b>  | On application   | £ - to be advised |
| <b>Additional funding</b>   | On application   | £ - to be advised |
| <b>Best Value Statement</b>   | Website  |                   |
| <b>Procurement and projects</b>   | On application   | £ - to be advised |
| <b>Pay policy</b>   | On application   | £ - to be advised |
| <b>Staffing and grading structure</b>   | On application   | £ - to be advised |
| <b>Governors' allowances</b>  | On application   | £ - to be advised |
| <b>Pupil premium</b>  | Website  |                   |
| <b>Class 3 – What our priorities are and how we are doing</b>   |  |                   |
| Current strategies and plans, performance indicators, audits, inspections and reviews (current information as minimum).   |  |                   |
| <b>School profile</b><br><ul style="list-style-type: none"> <li>● Government supplied performance data</li> <li>● Ofsted report</li> </ul>  | Link to data via website<br>Link to report via website |                   |
| <b>Performance management information</b>   | On application   | £ - to be advised |
| <b>School's future plans</b>  | Website and/or on application                          | £ - to be advised |
| <b>Safeguarding policy and procedures</b>   | Website  |                   |
| <b>Class 4 – How we make decisions</b>  |  |                   |
| Decision-making processes and records of decisions (current and previous three years as minimum).   |  |                   |
| <b>Admissions policy</b>  | Website  |                   |
| <b>Agendas of Governing Body meetings</b>   | On application   | £ - to be advised |
| <b>Minutes of Governing Body meetings</b>   | On application   | £ - to be advised |
| <b>Class 5 – Our policies and procedures</b>  |  |                   |
| Current written protocols, policies and procedures for delivering our services and responsibilities (current information only)  |  |                   |
| <b>School policies/documentation, including:</b><br><ul style="list-style-type: none"> <li>● charging and remissions</li> <li>● health and safety / risk assessments</li> <li>● concerns and complaints procedure</li> <li>● staff conduct</li> </ul> | Website<br>Website<br>Website<br>On application        | £ - to be advised |

|   |   |   |
|---|---|---|
| <ul style="list-style-type: none"> <li>● discipline and grievance</li> <li>● staff pay / appraisal</li> <li>● staffing structure</li> <li>● safer recruitment</li> </ul>  | <p>On application</p> <p>On application</p> <p>On application</p> <p>On application</p> | <p>£ - to be advised</p> <p>£ - to be advised</p> <p>£ - to be advised</p> <p>£ - to be advised</p> |
| <b>Pupil and curriculum policies, including:</b> <ul style="list-style-type: none"> <li>● home-school agreement</li> <li>● curriculum</li> <li>● sex education</li> <li>● special educational needs</li> <li>● accessibility</li> <li>● equality</li> <li>● collective worship</li> <li>● behaviour management</li> <li>● child protection</li> <li>● children looked after</li> <li>● anti bullying</li> </ul> | Website (all)   |   |
| <b>Records management and personal data policies/documentation, including:</b> <ul style="list-style-type: none"> <li>● data protection</li> <li>● e-safety and data security</li> </ul>  | <p>Website</p> <p>Website</p>   |   |
| <b>Class 6 – Lists and registers</b><br>Currently maintained list and registers only  |   |   |
| <b>Curriculum circulars and statutory instruments</b>   | On application  | £ - to be advised   |
| <b>Disclosure logs</b>  | On application  | £ - to be advised   |
| <b>Asset register</b>   | On application  | £ - to be advised   |
| <b>Services we offer</b><br>Information about the services the school provides, including leaflets, guidance and newsletters (current information only)   | Website and/or hard copy  |   |
| <b>Extra-curricular activities</b>  | Website   |   |
| <b>Out of school clubs</b>  | Website   |   |
| <b>School publications</b>  | Website and/or hard copy  | £ (in some instances)   |
| <b>Services for which the school is entitled to recover a fee, including those fees</b>   | On application / website  |   |

#### **Schedule of charges:**

This describes how the charges have been arrived at

| <b>Type of charge</b>    | <b>Description</b>                            | <b>Basis of charge</b>                                   |
|--------------------------|---|--|
| <b>Disbursement cost</b> | Photocopying (black and white) @ 3p per sheet | Actual cost  |
|                          | Photocopying (colour) @ 10p per sheet         | Actual cost  |
|                          | Postage                                       | Actual cost of Royal Mail standard 2 <sup>nd</sup> class |
| <b>Statutory fee</b>     |   | In accordance with the relevant legislation              |

#### **Appendix 2**

## Applying the Public Interest Test

Having established that a **qualified** exemption definitely applies to a particular case, we must then carry out a public interest test to identify if the public interest in applying the exemption outweighs the public interest in disclosing it. Therefore, unless it is in the public interest to withhold the information, it has to be released. Although precedent and a case law will play a part, individual circumstances will vary and each case will need to be considered on its own merits.

It is worth noting that what is in the public interest is not necessarily the same as that which may be of interest to the public. It may be irrelevant that a matter may be the subject of public curiosity.

In most cases it will be relatively straightforward to decide where the balance of the public interest in disclosure lies. However, there will inevitably be cases where the decision is a difficult one.

For detailed information about the Public Interest Test, please go to [https://ico.org.uk/media/for-organisations/documents/1183/the\\_public\\_interest\\_test.pdf](https://ico.org.uk/media/for-organisations/documents/1183/the_public_interest_test.pdf)

### Absolute and Qualified Exemptions:

There are 9 **absolute** exemptions under the Act:

- The information is accessible via other means
- The information deals with security matters
- The information relates to court proceedings
- The information is covered by parliamentary privilege
- Release of the information would be prejudicial to the conduct of public affairs
- The information relates to communications with HM the Queen
- It is personal information covered by the Data Protection Act
- The information was provided in confidence
- There is a prohibition on disclosure of the information

There are 17 **qualified** exemptions under the Act:

- Information intended for future publication
- National security
- Defence
- International relations
- Relations with the UK
- The economy
- Investigations and proceedings conducted by public authorities
- Law enforcement
- Audit functions
- Formulation of Government policy
- Prejudicial to the conduct of public affairs
- Royal Household / Honours or Titles
- Health and safety
- Environmental information
- Personal information
- Legal professional privilege
- Commercial interests