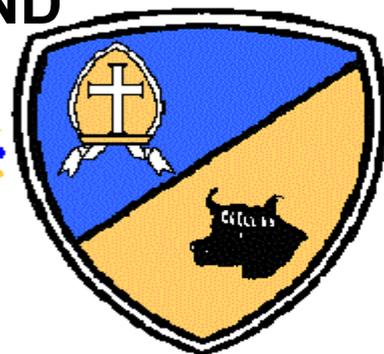


# ST. LUKE'S CHURCH OF ENGLAND PRIMARY SCHOOL



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## Freedom of Information Policy

**Date of Policy: 2023**

### 1. Policy Statement

1.1 The Freedom of Information Act 2000 came into effect on 30 November 2000 and gives a general right of access to recorded information held by a public authority, including schools.

1.2 St Luke's Church of England Primary School is committed to complying with the provisions of FOIA.

### 2. Definitions

2.1 St Luke's "Appropriate Limit" means the limit set by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 as amended from time to time.

2.2 "Fee Notice" means the amount the Requester will need to pay in order for the school to comply with the request for information.

2.3 "FOIA" means the Freedom of Information Act 2000 and amendments.

2.4 "GDPR" means the General Data Protection Regulation, [and the Data Protection Act 2018]

2.5 "Publication Scheme" means a list of information that will be routinely published via the school's website.

2.6 "Requester" means the person making a request for information from the school.

2.7 "Social Media" means websites and applications that enable users to create and share content or to participate in social networking including Facebook, LinkedIn, Twitter, Google+, and all other social networking sites, internet postings and blogs. It applies to use of Social Media for school purposes as well as personal use that may affect the school in any way.

### 3. Procedure for making a request for information

3.1 The school requires requests for information pursuant to the provisions of FOIA to be made in writing. The school considers 'in writing' to mean communications by post, fax or email.

3.2 Requests for information held by the school should be sent to the addresses found in **Appendix 1**.

3.3 A request for information made to the school should provide the name of the Requester and an address for correspondence and should clearly set out the information being requested from the school.

#### **4. Duty to Assist**

4.1 There may be circumstances where it is unclear to the school what information is being requested or where it appears that the request for information is such that responding will cause the school to exceed the Appropriate Limit.

4.2 In these circumstances the school will seek to provide advice and assistance to the Requester in order to enable the school to provide the requester with the information they are seeking to obtain or inform the Requester as to why this is not possible.

#### **5. Time Limit for responding to requests for information**

5.1 The school will seek to respond to a request for information promptly and in any event no later than 20 School days<sup>1</sup> or 60 working days<sup>2</sup> if the request is more complex, from the date of the request, whichever occurs first.

5.2 Where a fee is payable for responding to the request, the school will disregard any day between a Fee Notice being sent to the Requester and the correct fee being received by the school when calculating the time limit for responding.

5.3 In the event the school is unable to respond within the periods set out above, the school will write to the Requester advising it will be unable to comply and provide a new time scale for responding to the request.

#### **6. Fees**

6.1 The school will not charge for the provision of information which is requested subject to the provisions of FOIA.<sup>3</sup>

6.2 The school is not obliged to comply with a request for information if the cumulative time spent on locating, retrieving or, if necessary, extracting the information requested is estimated to exceed the Appropriate Limit.

6.3 The school may decide to provide information requested in excess of the Appropriate Limit without charging a fee where it considers it reasonable and within the public interest to do so.

6.4 Where it appears that responding to a request for information will result in the school exceeding the Appropriate Limit and the school does not waive the fee for complying with the request, the school may provide the Requester with a Fee Notice. The school will also inform the Requester as to how it has estimated that the Appropriate Limit will be exceeded, what information it could provide within the Appropriate Limit, and provide the Requester with the opportunity to narrow their request.

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<sup>1</sup> A School day is any day on which there is a School session.

<sup>2</sup> A working day means any other day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday.

<sup>3</sup> The school may charge for requests where it incurs a costs in photocopying, printing or otherwise reproducing the requested information and/or where the school will incur a significant fee for providing the requested information in the format requested by the Requester. There may also be a charge where the school has issued a Fee Notice and the Requester has agreed to pay the fee as set out in the Fee Notice.

6.5 Where the school has issued a Fee Notice and the Requester indicates they are not prepared to pay the fee as set out in the Fee Notice or does not pay the fee as set out in the Fee Notice within three months, the school is not obliged to comply with the original request. The school will however consider any narrowed or amended request.

## **7. Exemptions**

7.1 The right to be provided with information requested may be limited by the application of an exemption. Some exemptions are absolute and others are qualified. Where an exemption applies to information requested, the school may also be exempt from having to confirm or deny that the information exists as well as from disclosing the requested information.

7.2 Where a qualified exemption applies to information requested from the school, the school will consider whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

7.3 The absolute exemptions most relevant to the school are those that relate to:

- (a) Information accessible by other means<sup>4</sup> ;
- (b) Personal Information<sup>5</sup> ;
- (c) Confidential Information<sup>6</sup> ;
- (d) Prohibitions on Disclosure<sup>7</sup>.

7.4 The qualified exemptions most relevant to the school are those that relate to:

- (a) Information intended for future publication<sup>8</sup> ;
- (b) Prejudice to the Effective Conduct of Public Affairs<sup>9</sup> ;
- (c) Health and Safety<sup>10</sup>;
- (d) Legal Professional Privilege<sup>11</sup>;
- (e) Commercial Interests<sup>12</sup>.

7.5 Where the school relies on an exemption in not complying with a request for information, the school will write to the Requester setting out the exemption relied on explaining the reason(s) the school considers that the exemption applies to the information requested and, where appropriate, why it has decided that the public interest in withholding the information outweighs the public interest in disclosing it.

## **8. Requests for Personal Data**

8.1 A request by an individual for their own personal data made subject to the provisions of FOIA will be treated as a subject access request.

8.2 A request for the personal data of a third party will be refused where the provision of that information will contravene any of the principles of the GDPR, pursuant to Section 40(2) of FOIA.

8.3 For further detail please refer to the school's GDPR Policy.

## **9. Repeat and Vexatious Requests**

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<sup>4</sup> Section 21

<sup>5</sup> Section 40

<sup>6</sup> Section 41

<sup>7</sup> Section 44

<sup>8</sup> Section 22

<sup>9</sup> Section 36

<sup>10</sup> Section 38

<sup>11</sup> Section 42

<sup>12</sup> Section 43

9.1 The school will not comply with a request for information which is considered to be vexatious.

9.2 In determining whether a request is vexatious, the school will consider whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress to the school, staff or governors. The school will also consider the burden on the school and any possible distress to its staff or governing body in responding to the request, the motive of the Requester and the seriousness of the request.

9.3 The school will also not comply with a request for information which is identical or substantially similar to a previous request made by the Requester unless a reasonable time has elapsed between the current request and the previous request.

9.4 In considering whether a reasonable time has elapsed the school will take into account the time that has passed between the current request and the previous request and likelihood that the information requested will differ significantly from the information provided in the response to the previous request.

## **10. Complaints**

10.1 Appeals against any decision not to supply information which the school considers exempt should be made to the **Headteacher** who will review the original decision.

10.2 A complaint about the school's Freedom of Information processes, procedures or how a request for information has been dealt with should be made to the **Chair of Governors**.

10.3 If a requester is unhappy with the outcome of their complaint or the way a request for information has been handled, they can complain to the Information Commissioner at: **Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Tel: 01625 545 700.**

## **11. Monitoring and Review**

11.1 This policy will be reviewed every 3 years or earlier if required and may be subject to change.



## Appendix 1 Freedom Of Information Guide To Information Available From St Luke's C E Primary School Under The Model Publication Scheme

Information To Be Published	How The Information Can Be Obtained	Fee Notice (Cost)
<p><b>Class 1 - Who we are and what we do</b> (Organisational information, structures, locations and contacts) This will be current information only</p>	<p>St Luke's C E Primary School, Church Lane, Lowton, Warrington, WA3 2PW</p> <p style="text-align: center;"><a href="http://www.saintlukes.wigan.sch.uk">www.saintlukes.wigan.sch.uk</a></p>	
Who's who in the school	<p><b>School Website/VLN</b> <a href="http://www.saintlukes.wigan.sch.uk">www.saintlukes.wigan.sch.uk</a> <b>Hard copy</b> Contact School Business Manager</p>	<p><b>Free</b></p> <p><b>10p per sheet</b></p>
Who's who on the governing body and the basis of their appointment	<p><b>School Website/VLN</b> <a href="http://www.saintlukes.wigan.sch.uk">www.saintlukes.wigan.sch.uk</a> <b>Hard copy</b> Contact School Business Manager</p>	<p><b>Free</b></p> <p><b>10p per sheet</b></p>
Instrument of Government	<p><b>Hard copy</b> School Business Manager</p>	<p><b>10p per sheet</b></p>
Annual Report	<b>N/A</b>	
Staffing structure	<p><b>Hard copy</b> Contact School Business Manager</p>	<p><b>10p per sheet</b></p>
School session times and term dates	<p><b>School Website/VLN / LA website</b> <a href="http://www.saintlukes.wigan.sch.uk">www.saintlukes.wigan.sch.uk</a> <b>Hard copy</b> School Business Manager</p>	<p><b>Free</b></p> <p><b>10p per sheet</b></p>

<b>Class 2 – What we spend and how we spend it</b> (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)	<b>How The Information Can Be Obtained</b>	<b>Fee Notice (Cost)</b>
Current and previous financial year as a minimum Annual budget plan and financial statements	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>
Capitalised funding	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>
Additional funding	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>
Procurement and projects	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>
Pay policy	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>
Staffing and grading structure	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>
Governors' allowances	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>

<b>Class 3 – What our priorities are and how we are doing</b> (Strategies and plans, performance indicators, audits, inspections and reviews)	<b>How The Information Can Be Obtained</b>	<b>Fee Notice (Cost)</b>
Current information as a minimum  School profile <ul style="list-style-type: none"> <li>• Government supplied performance data</li> <li>• The latest Ofsted report               <ul style="list-style-type: none"> <li>- Summary</li> <li>- Full report</li> </ul> </li> </ul>	<b>School Website</b> www.saintlukes.wigan.sch.uk <a href="http://www.ofsted.gov.uk">www.ofsted.gov.uk</a>  <b>Hard copy</b> Contact School Business Manager	<b>Free</b>  <b>10p per sheet</b>
Performance management policy and procedures adopted by the governing body.	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>
Schools future plans	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>
Every Child Matters – policies and procedures	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>

Information To Be Published	How The Information Can Be Obtained	Fee Notice (Cost)
<p><b>Class 4 – How we make decisions</b>            (Decision making processes and records of decisions)            Current and previous three years as a minimum</p>	(hard copy or website)	
Admissions policy/decisions (not individual admission decisions)	<p><b>School website/VLN/LA booklet</b>  <b>Hard copy</b>            Contact School Business Manager</p>	<b>10p per sheet</b>
Agendas of meetings of the governing body and (if held) its sub-committees	<p><b>Hard copy</b>            Contact School Business Manager</p>	<b>10p per sheet</b>
Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meetings.	<p><b>Hard copy</b>            Contact School Business Manager</p>	<b>10p per sheet</b>

## Class 5 – Our policies and procedures

(Current written protocols, policies and procedures for delivering our services and responsibilities)

Current information only

School policies including:

- Charging and remissions policy
- Health and Safety
- Complaints procedure
- Staff conduct policy
- Discipline and grievance policies
- Staffing structure implementation plan
- Information request handling policy
- Equality and diversity (including equal opportunities) policies
- Staff recruitment policies

### WEBSITE

[www.saintlukes.wigan.sch.uk](http://www.saintlukes.wigan.sch.uk)

### ALL AVAILABLE BY

**Hard copy**

Contact School Business Manager

Free

**10p per sheet**

Pupil and curriculum policies, including:

- Home-school agreement
- Curriculum
- Sex education
- Special educational needs
- Accessibility
- Race equality
- Collective worship
- Careers education
- Pupil discipline

### VLN

[www.saintlukes.wigan.sch.uk](http://www.saintlukes.wigan.sch.uk)

### ALL AVAILABLE BY

**Hard copy**

Contact School Business Manager

**10p per sheet**

Records management and personal data policies, including:

- Information security policies
- Records retention destruction and archive policies
- Data protection (including information sharing policies)

### ALL AVAILABLE BY

**Hard copy**

Contact School Business Manager

**10p per sheet**

Charging regimes and policies.

This should include details of any statutory charging regimes. Charging policies should include charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made

**Hard copy**

Contact School Business Manager

**10p per sheet**

and how they are calculated.		
<b>Information To Be Published</b>	<b>How The Information Can Be Obtained</b>	<b>Fee Notice (Cost)</b>
<b>Class 6 – Lists and Registers</b> Currently maintained lists and registers only	(hard copy or website; some information may only be available by inspection)	
Curriculum circulars and statutory instruments	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>
Disclosure logs	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>
Asset register	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>
Any information the school is currently legally required to hold in publicly available registers <b>(THIS DOES NOT INCLUDE THE ATTENDANCE REGISTER)</b>	<b>Hard copy</b> Contact School Business Manager	<b>10p per sheet</b>

Information To Be Published	How The Information Can Be Obtained	Fee Notice (Cost)
<p><b>Class 7 – The services we offer</b>            (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)            Current information only</p>	(hard copy or website; some information may only be available by inspection)	
Extra-curricular activities	<p><b>School Website/VLN</b>  <a href="http://www.saintlukes.wigan.sch.uk">www.saintlukes.wigan.sch.uk</a></p> <p><b>Hard Copy</b>            Contact School Business Manager</p>	<p><b>Free</b></p> <p><b>10p per sheet</b></p>
Out of school clubs	<p><b>School Website/VLN</b>  <a href="http://www.saintlukes.wigan.sch.uk">www.saintlukes.wigan.sch.uk</a></p> <p><b>Hard Copy</b>            Contact School Business Manager</p>	<p><b>Free</b></p> <p><b>10p per sheet</b></p>
School publications	<p><b>School Website/VLN</b>  <a href="http://www.saintlukes.wigan.sch.uk">www.saintlukes.wigan.sch.uk</a></p> <p><b>Hard copy</b>            Contact School Business Manager</p>	<p><b>Free</b></p> <p><b>10p per sheet</b></p>
Services for which the school is entitled to recover a fee, together with those fees	<p><b>Hard copy</b>            Contact School Business Manager</p>	<p><b>10p per sheet</b></p>
<p><b>Additional Information</b>            This will provide schools with the opportunity to publish information that is not itemised in the lists above</p>		

## Contact details:

**Mr S Hardaker**  
**Headteacher**  
**St Luke's C E Primary School**  
**Church Lane**  
**Lowton**  
**Warrington**  
**WA3 2PW**



**01942 201140**



**enquiries@admin.saintlukes.wigan.sch.uk**

## SCHEDULE OF CHARGES

This describes how the charges have been arrived at and should be published as part of the guide.

<b>TYPE OF CHARGE</b>	<b>DESCRIPTION</b>	<b>BASIS OF CHARGE</b>
<b>Disbursement cost</b>	Photocopying/printing @ 10p per sheet (black & white)	Actual cost to school
	Photocopying/printing @ 12p per sheet (colour)	Actual cost to school
	Postage	Actual cost of Royal Mail standard delivery as per current prices published at <a href="https://www.royalmail.com/personal/uk-delivery/stamps/">https://www.royalmail.com/personal/uk-delivery/stamps/</a>
<b>Statutory Fee</b>		In accordance with the relevant legislation

