

# Freedom of Information for Schools

- Decide whether the request is a request under the Data Protection Act (DPA), Environmental Information Regulations (EIR) which relate to information about the condition of natural or human environments such as land and building developments or Freedom of Information (FOI)
- Decide whether the school holds the information or whether the request should be transferred to another body if the information is held by them
- Provide the information if it has already been made public (e.g. the School's Prospectus document)
- Inform the enquirer if the information is not held
- Consider whether a third party's interests might be affected by disclosure and if so consult them
- Consider whether any exemptions apply e.g. Commercial Interests (such as the procurement or tendering process) or Information Provided in Confidence
- Consider whether the public interest in withholding the information requested outweighs the public interest in releasing it; if the information is not released you must inform the applicant of the reasons, otherwise the exempt information would have to be released
- Decide whether the estimated cost of complying with the request will exceed the appropriate limit

*If you are unsure, please obtain advice about charges from the contacts on the back of this sheet*

- If a request is made for a document that contains personal information that is exempt under the Data Protection Act, ensure that the personal information is removed by applying the redaction (preparing for publication; editing;) procedure. In simple terms this means removing the personal information from the document prior to release or publication

- Consider whether the request is vexatious (e.g. designed to cause disruption or annoyance) or repeated (e.g. a reasonable interval has elapsed between compliance with the previous request and a subsequent identical or substantially similar current request)

## **Remember**

Schools are under a duty to provide advice and assistance to anyone requesting information.

The enquirer is entitled to be told whether the school holds the information (the duty to confirm or deny) except where certain exemptions apply.

A well managed records and management information system is essential to help schools to meet requests.

Requests should be dealt with within 20 days excluding school holidays.

Wilfully concealing, damaging or destroying information in order to avoid answering an enquiry is an offence.

A valid FOI request should be in writing, state the enquirer's name and correspondence address and describe the information requested.

Expressions of dissatisfaction should be handled through the school's existing complaints procedure.

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[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)