



Freedom of Information Policy

Approved and Adopted

Policy Author:	Headteacher
Approved by:	Full Governing Body
Approved date:	25 th November 2025
Review date:	November 2026

Rationale

The Freedom of Information Act ([FOIA](#)) states that all maintained schools should be clear and proactive about the information they will make public. Some information which we hold may not be made public, for example personal information, as defined by the General Data Protection Regulation (GDPR).

Cranbourne school is committed to following the advice and publishing schemes of the Information Commissioner's office ([ICO](#)) to comply with the Freedom of Information Act 2000.

Purpose

Making information public is a means of showing how we are pursuing our school's aims. It is a means of involving all the stakeholders in pursuing and understanding these aims.

Background

The Freedom of Information Act (FOIA) applies to all public authorities and came fully into force on 1st January 2005. It provides the public with a statutory right of access to recorded information held by authorities, subject to certain exemptions, within twenty working days. The Act is fully retrospective and applies to all information that falls within the scope of the Act, not just information created from 1st January 2005. Section 19 of the Act also obliges the School to make information pro-actively available in the form of an approved "publication scheme".

In addition, individuals currently have a statutory right of access to their own "personal data" under the General Data Protection Regulation ([GDPR](#)). Individual access rights to personal data are extended by the FOIA through amendments to the access provisions of the GDPR.

The Environmental Information Regulation ([EIR](#)) provides a statutory right of access to "environmental information", as defined in these regulations. The EIR came into force on 1st January 2005 and replaces the existing 1992 Regulations. The EIR is also fully retrospective.

The Government's Information Commissioner enforces these three information regimes.

Each regime contains certain categories of exempt information, where information can be withheld. Any decision to withhold information under an exemption can be referred by the applicant to the Information Commissioner, who can overturn any decision to withhold information. For the purposes of this policy, the "public" is defined as any individual or organisation anywhere in the world and an "information request" refers to any request for recorded information made under the FOIA, EIR or GDPR.

We are committed:

- 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 make this publication scheme available to the public
- To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The term 'relevant copyright work' is defined in section 19(8) of that Act.

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

Subject Access Requests

A subject access request (SAR) is a type of information rights request. A SAR lets people access a copy of the personal data Cranbourne hold about them or someone they are parental responsibility for.

Information an individual can request

A requester can ask for personal data that relates to:

- Themselves
- Someone they have parental responsibility for
- Someone they have permission to act on behalf of

Clarifying a SAR

Cranbourne may ask for clarification about what specific information the requester is looking for. If a requester already has access to the information they want to see, we may direct you to this. For example. Information available on Edulink or on the school website. We would not treat this request as a SAR.

Checking the identity of a requester

In most cases when an individual makes a SAR we will need to ask for identification from them. However, at Cranbourne students and many of our parents/carers are generally well known to school staff, therefore we may not have to request ID.

Adults should provide a photo ID plus another form of ID, which could be:

- A driving license or passport for the photo ID
- A utility bill or council tax bill that confirms their name and address

If the requester is asking for another individual's information, then they will need to provide the individual's ID.

They will also need to provide evidence that they have the authority to act on the individual's behalf. This includes requesters such as parents/carers and/or solicitors.

Responding to a request from a child

Requesting a SAR is a child's right. A child can request access to information about themselves from any education setting that holds data about them.

- A child does not have to be a certain age to make a SAR.
- If the young person is under 13 and is making their own request, we will consider whether they will be able to understand our response, but this is not necessarily a barrier to supplying them with their information.

- If a young person is over 13, we will treat the request in the same way as if an adult made it, provided that there are no issues with the child's competency.
- Parents/carers can also make a SAR on behalf of a young person. If they are 13 or older, we will check that they are happy for their personal data to be shared with their parent/carer.

Timeframes for responding to a SAR

A full SAR response will be sent to the requester within one calendar month.

- We can extend the SAR deadline for:
 - Waiting for the requester to provide identification
 - Waiting for the requester to provide evidence of their authority to act on behalf of another individual
 - We are seeking reasonable clarification about the request

(For example, if it takes 5 days for the requester to provide identification, we can extend the deadline by 5 days).

For complex requests, the response time can be extended by up to a further 2 calendar months, making the response deadline 3 months in total. We will tell the requester the new deadline and the reason their SAR is being treated as complex. This will be done in writing, within one calendar month of the original request date.

Refusing to comply with a SAR

Schools can refuse to comply with a SAR if:

- a [data protection exemption](#) can be applied to all the personal information in scope of the request
- the request is [manifestly unfounded](#) or [manifestly excessive](#)

Examples of exemptions that may apply to education settings include:

- releasing the information would cause serious harm to a child
- releasing information would not be in the best interests of a child
- information relating to third parties
- legal advice sought and received from a lawyer
- information that may prejudice an investigation

From: [Data protection in schools - Dealing with subject access requests \(SARs\) - Guidance - GOV.UK](#)

Freedom of Information request (FOI)

Any freedom of information request (FOI) must be made in writing. This can be done via:

- Letter
- Email
- Social media
- Through the contact us section on our website

What to include:

You should give:

- your name (not needed if you're asking for environmental information)
- a contact postal or email address
- a detailed description of the information you want - for example, you might want all information held on a subject, or just a summary

Timescales

We should send you the information within 20 working days of receiving your request. However, during periods when the school is closed more time will be needed to process your request, and it will be dealt with from the first date that the school re-opens. We will write to you on this date to confirm when you can expect to receive this information.

How to access information

If you require a paper version of any of the documents within the scheme, please contact the school by email or letter. Contact details are set out below. or you can visit our websites at www.cranbourne.hants.sch.uk

We will require your full name and address, as well as the precise details of your request.

Your details will not be shared with any third party without your consent.

Contact Details

Cranbourne

Email: **gen.enquiries@cranbourne.hants.sch.uk**

Tel: **01256 868600**

Fax: **01256 868601**

Address: **Wessex Close, Basingstoke, RG21 3NP**

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Single copies of information covered by this publication are provided free unless stated otherwise. If a request means that we have to do a lot of photocopying or printing, or pay a large postage charge, or is for a priced item such as some printed publications or videos we will advise on costs before fulfilling the request.

Delegated responsibilities

Overall responsibility for ensuring that the School meets the statutory requirements of the FoIA, EIR and GDPR lies with the Governors, and the Chair of Governors has overall responsibility for information management issues. They have delegated the day-to-day responsibility of implementation to the Head teacher.

All School staff are responsible for ensuring that they handle requests for information in compliance with the provisions of the various Acts.