

NORTH BIRMINGHAM ACADEMY

FREEDOM OF INFORMATION ACT

This document provides the policy framework through which this effective management can be achieved and audited. It covers:

1. Scope of the policy
2. Responsibilities
3. Relationship with existing policies
4. Available Guidance
5. [The Academy's Publication Scheme]
6. Specific Requests for Information
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Scope of the Policy

The purpose of this policy is to ensure that the provisions of the Freedom of Information Act 2000 (though not applicable to EACT or its Academies as at January 2010) are adopted and in particular that:

- a significant amount of routinely published information about the Academy is made available to the public as a matter of course through the Publication Scheme;
- other information not included in the Publication Scheme is readily available on request and such a request is dealt with in a timely manner; and
- in cases where information is covered by an exemption, consideration is given as to whether or not the information should be released.

Responsibilities

The Academy recognises its corporate responsibility under the Act to provide a general right of access to information held. The Senior Officer with overall responsibility for this policy is the Company Secretary

The Company Secretary is responsible for drawing up guidance on freedom of information and promoting compliance with this policy in such a way as to ensure the easy, appropriate and timely retrieval of information.

Wherever possible, members of staff should receive an introductory briefing on the Freedom of Information Act procedures.

Available Guidance

Guidance on the procedures necessary to comply with this Policy is available from the Company Secretary or on the Legal Compliance web pages.

The Academy's Publication Scheme

The Academy's Publication Scheme is available on the [web](#) or in hard copy from any of the Academy Libraries or by request from the Company Secretary. The Publication Scheme will specify:

- what information the Academy will make routinely available to the public as a matter of course
- how it will do so, and
- whether or not this information will be made available free of charge or on payment of a fee

Specific Requests for Information

Information not already made available in the Academy's Publication Scheme is accessible from January 2005 through a specific request for information. In this regard the Freedom of Information Act establishes two related rights:

- the right to be told whether information exists, and
- the right to receive the information (subject to exemptions)

These rights can be exercised by anyone – natural or legal persons, worldwide. These specific requests for information not listed in the publication scheme will be dealt with by the Company Secretary

Any request must be made in a permanent form (for example in writing or by email) and a charge may be made for dealing with any request. Requestors will not be entitled to information to which any of the exemptions in the Act applies. However, only those specific pieces of information to which the exemption applies will be withheld, and information covered by an exemption will be subject to review by the Company Secretary.

The Academy must respond to any request within 20 working days although further reasonable details can be requested in order to identify and locate the information. If a fee is required, the period of 20 working days is extended by up to 3 months until the fee is paid.

Charges

Unless otherwise specified information made available through the Academy's Publication Scheme will be free of charge.

The Academy reserves the right to charge an appropriate fee for dealing with a specific request for information not listed in the publication scheme in accordance with the Act.

Complaints

The EACT Head Office will co ordinate any complaints received in respect of this policy.

- The complaint should be addressed to the Company Secretary in the first instance. The complaint will be acknowledged immediately and every reasonable effort will be made to offer a more comprehensive reply within 21 days.

- If the applicant is not satisfied with the reply then they should inform the Company Secretary within 21 days. The complaint will then be forwarded to the Academy Principal and will be dealt with in accordance with the Academy's Staff & General Complaints Procedure or the Academy's Student Grievance Procedure as appropriate. If applicants are dissatisfied with the outcome of the Complaints Procedure they may seek an independent review from the Information Commissioner.

Requests for review by the Information Commissioner should be made in writing to:

[Insert relevant Academy Information here]

Exemptions under the Act

There are 23 exemptions under the Act, some exemptions where the public interest test applies, and others which are absolute exemptions. The full list of exemptions can be found at Appendix 1 of this policy.

The Academy may decide that some information it holds could be regarded as exempt information under the Act. Where a request is made for information which includes exemptions the Academy will consider the prejudice test and the public interest test, and may in some circumstances withhold the requested information.

As at January 2010 there is a consultation about whether the Freedom of Information Act should be extended to all Academies. This will require legislation and the Company Secretary will provide an update if and when the law is extended to E-ACT Academies.

Contacts

[Insert relevant Academy contacts here]

Approved by NBA Governors on:

Date of Next Review:.....

Lead Manager: