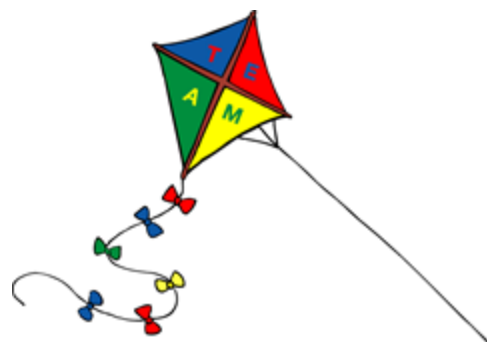


Twyford St Mary's C of E Primary School



Information Policy: when to set it free, when to protect it, when to share it

(This document includes the following statutory policies: Freedom of Information Publication Guide; Data Protection Policy; Confidentiality and Information Sharing Policy)

Setting Information Free

(The Freedom of Information Act, including our Publication Guide)

The Freedom of Information Act (FOI for short) requires us to publish any information that we hold, unless (broadly speaking):

- It has been provided, in confidence, by someone else, and publishing it would breach that confidence
- It is personal information protected by the Data Protection Act

(See Appendix 1 for full list of exemptions)

FOI requires us to publish most information proactively. In other words, you don't need to ask us, we publish it anyway. The types of information that we publish proactively are in the Information Commissioner's Model Publication Scheme, which the school has adopted. A copy of this model scheme is included as Appendix 2.

Below is a **guide to the information we publish**. Where available, items in this list are linked to the relevant information online; where the information is not yet online, a copy is available on request from the school office.

Information about who runs the school and what they do:

[List of staff](#)

[List of Governors](#)

[Instrument of Government](#)

[School day & term dates](#)

Where our money comes from and how we spend it

[Annual Budgets](#) & funding

[Pay policy](#)

[Staffing and grading structure](#)

Our performance and plans for the school

[Ofsted reports](#)

[Performance tables](#)

[School improvement plan](#)

[Curriculum overview](#)

How we make decisions

[Minutes & agendas of governor meetings](#) (including sub-committees)

Our policies and procedures

[All policies are online](#)

Lists & registers

Log of disclosures made under Freedom of Information Act

You can also ask for any other information we hold which we haven't already published and we will provide it to you, unless there is a legal reason not to provide it (see above).

Information may sometimes be provided in a redacted form, where information which cannot be published has been removed ("redacted").

Process for dealing with FOI requests:

Requests for information under the Freedom of Information Act should be put in writing to the school office. You will receive a response within 20 working days.

The school will make a log of your request.

The School will refer to the [latest guidance from the Information Commissioner](#) when considering whether to release the information requested.

Protecting information

(Data Protection Act and Education (Pupil Information) Regulations)

The Data Protection Act (DPA for short) *protects* information (in contrast to FOI which is about making information public and getting rid of unnecessary secrecy).

DPA only covers *personal information about individuals*.

The sorts of personal information that the school holds includes contact details, national curriculum assessment results, attendance information, personal characteristics such as ethnic group, and special educational needs and relevant medical information.

DPA requires us to treat such information carefully, in accordance with eight principles (that the data be accurate, relevant, kept safe, and so on. See Appendix 3 for the full list.) DPA does not impose a blanket ban on sharing personal data, but does require that data be *processed fairly* (which may include sharing it with others, where the situation requires this).

DPA also requires us to provide an individual with a copy of the personal information that we hold about them, if that individual requests it. However, only children over the age of twelve (generally speaking) are considered mature enough to make such a request.

Parents have a right to see information held about their own child. This right is provided by the Education (Pupil Information) Regulations. The Information Commissioner's Office has [more detailed guidance on requesting an educational record](#).

Process for dealing with DPA or EPIR requests:

Request for copies of information held about you (under the Data Protection Act) or about your child (under the Education (Pupil Information) Regulations) should be made in writing to the school office. You will receive a response within 15 school days.

Sharing Information

(Confidentiality & Information Sharing Policy)

We follow the guidelines set out on Hampshire Childrens' Trust [Information Sharing and confidentiality policy](#). This is a summary of those guidelines.

Sharing personal information

It is sometimes necessary for staff to share personal information with others. For example, the school may share information about a child with other educational professionals to secure specialist support for that child.

Staff should ensure that any information shared is:

- accurate and up to date
- necessary for the purpose for which it is being shared
- shared only with people who need to see it
- shared securely

Sharing confidential information

Personal information is not automatically confidential. Personal information is protected by the Data Protection Act, which requires personal information to be handled fairly, but not necessarily kept confidential. However, personal information is considered confidential if:

- it is of a private or sensitive nature, and is not already (lawfully) in the public domain
- and has been shared in circumstances where the person giving the information could reasonably expect that it would not be shared with others.

Generally speaking, confidential information should be kept confidential and not shared with others. However, it is sometimes necessary to share even confidential information, if there is an over-riding reason to do so (for example, where the information relates to illegal activities, or where someone is at risk of harm).

Staff cannot, therefore, offer unconditional confidentiality to pupils. Staff should make clear, when speaking to pupils about sensitive matters, that confidentiality cannot necessarily be guaranteed. Staff may (and should) report information about illegal activities or where someone is at risk of significant harm, even if that information was given in confidence.

Where possible staff will seek the consent of person giving the information before sharing it with others, but even this may sometimes be inappropriate (e.g. if merely asking for consent might put someone at risk of harm).

Where confidential information is shared without the consent of the person providing the information, the decision to share information should be recorded as follows:

- who decided to share the confidential information
- what confidential information was provided and to whom
- the reasons why it was shared

Appendices

Appendix 1: List of exemptions to the Freedom of Information Act

- Section 21: information accessible by other means
- Section 22: information intended for future publication
- Section 23: information supplied by, or related to, bodies dealing with security matters
- Section 26: defence
- Section 27: international relations
- Section 28: relations within the UK
- Section 29: the economy
- Section 30: investigations and proceedings conducted by public authorities
- Section 31: law enforcement
- Section 32: court records
- Section 33: audit functions
- Section 34: parliamentary privilege
- Section 35: formulation of government policy
- Section 36: prejudice to effective conduct of public affairs
- Section 37(1)(a): communications with Her Majesty, with other members of the Royal Household
- Section 37(1)(b): the conferring by the Crown of any honour or dignity
- Section 38: health and safety
- Section 39: environmental information
- Section 40: personal information**
- Section 41: information provided in confidence**
- Section 42: legal professional privilege
- Section 43: commercial interests
- Section 44: prohibitions on disclosure

Appendix 2: Model Publication Scheme

(Also available from the [Information Commissioner's website](#))

This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits an authority:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the authority and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the authority makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

Classes of Information

Who we are and what we do.

Organisational information, locations and contacts, constitutional and legal governance.

What we spend and how we spend it.

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What our priorities are and how we are doing.

Strategy and performance information, plans, assessments, inspections and

reviews.

How we make decisions.

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

Our policies and procedures.

Current written protocols for delivering our functions and responsibilities.

Lists and Registers.

Information held in registers required by law and other lists and registers relating to the functions of the authority.

The Services we Offer.

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

The method by which information published under this scheme will be made available

The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means. In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written Requests

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

Appendix 3: List of Data Protection Principles

(Also available [here on the Information Commissioner's website](#))

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –
 - a. at least one of the conditions in Schedule 2 is met, and
 - b. in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.