Knowsley Junior School

Freedom of Information Policy



2026

Adopted & ratified by full governing body: June 2026

Next review due: June 2027

Dovestone
LEARNING PARTNERSHIP

Knowsley Junior School

Freedom of Information & Environmental information requests Policy

(From OMBC Version 2022)

1 Objectives

1.1 We recognise the need for legal compliance and accountability with regards to the Freedom of Information Act 2000 (FOI) and Environmental Information Regulations 2004 (EIR). We are committed to the promotion of greater transparency and openness.

1.2 Under these rights an individual may ask for access to information recorded and held by the school. FOI requests need to be made in writing, but EIR requests can be made verbally. This access is may be subject to limited exemptions and the application of a public interest test. We have 20 school days or 60 working days (whichever if the shorter) in which to provide a response to requests and in the event that we need to seek clarity in order to progress the request, this can be extended by a further time period.

1.3 This policy sets out the key obligations and accountability to which we are fully committed.

2 Scope

2.1 This policy covers all aspects of handling school held information, regardless of age, format, systems and processes purchased, developed and managed by/or on behalf of us and any person directly employed or otherwise by us. It applies to all information:

- created in the conduct of the school's business
- created/processed by staff members and Governors regardless of, school, mobile or home working
- created in any format, eg, paper, audio, video, electronic, email etc. regardless of the date the information is generated or received i.e. the EIRs/FOIA are fully retrospective
- received, e.g. from parents, partners, national bodies etc.

2.2 If a request is about any of the following it is to be treated as an EIR request.

a) the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;

b) factors, such as substances, energy, noise, radiation or waste, including

radioactive waste, emissions, discharges and other releases into the environment, affecting or likely to affect the elements of the environment referred to in a);

c) measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements and factors referred to in a) and b) as well as measures or activities designed to protect those elements;

d) reports on the implementation of environmental legislation;

e) cost benefit and other economic analyses and assumptions used within the framework of measures and activities referred to in d) above;

f) the state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures in as much as they are or may be affected by the state of the elements of the environment referred to in a) or, through those elements, by any of the matters referred to in b) and c).

2.3 This policy reflects the commitment to FOI and EIR compliance to both UK and EU legislation

3 Policy

3.1 All requests must be handled in accordance with FOI and/or EIR requirements. Requests must be answered in full unless an exemption to the disclosure of the information applies, or if appropriate a public interest test has been applied. The public interest test determines whether the public interest is best served by, withholding or releasing the information. The school will carefully consider the Data Protection Act 2018 (DPA18) before releasing information about living individuals, including current and former staff, elected members and customers.

3.2 We are obliged to:

- disclose information were requested unless there is a lawful basis not to
- publish a Publication Scheme under FOI
- adopt the Lord Chancellors codes of practice
- provide advice and assistance to applicants
- ensure officers of the school are aware of request handling and offences
- have clear arrangements for dealing with requests and monitoring performance

3.3 We are not obliged to comply with FOI if a request is about information easily accessible in the Publication Scheme or via other available means, e.g. in the public domain, via existing statutory regimes. Advice and assistance will be provided to the applicant to provide a steer where the information may be sourced and/or how to clarify/refine the request.

3.4 FOI and/or EIR requests may be refused in whole or in part where:

- an applicant fails to pay an appropriate fee that levied in line with legislative requirements – see Appendix II for charges guidance
- if the request is deemed either manifestly unreasonable, repeated and/or vexatious
- if there is a provision in the Act conferring an absolute exemption
- if the application of a public interest test supports withholding the information
- where the duty to confirm or deny if the information is held, would in itself discloses exempt information
- where there is personal data within the information, the disclosure of which would breach data protection legislation.

It is recognised that in order to answer a request all, or a combination of rules, may need to be applied as appropriate, ie, the FOIA, DPA and EIR's.

It must be noted that the exemptions applied to EIRs are fewer and vary from those applicable to FOIA. In addition, all EIRs exemptions are subject to the public interest test. There are consequently fewer reasons to withhold information under the EIRs than under the FOIA.

See Appendix I for list of exemptions

4 Offences

4.1 It is a criminal offence, after a request has been received, to:

- alter/deface/block/erase
- destroy
- conceal

any record held by the school with the intention of preventing its disclosure

5 Vexatious, repeated or manifestly unfounded requests

5.1 Requests made under FOI may be considered as vexatious where they have the potential to cause a disproportionate or unjustified level of disruption, irritation or distress. Factors to consider when assessing if a request is vexatious where the following behaviour is evident:

- abusive or aggressive language
- burden on the authority
- personal grudges
- unreasonable persistence
- unfounded accusations
- intransigence
- frequent or overlapping requests
- deliberate intention to cause annoyance

- scattergun approach
- disproportionate effort
- no obvious intent to obtain information
- futile requests
- frivolous requests

5.2 The Schools IG Team can provide support in the assessment of a request or requester as being vexatious. The assessment must be approved by the Headteacher prior to a response being sent to the requester. A record of the assessment and approval should be retained should the requester complain to the Information Commissioner's Office (ICO).

5.3 Requests made under FOI or EIR can be refused if the request is identical or substantially similar to another request previously answered. A repeat request cannot be refused once a reasonable period of time has passed.

5.4 Requests made under EIR can be refused if the request is considered to be manifestly unfounded. A request under EIR may be considered manifestly unfounded if:

- the request could be considered vexatious in line with FOI
- the cost of compliance with the request would be too great

6 Complaints

6.1 An applicant, if dissatisfied with the handling of their request or outcome, have the right to appeal to us, and/or complain to the Information Commissioner's Office (ICO). If they disagree with the ICO decision they have further rights of appeal.

Applicants may for example, seek to complain about:

- issues of timeliness
- application of exemptions
- application of public interest test
- failure to give advice and assistance
- inappropriate disclosure of personal information (as defined by Data Protection Act)
- non-disclosure of information in accordance with the School's Publication Scheme.

6.2 There are no timescales for the making of an internal appeal request under FOI, however under EIR the applicant has 40 working days from the response to lodge an appeal.

6.3 The internal appeal may be prepared by the headteacher, but final approval is for the Chair of Governors .

6.4 Should a complaint be received from the ICO we will liaise fully and promptly with the regulator. If subsequently we are bound to overturn our decision with regard to the provision of information we reserve the right to appeal the ICO decision.

7 Assessment and monitoring

7.1 Regular performance monitoring is undertaken and reports provided to senior management.

8 Responsibilities and approvals

8.1 Governing Body:

The governing body has overall responsibility for ensuring that our school complies with all relevant Freedom of Information and Environmental Information request obligations.

8.2 Headteacher:

The Headteacher acts as the representative of the Governing Body on a day-to-day basis and is responsible for the approval of this policy.

8.3 Governors/Employees:

All Governors and staff, whether permanent, temporary or contracted, including students, contractors and volunteers are responsible for ensuring they are aware of the Freedom of Information and Environmental Information request statutory requirements and for ensuring they comply with these on a day to day basis. Where necessary advice, assistance and training should be sought. Any breach of this policy could result in disciplinary action or could constitute a criminal offence.

Appendix I

FOI exemptions

Absolute Exemptions (where the public interest test does not apply)

- Information accessible to applicant by other means; eg via the Publication Scheme.
- Information supplied by, or relating to, bodies dealing with security matters.
- Court records.
- Parliamentary privilege.
- Prejudice to effective conduct of public affairs (only applies to information held by House of Commons or House of Lords).
- Personal information (where the applicant is the subject of the information).
- Information provided in confidence.
- Where a disclosure is prohibited by an enactment or would constitute contempt of court.

Qualified Exemptions (where the public interest test applies)

- Information intended for future publication.
- National security.
- Defence.
- International relations.
- Relations within the United Kingdom.
- The economy.
- Investigations and proceedings conducted by public authorities.
- Law enforcement.
- Audit Functions.
- Formulation of government policy.
- Prejudice to effective conduct of public affairs (except information held by the House of Commons or the House of Lords). (only applicable if applied by the Schools Chair of Governors
- Communications with Her Majesty, etc and honours.
- Health and safety.
- Environmental information (as this can be accessed through the Environmental Information Regulations).
- Personal information (where the applicant is requesting information about a 3rd party).
- Legal professional privilege.
- Commercial interests.

EIR exceptions (all subject to a public interest test)

- The information requested is not held by the School at time of request
- The request is manifestly unreasonable
- The request is too general;
- Request relates to unfinished documents

- The request concerns internal communications
- Personal data
- Disclosure would adversely affect:
    - International relations, public security or national defence;
    - The course of justice, the ability of any person to receive a fair trial or the ability of the School to receive a fair trial;
    - Intellectual property rights;
    - Confidentiality of the School's proceedings when covered by law;
    - Confidentiality of commercial or industrial info, when protected by law to protect legitimate economic interest
    - The interests or protection of any person who supplied the information requested on a voluntary basis;
    - The information relates to the protection of the environment.

Appendix II

Charges

Wherever possible we will provide information free of charge.

FOI:

Where it takes an officer in excess of 18 hrs to determine whether the information is held, find the requested information, retrieve the information and extract the information required we may either refuse to the request or issue a fees notice in line with regulations.

The 18hrs threshold equates to £450 @ £25 per hour.

Under FOI There are occasions where we may either refuse a request or issue a fees notice in line with regulations, i.e.

Where it takes in excess of 18 hrs to determine whether the information is held, finding the requested information, retrieving the information and extracting the information required.
The cost limit equating to £450 @ £25 per hour.

EIR

The cost limit does not apply to EIR requests, but the FOI costs threshold could be used as an indicator on being 'manifestly unreasonable' which provides grounds for refusal.

Where there are specific charges for the provision of environmental information and these charges are part of our approved fees and charges, this is the starting point for calculating a charge and we will consider whether it is reasonable to issue a fees notice.

Disbursements

Both FOI and EIR requests can be subject to reasonable disbursements, although the onus is on making information available charge free. We cannot charge for inspecting information or accessing public registers or lists of environmental information. Where a disbursement is levied it can not be more than that actual cost incurred, eg, copying, postage etc.

For further information please see the ICO guidance on charges

https://ico.org.uk/media/for-organisations/documents/1627/charging-for-environmental-information-reg8.pdf

Data Protection Statement

The procedures and practice created by this policy have been reviewed in the light of our Data Protection Policy.

All data will be handled in accordance with the school's Data Protection Policy.

What ?	Probable Content	Why ?	Who ?	Where ?	When ?
Any or all information	Any or all information	SAR from ICO	GB, headteacher and relevant staff	Confidential file internally and then sent to the person/organisation who requested information. ICO	As required

As such, our assessment is that this policy

Has Few / No Data Compliance Requirements	Has A Moderate Level of Data Compliance Requirements	Has a High Level Of Data Compliance Requirements
		✓