

# **BISHOP'S HATFIELD GIRLS' SCHOOL**

## **PUBLICATION SCHEME**

<b>Date of last review:</b>	<b>Spring Term 2019</b>
<b>Date of next review:</b>	<b>Spring Term 2022</b>
<b>Approved by Governors:</b>	<b>27<sup>th</sup> February 2019</b>

## **Freedom of Information Act 2000 Publication Scheme**

This is Bishop's Hatfield Girls' School's Publication Scheme on information available under the Freedom of Information Act 2000

### **1 PRINCIPLES**

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. The Freedom of Information Policy will be reviewed biennially by the Finance and Resources Committee.

### **2 AIMS**

Bishop's Hatfield Girls' School is committed to the Freedom of Information Act 2000 (FOIA), which came into effect on 1 January 2005 and which includes Academies by the Academies Act 2010, with effect from 1 January 2011. Bishop's Hatfield Girls' 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. 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; and
- 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- the information is archived, out of date or otherwise inaccessible; or,
- 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. 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.

The school does not charge for information which is accessed on our website. However, it may pass on costs for reproducing information or providing it in alternative formats. Information for some specialist information services is chargeable. Details of these costs are listed in the Schedule of Charges. Please also refer to Appendix B.

### **3 PROCEDURE**

If any member of the public requires a paper version of any of the documents within the scheme, he/she should contact the school by telephone, email, fax or letter. Contact details are set out below or available on our website at [www.bishophatfield.herts.sch.uk](http://www.bishophatfield.herts.sch.uk)

Email: [admin@bishophatfield.herts.sch.uk](mailto:admin@bishophatfield.herts.sch.uk)

Tel: 01707-275331 Fax: 01707-270244

Contact Address: Bishop's Hatfield Girls' School, Woods Avenue, Hatfield, Hertfordshire AL10 8NL

To help us process any request quickly, all correspondence should be clearly marked "PUBLICATION SCHEME REQUEST".

If the information requested isn't available via the scheme, the school should be contacted to check availability.

### **4 EXEMPTIONS**

Certain information is subject to either absolute or qualified exemptions. The exemptions are listed in Appendix A.

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.

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

### **5 PUBLIC INTERESTS TEST**

Unless it is in the public interest to withhold information, it has to be released. The school will apply the Public Interest Test before any qualified exemptions are applied. For information on applying the Public Interest Test see Appendix A.

### **6 CHARGES**

Information published on the school's website is free, although there may be costs from the Internet service provider. For members of the public without Internet access, local libraries or Internet cafés can provide this facility. Single copies of information covered by this publication are provided free unless stated otherwise. If any request means that the school has to do a lot of photocopying or printing, or pay a large postage charge, or is for a priced item such as some printed publications or videos, the school will state the cost before fulfilling

the request. Where there is a charge this will be indicated by a £ sign in the description box. The school reserves the right to refuse to supply information where the cost of doing so exceeds the statutory maximum, currently £450.

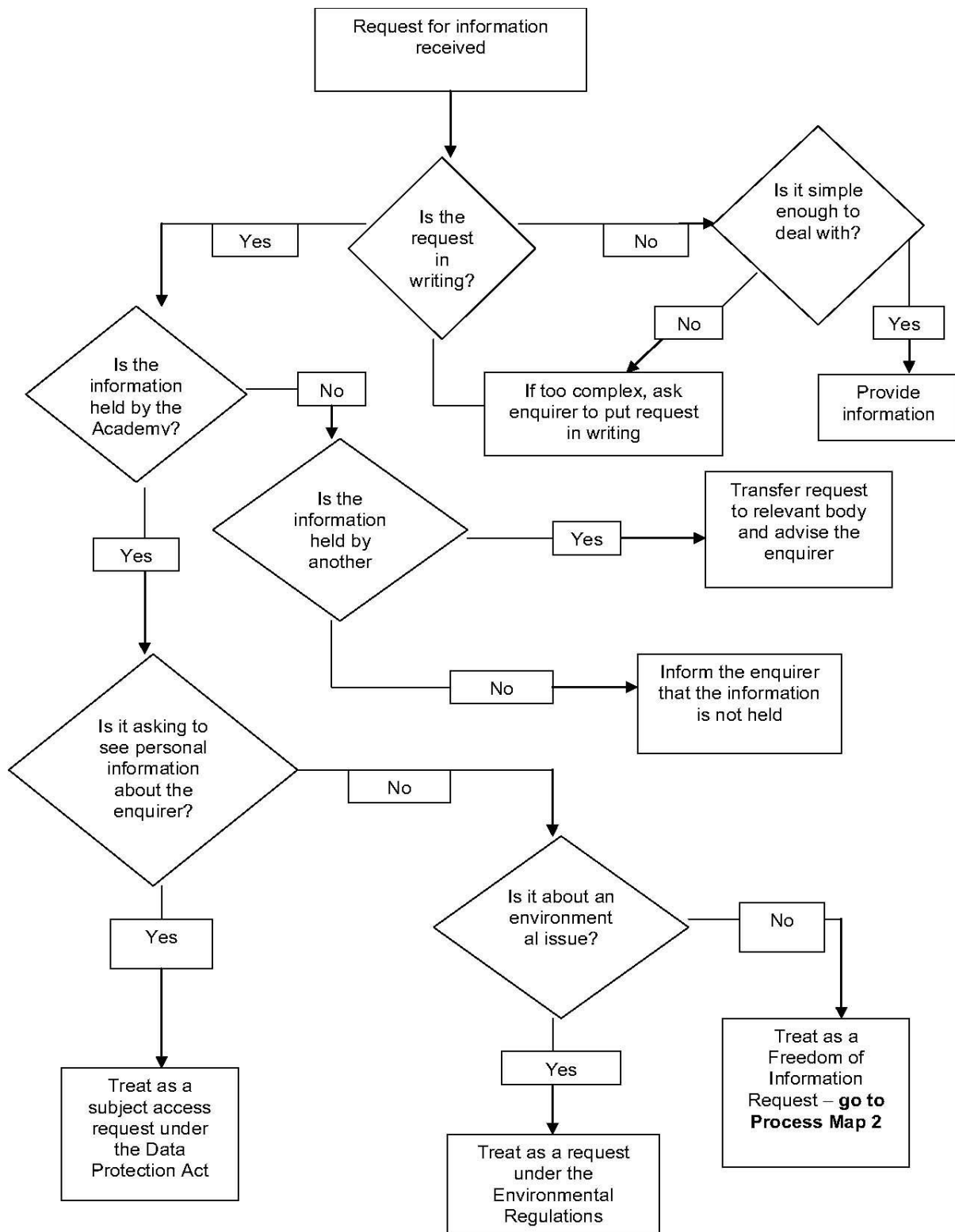
## **7 FEEDBACK AND COMPLAINTS**

The school welcomes any comments or suggestions about the scheme. If any member of the public wishes to make any comments about this publication scheme, requires further assistance or wishes to make a complaint then initially this should be addressed to the Headteacher, Bishop's Hatfield Girls' School, Woods Avenue, Hatfield, Hertfordshire AL10 8NL.

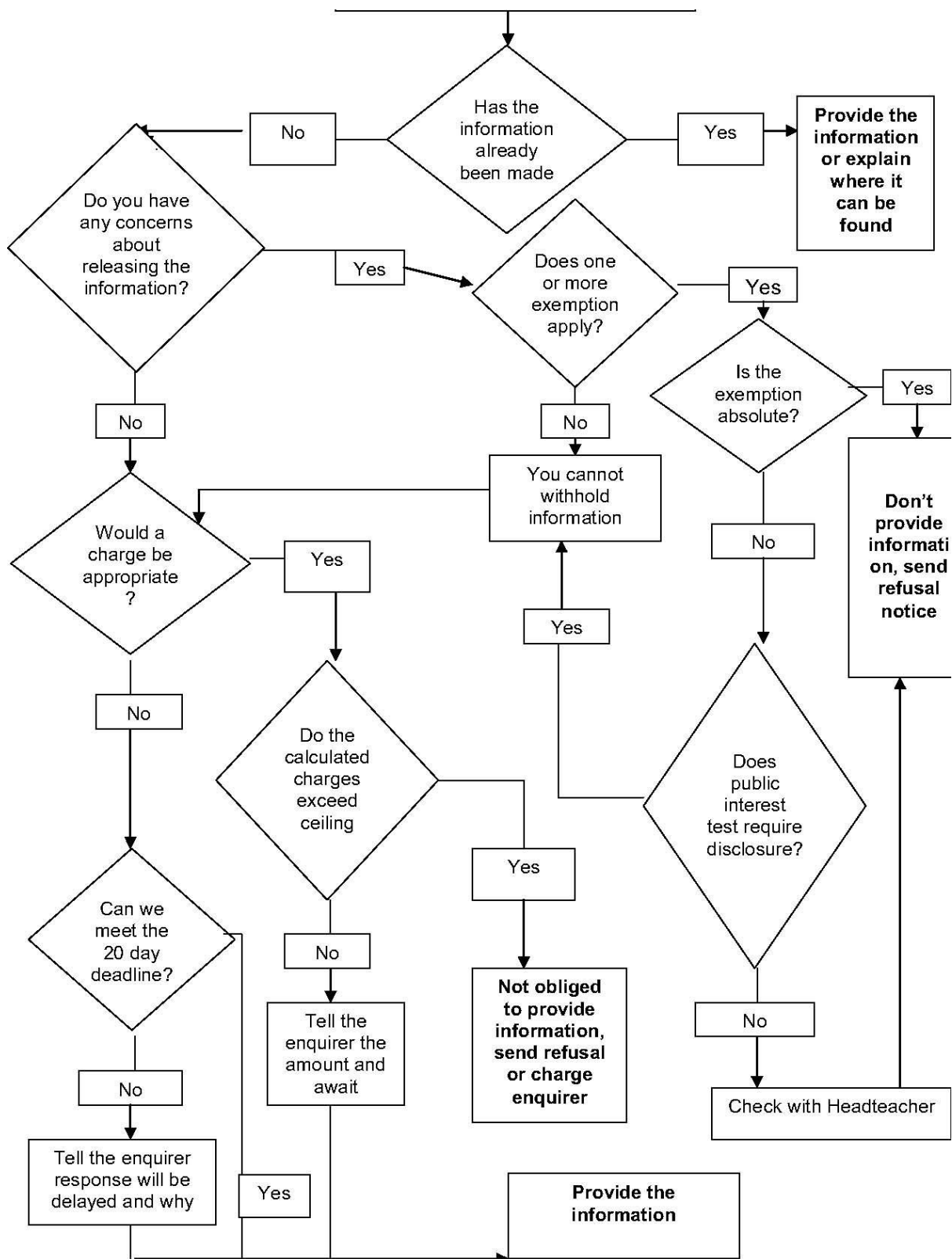
If there is dissatisfaction with the assistance provided or if a resolution to any complaint has not been found and it is felt that a formal complaint needs to be made then this should be addressed to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom 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.

Enquiry/Information Line: 01625 545 700 E Mail: [publications@ic-foi.demon.co.uk](mailto:publications@ic-foi.demon.co.uk). Website: [www.ico.gov.uk](http://www.ico.gov.uk)

## Process Map 1 – Procedures for dealing with FOI requests



## Process Map 2 – Procedures for dealing with FOI requests



## CLASSIFICATION OF INFORMATION CURRENTLY PUBLISHED

	Availability	Cost
<b>Class 1 - Who we are and what we do</b>		
Who's who in the school	Website for Faculty information	
Who's who on the Governing Body and the basis of their appointment	Website	
School Prospectus	Website or on application	
School session times and term dates	Website	
Location and contact information	Website	
GCSE results	Website	
<b>Class 2 - What we spend and how we spend it</b> - Financial information about projected and actual income and expenditure, procurement, contracts and financial audit. Current and previous two financial years as a minimum.		
Annual budget plan	On application	To be advised
Financial statements	Annual Financial Statement as submitted to the DfE is on the website	
Procurement and projects	On application	To be advised
Pay Policy	On application	To be advised
Staffing and grading structure	Pay bands applicable. On application	To be advised
Governors' Allowances	n/a	
<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 a minimum).		
School profile • Government supplied performance data • The latest OFSTED report (Summary/full report)	Website	
Performance Appraisal Information	On application	To be advised
School Improvement Plan	On application	To be advised
<b>Class 4 - How we make decisions</b> - decision-making processes and records of decisions. Current and previous three years as a minimum.		
Admissions policy / decisions (not individual admission decisions)	Website	
Agenda and Minutes of meetings of the Governing body and its sub-committees (nb: this will exclude information that is properly regarded as private to the meetings)	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.		
<b>School policies including:</b> • Attendance • Charging • Child Protection • Health and Safety • Complaints Procedure • Behaviour • Equality (including Race, Gender and Disability) • Safer Recruitment <b>Pupil and Curriculum policies including:</b> • Home School Agreement • Curriculum Statement • Sex and Relationships Education • Special Educational Needs • Accessibility • Collective Worship <b>Records management and personal data policies</b>	Website	

• Publication Scheme / Privacy Notice		
<b>Class 6 - Lists and registers</b> Any information the school is currently legally required to hold in publicly available registers - currently maintained lists and registers only.		
Disclosure logs • Asset values / register	On application	To be advised
Information about the services the school provides including leaflets, guidance and newsletters. Current information only.	Website	
Extra-curricular activities • Out of school clubs • School publications • Leaflets, booklets and newsletters	Website	

Our website is [www.bishophatfield.herts.sch.uk](http://www.bishophatfield.herts.sch.uk)



## APPENDIX A - FREEDOM OF INFORMATION PUBLICATION SCHEME

### 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.

Factors that might be taken into account when weighing the public interest include:

<b>For Disclosure</b>	<b>Against Disclosure</b>
Is disclosure likely to increase access to information held by the school?	Is disclosure likely to distort public reporting or be misleading because it is incomplete?
Is disclosure likely to give the reasons for a decision or allow individuals to understand decisions affecting their lives or assist them in challenging those decisions?	Is premature disclosure likely to prejudice fair scrutiny, or release sensitive issues still on the internal agenda or evolving?
Is disclosure likely to improve the accountability and transparency of the school in the use of public funds and help to show that it obtains value for money?	Is disclosure likely to cause unnecessary public alarm or confusion?
Is disclosure likely to contribute to public debate and assist the understanding of existing or proposed policy?	Is disclosure likely to seriously jeopardise the school's legal or contractual position?
Is disclosure likely to increase public participation in decision making?	Is disclosure likely to infringe upon other legislation eg Data Protection Act
Is disclosure likely to increase public participation in the political processes in general?	Is disclosure likely to create a controversial precedent on the release of information or impair our ability to obtain information in the future?
Is disclosure likely to bring to light information affecting public safety?	Is disclosure likely to adversely affect the school's proper functioning and discourage openness in expressing opinions?
Is disclosure likely to reduce further enquiries on the topic?	If a large amount of information on the topic has already been made available, would further disclosure shed any more light or serve any useful purpose?

Note also that:

- Potential or actual embarrassment to, or loss of confidence in, the school, staff or Governors is not a valid factor to consider
- The fact that the information is technical, complex to understand and may be misunderstood may not for itself be a reason to withhold information
- The potential harm of releasing information will reduce over time and should be considered at the time the request is made rather than by reference to when the relevant decision was originally taken
- The balance of the public interest in disclosure cannot always be decided on the basis of whether the disclosure of particular information would cause harm, but on certain higher order considerations such as the need to preserve confidentiality of internal discussions.

- A decision not to release information may be perverse, ie would a decision to withhold information because it is not in the public interest to release it, itself result in harm to public safety, the environment or a third party .

The school will record the answers to these questions and the reasons for these answers. Deciding on the public interest is not simply a matter of adding up the number of relevant factors on each side. The school will decide how important each factor is in the circumstances and make an overall assessment. The assessment will be reviewed by the Headteacher.

#### **DECISION FOR DISCLOSURE**

Where the balance of the public interest lies in disclosure, the enquiry will be dealt with and the information required will be made available.

#### **DECISION AGAINST DISCLOSURE**

After carrying out the public interest test, if it is decided that the exemption should still apply, the school will reply to the request with the appropriate reply under the circumstances.

There will be occasions when it has been decided that a qualified exemption applies but consideration of the public interest test may take longer. In such a case, we will contact the enquirer within 20 working days stating that a particular exemption applies, but we will include an estimate of the date by which a decision on the public interest test will be made. This will be within a reasonable time, normally no more than 10 working days beyond the 20 days.

## **APPENDIX B - FREEDOM OF INFORMATION PUBLICATION SCHEME**

### **CHARGING**

Different charges apply for requests under the Data Protection Act.

#### **CAN A CHARGE BE LEVIED?**

FOI does not require charges to be made but the school has the discretion to charge applicants a fee in accordance with the Fee Regulations, available on the DCA website [www.dca.gov.uk/foi/secleg.htm](http://www.dca.gov.uk/foi/secleg.htm)

#### **CHARGING CONSIDERATIONS**

Step 1 – Is the information exempt for the purposes of the FOIA? – If the information is exempt, then charges do not apply. The school would contact the enquirer to inform them that the information is exempt. There will be no charge.

Step 2 – Does the school wish to calculate whether the cost of the request would exceed the appropriate limit (currently £450)? – In many cases, it will be obvious that the request would cost less than the appropriate limit, so we would not make the calculation.

Step 3 – We will calculate the appropriate limit – Staff costs are calculated at £25 per hour, regardless of which member of staff gathers the information. When calculating whether the limit is exceeded, the school takes into account the costs of determining whether the information is held, where it is held, retrieving the information and extracting the information from other documents. As per the guidelines, the school does not take into account the costs involved with considering whether information is exempt under the Act.

Step 4 – Does the request cost less than the limit? – If a request costs less than the limit, as per the guidelines, we will only charge for the cost of informing the applicant whether the information is held and communicating the information to the applicant (eg photocopying, printing and postage costs).

Step 5 – Does the request exceed the limit? If a request would cost more than the limit, the school can turn the request down, answer and charge a fee, or answer and waive the fee. If the school chooses to comply with a request where the estimated cost exceeds the threshold the school will calculate the charge as per step 3, plus the costs from step 4.

Step 6 – For all requests, the school will consider the following points:

- The duty to provide advice and assistance to applicants. If the school plans to turn down a request for cost reasons it will contact the applicant in advance to discuss whether they would prefer the scope of the request to be modified so that it would cost less than the appropriate limit, or,
- If the school plans to suggest charging the applicant a high fee, the school will contact the applicant in advance to discuss the amount of the charge and whether they would prefer the scope of the request to be modified so that it would cost less than the appropriate limit.
- The maximum amount that can be charged. The Regulations set out the maximum amount that can be charged. They do not set out a minimum charge nor prevent the academy from charging no fee. We may, for simple and straightforward requests, waive a fee.

#### **CAN COSTS BE AGGREGATED WHERE THERE ARE MULTIPLE REQUESTS?**

Where two or more requests are made to the school by different people who appear to be acting together or as part of a campaign, the estimated costs of complying with any of the requests are to be taken to be the estimated total cost of complying with them all, provided that:

- a. The two or more requests referred to in that section are for information which is on the same subject matter or is otherwise related;
- b. The last of the requests is received by the school by the twentieth school day following the date of receipt of the first of the requests, and,
- c. It appears to the school that the requests have been made in an attempt to ensure that the prescribed costs of compiling separately with each request would not exceed the appropriate limit.

If multiple requests for the same information are received, the school may decide to include it in the publication scheme.

#### **HOW WILL THE APPLICANT BE INFORMED OF THE CHARGE**

Where we intend to charge a fee for complying with a request for information, the school will give the person requesting the information notice in writing (the 'fee's notice') stating that a fee of the amount specified in the notice is to be charged for complying.

The school will require proof of delivery of a fee's notice, either signed for in the post or emailed with a return receipt request. Where a fee's notice has been given to the person making a request, the school will not comply with the request until the fee is paid within three months of the notice being received.