

West Park School

Freedom of Information Policy



Policy Owner:	Data Manager
Date of last Review:	January 2025
Date of next Review:	January 2028

Freedom of Information Policy

This policy sets out how we will respond if we receive a request for information under the Freedom of Information Act (FOIA).

Making a request

In order to make a request under the Freedom of Information Act your request must:

- Be in writing (e.g. in a letter, an email or contact via our website)
- Include the requester's real name or the name of the person or organisation they're acting on behalf of
- Include an address for correspondence (e.g. a residential or work postal or email address)
- Describe the information requested

Our contact details for requests are:

Website – www.westpark.derby.sch.uk

Email – info@westpark.derby.sch.uk

Address - West Park School
West Road
Spondon
Derby DE21 7BT

Verifying the requester's identity

We would not routinely seek to verify an identity. However, we may have grounds to do so if:

- It's clear the requester is using a pseudonym; or
- There are legitimate grounds for refusing the request and we suspect you are trying to avoid this happening.

Steps to take before responding to a request

Before we respond to your request we may contact you to:

- Clarify your request (if needed)
- Tell you if the request is part of a different legislation (e.g. Data Protection Act)
- Let you know if there is a fee to provide the information you have requested

Making sure we have the information

The FOIA only covers recorded information that we hold. This means we don't have to make up an answer or find out information elsewhere if we don't already have the relevant information.

If we don't have the information, we will let the requester know in writing. Or, if we know that another public body holds the information instead we will advise the requester to redirect their request.

Deadline for responding

The standard time limit is 20 school days, or 60 working days if that's sooner.

The time starts:

- From the first working day after the school receives the request; or
- When we have received the clarification we need to answer the request
- If there is a fee, the time limit is 'paused' until we receive the payment

Charging for information

The charge is based on how much it costs us to comply with the request.

To calculate the 'cost of compliance', we will take into account the cost of:

- Determining whether we hold the information
- Finding the requested information, or records containing the information
- Retrieving the information or records
- Extracting the requested information from records

When estimating the cost of staff time for this, we use a rate for staff time at £25 per person per hour regardless of who does the work.

- **Where the total cost is under £450**, will we only recover our communication costs from the requester, such as the money spent on photocopying, printing or postage.
- **Where the total cost is over £450**, we can recover our full costs, including the cost of compliance, communication and staff time. However, we will get written agreement from the requester that they will pay the extra costs before starting the work. We will also give the requester the option of refining their request rather than paying extra.

If we do not receive payment within 3 months of issuing the charging notice, we are no longer obliged to respond to the request.

Refusing a request

We can refuse a request if:

- We estimate the cost of complying with the request will exceed the £450 limit.
- The cost of finding out whether we hold the information would exceed the £450 limit (e.g. if we would have to do an extensive search in a number of locations).

However, we would still say whether we hold the information, even if we can't provide the information itself. We will also give the requester the option of refining their request to reduce the charge.

Vexatious requests

We can refuse to comply with any part of a vexatious request, including confirming or denying whether we hold the information.

If we do refuse for this reason, we will notify the requester of the decision and keep a record of the reasons for our decision.

Repeated requests

We can refuse repeated requests, whether or not they're also vexatious, if there's a complete or substantial overlap between information sets requested by the same person.

If we do refuse for this reason, we will notify the requester of the decision and keep a record of the reasons for our decision.

Exemptions

The FOIA defines a range of exemptions we can use to refuse part or all of a request, including confirming whether or not we hold the information.

There are two types of exemption:

- Absolute
- Qualified

Absolute exemptions include requests for information:

- That is already reasonably accessible
- In court records
- That includes personal data of living third parties where there's no lawful basis identifiable for us to share it
- Given to us by someone else where disclosure could lead to a breach of confidence

Qualified exemptions include requests for information:

- Intended for future publication
- Related to criminal investigations
- That could prejudice law enforcement activities
- That could endanger anyone's physical or mental health or safety
- Covered by legal professional privilege
- That could prejudice commercial interests

Dealing with complaints

If you are unhappy with the how your freedom of information request has been handled we have a complaints policy which can be found on the school website.

Website – www.westpark.derby.sch.uk

Alternatively, you can make a complaint directly to the Information Commissioner's Office.

Their contact details are:

Website - www.ico.org.uk

Telephone helpline - 0303 123 1113

Address - Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF