

PUBLICATION SCHEME FOR SCHOOLS

- The Freedom of Information Act requires public authorities, which include the Governing Bodies of Maintained Schools to make available through a publication scheme, and from January 2005, deal with specific requests for information. A publication scheme is a guide to the types of information that will be made available to the public as a matter of routine.
- The Information Commissioner wrote to all schools to remind them of their statutory duties and to alert them to the fact the DfES had developed a model scheme for schools, approved by the Commissioner.
- Schools can adopt the appropriate model scheme (primary or secondary) which sets out the 'classes', or categories of information it will publish and whether or not charges apply. The scheme should be reviewed from time to time (generally every twelve months) to ensure that a significant amount of information is made available proactively, without the need for a specific request. Any school wishing to adopt a bespoke policy will need to contact the Information Commissioner directly to discuss their proposals.
- Schools must ensure they publish the information that the model scheme commits them to making available.
- The Information Commissioner will be contacting a representative group of schools in the coming months to check they have formally adopted the model scheme and that the information is available through it.

Action Required

Headteachers and Governing Bodies are asked to:

- 1. Note the statutory requirement of the Freedom of Information Act 2000 to have in place a publication scheme and;**
- 2. Approve the model publication scheme provided by the DfES as the school's scheme.**

Explanatory Notes for the Model Publication Scheme for Schools

The Freedom of Information (Fol) Act 2000

The Fol Act received Royal Assent on 30 November 2000. The primary object of the legislation is to confer a right on individuals to obtain disclosure of information held by public bodies, including schools, rather than leaving public bodies to confer access to the information they hold as a favour. This is achieved in two ways:

- by imposing on public authorities a positive duty to make information available through the publication of schemes setting out what information it has decided to make routinely available and how/where the information is available to an interested individual.
- by giving the individual who makes a request for information the right to be told whether the body holds such information, and if it does, the right to have that information communicated to them, subject to exemptions. This individual right of access to information will be brought into force for all public authorities (including schools) in January 2005.

Model Publication Schemes

The Information Commissioner¹ has power to approve 'model' schemes for particular classes of public bodies, including schools.

Two model publication schemes have been approved by the Information Commissioner for the governing bodies of maintained schools. These are designed for primary and secondary schools with special schools advised to use the secondary model. A model for maintained nursery schools is being developed and will be available in 2004, but they have until 30 June 2004 to adopt a scheme.

A publication scheme is essentially a guide to information that a public body commits to make available to the public and states how it can be accessed (e.g paper, online) and whether it is available free or at a charge.

These notes are aimed to help you and will explain the steps you need to take in order to adopt the scheme. Having adopted the model scheme your school will then be obliged to publish the information set out in it.

The model scheme was developed by DfES in consultation with interested parties and has been approved by the Information Commissioner's Office.

Is the Model Scheme appropriate for your school?

The Freedom of Information Act 2000 defines the public authorities that are covered by the Act and so are required to adopt and maintain a publication scheme. **All** maintained schools are covered by the Act and by adopting the model scheme you will meet the requirements of the Act. However, if you wish to, you may submit a 'bespoke' scheme for approval by the Commissioner which better caters for your school's individual

¹ The Information Commissioner is the independent body with responsibility for regulation of both the Freedom of Information Act 2000 and the Data Protection Act 1998

circumstances. If you decide you would prefer to submit a bespoke scheme please see the section: further help and assistance.

The Model Scheme

The model scheme has been developed in a way that should allow a school to simply insert its own details into the appropriate places as indicated by the bold text in capital letters contained in square brackets.

To adopt the model and comply with the FoI requirements, the steps a school needs to take are:

- Adoption of the model scheme by the governing body, recording the decision in the governing body minutes.
- Enter your school and contact details in the model, removing/including any reference to your website. Including a £ sign in the description box where there is a charge
- Publish the scheme – see *'how should the information be made available'*
- Make the information available on request – you may want to review your record management system by undertaking a simple audit of your documents to help you respond to any request.

Changes to the model

If a school adopts the model scheme they **do not** need to send it to the Commissioner for approval. However, the model scheme should not be altered **except** to include:

- contact and school details
- details of website address, where appropriate
- a £ sign in the description box, where a charge may be incurred for an item
- replacing the aims and objectives with the school's own version (optional)

Please note that the class entitled 'Annex A - other documents' allows a school to list other documents in the annex that are available, **without** seeking approval from the Commissioner.

What will adopting the model publication scheme commit a school to do?

Simply completing a copy of the model scheme does not in itself fulfil a school's obligation under the Act in relation to publication schemes. A school has to make its publication scheme available and publish information in accordance with that scheme. By adopting the model scheme, your school is committing itself to publishing the information described.

As new information is produced which falls within a class definition, it should be prepared for publication and made available.

Schools are one of the last public authorities in the rolling programme that are required to have a publication scheme in place. The DfES will issue further guidance to schools on the effect of the Freedom of Information Act from 2005 covering how to respond to requests for information not set out in your publication scheme.

How should the information be made available?

The scheme provides scope for a school to publish information in a variety of ways. It is expected that unless you state otherwise the information will be in paper form. However schools may wish to make information available on their websites. The model contains optional text in square brackets for this purpose.

Where information is available on a website the Information Commissioner will still expect hard copies to be made available on request as not everyone has access to the internet.

The Freedom of Information Act aims to develop a culture of openness amongst public authorities. Schools **should** raise awareness of the existence and contents of the scheme among the general public and parents in particular. You could do this through the Governors' Annual Report, through a paragraph in your newsletter and on your website if you have one. You may find the following paragraph helpful in meeting the requirements of the FOIA.

The Freedom of Information Act requires publicly funded bodies, including schools, to be clear about the information they publish. We have produced a publication scheme setting out all the information we publish on a regular basis and where to find it. Ask the school office to let you see the scheme or provide you with a copy free of charge.

Fees

It is expected that schools will make all items available to the public free of charge or in line with their existing charging policy. The FoI Act does not introduce any new requirements for making documents available in another language. However, you will want to ensure accessibility to the information and conform with existing legal requirements eg Disability Discrimination Act. If a school is making available a priced item such as printed publications, videos and bound information then a charge may be levied for that item. Where you have decided that there is a charge for an item this **should be annotated with a £ sign in your publication scheme** next to the description. If the request requires a lot of photocopying or large postage costs a school will need to make clear to enquirers that there could be a handling charge in line with any existing policy on charging.

The Duration of the Model Scheme

The model scheme prepared for maintained schools has been approved for a period of four years, that is until 28 February 2008. The Information Commissioner will review the scheme before its anniversary date. If you decide to submit your own scheme the Commissioner will advise you whether it has been accepted. At that time you will also be informed of the date the approval of your model scheme will expire. Generally this will be four years.

Freedom of Information and the Data Protection Act

Personal information is exempt under the FoI Act. However individuals may continue to make a 'subject access request' under the Data Protection Act. If a request is made for a document eg Governing Body minutes which contains personal information, the minutes may be issued by blanking out the relevant personal information.

Further Help and Assistance

For further information contact the Public Enquiry Unit at the DfES on 0870 000 2288 or your own LEA which will be able to provide advice and support.

General enquiries about FoI, publication schemes, the FoI Act or the submission process and subsequent operation of the scheme once adopted should be addressed to the FoI compliance team at the Information Commissioner's Office (see below)

To submit a bespoke scheme you should follow the procedure detailed in the Commissioner's booklets; Publication Schemes – Approval Documentation and Guidance & Methodology. These are available on the Commissioner's website at www.informationcommissioner.gov.uk or by telephoning 0870 901 4291

Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or Enquiry/Information Line: 01625 545 700, www.informationcommissioner.gov.uk

This is [INSERT School name] Publication Scheme on information available under the Freedom of Information Act 2000

The governing body is responsible for maintenance of this scheme.

1. Introduction: what a publication scheme is and why it has been developed

One of the aims of the Freedom of Information Act 2000 (which is referred to as FOIA in the rest of this document) is that public authorities, including all maintained schools, should be clear and proactive about the information they will make public.

To do this we must produce a publication scheme, setting out:

- *The classes of information which we publish or intend to publish;*
- *The manner in which the information will be published; and*
- *Whether the information is available free of charge or on payment.*

The scheme covers information already published and information which is to be published in the future. All information in our publication scheme is **[either available for you on our website to download and print off or]** available in paper form.

Some information which we hold may not be made public, for example personal information.

This publication scheme conforms to the model scheme for schools approved by the Information Commissioner.

2. Aims and Objectives [A school may insert their own aims and objectives]

The school aims to:

- enable every child to fulfil their learning potential, with education that meets the needs of each child,
- help every child develop the skills, knowledge and personal qualities needed for life and work,

and this publication scheme is a means of showing how we are pursuing these aims.

3. Categories of information published

The publication scheme guides you to information which we currently publish (or have recently published) or which we will publish in the future. This is split into categories of information known as 'classes'. These are contained in section 6 of this scheme.

The classes of information that we undertake to make available are organised into four broad topic areas:

School Prospectus – information published in the school prospectus.

Governors' Documents – information published in the Governors Annual Report and in other governing body documents.

Pupils & Curriculum – information about policies that relate to pupils and the school curriculum.

School Policies and other information related to the school - information about policies that relate to the school in general.

4. How to request information

If you require a paper version of any of the documents within the scheme, please contact the school by telephone, email, fax or letter. Contact details are set out below. **[or you can visit our website at]**

Email: **[Insert details]**

Tel: **[Insert details]**

Textphone: **[Insert details]**

Fax: **[Insert details]**

Contact Address: **[Insert details]**

To help us process your request quickly, please clearly mark any correspondence **“PUBLICATION SCHEME REQUEST”** (in CAPITALS please)

If the information you're looking for isn't available via the scheme **[and isn't on our website]**, you can still contact the school to ask if we have it.

5. Paying for information

Information published on our website is free, although you may incur costs from your Internet service provider. If you don't have Internet access, you can access our website using a local library or an Internet café.

Single copies of information covered by this publication are provided free unless stated otherwise in section 6. If your 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 let you know the cost before fulfilling your request. Where there is a charge this will be indicated by a £ sign in the description box.

6. Classes of Information Currently Published

School Prospectus – this section sets out information published in the school prospectus.

Class	Description
School Prospectus	<p>The statutory contents of the school prospectus are as follows, (other items may be included in the prospectus at the school's discretion):</p> <ul style="list-style-type: none">• the name, address and telephone number of the school, and the type of school• the names of the head teacher and chair of governors• information on the school policy on admissions• a statement of the school's ethos and values• details of any affiliations with a particular religion or religious denomination, the religious education provided, parents' right to withdraw their child from religious education and collective worship and the alternative provision for those pupils• information about the school's policy on providing for pupils with special educational needs• number of pupils on roll and rates of pupils' authorised and unauthorised absences• National Curriculum assessment results for appropriate Key Stages, with national summary figures• the arrangements for visits to the school by prospective parents

Governors' Annual Report and other information relating to the governing body– this section sets out information published in the Governors' Annual Report and in other governing body documents.

Class	Description
Governors' Annual Report	<p>The statutory contents of the governors' annual report to parents are as follows, (other items may be included in the annual report at the school's discretion):</p> <ul style="list-style-type: none">• details of the governing body membership, including name and address of chair and clerk• a statement on progress in implementing the action plan drawn up following an inspection• a financial statement, including gifts made to the school and amounts paid to governors for expenses• a description of the school's arrangements for security of pupils staff and the premises• information about the implementation of the governing body's policy on pupils with special educational needs (SEN) and any changes to the policy during the last year• a description of the arrangements for the admission of pupils with disabilities; details of steps to prevent disabled pupils being treated less

	<p>favourably than other pupils; details of existing facilities to assist access to the school by pupils with disabilities; the accessibility plan covering future policies for increasing access by those with disabilities to the school</p> <ul style="list-style-type: none"> • a statement of policy on whole staff development identifying how teachers' professional development impacts on teaching and learning • number of pupils on roll and rates of pupils' authorised and unauthorised absence • National Curriculum assessment results for appropriate Key Stages, with national summary figures • a statement of the extent to which proposals in the post- inspection action plan have been carried into effect
Instrument of Government	<ul style="list-style-type: none"> ○ The name of the school ○ The category of the school ○ The name of the governing body ○ The manner in which the governing body is constituted ○ The term of office of each category of governor if less than 4 years ○ The name of any body entitled to appoint any category of governor ○ Details of any trust ○ If the school has a religious character, a description of the ethos ○ The date the instrument takes effect
Minutes ² of meeting of the governing body and its committees	Agreed minutes of meetings of the governing body and its committees <i>[current and last full academic school year]</i>

Pupils & Curriculum Policies - This section gives access to information about policies that relate to pupils and the school curriculum.

Class	Description
Home – school agreement	Statement of the school's aims and values, the school's responsibilities, the parental responsibilities and the school's expectations of its pupils for example homework arrangements
Curriculum Policy	Statement on following the policy for the secular curriculum subjects and religious education and schemes of work and syllabuses currently used by the school
Sex Education Policy	Statement of policy with regard to sex and relationship education

² Some information might be confidential or otherwise exempt from the publication by law – we cannot therefore publish this

Special Education Needs Policy	Information about the school's policy on providing for pupils with special educational needs
Accessibility Plans	Plan for increasing participation of disabled pupils in the school's curriculum, improving the accessibility of the physical environment and improving delivery of information to disabled pupils.
Race Equality Policy	Statement of policy for promoting race equality
Collective Worship	Statement of arrangements for the required daily act of collective worship
Child Protection Policy	Statement of policy for safeguarding and promoting welfare of pupils at the school. <i>(from March 2004)</i>
Pupil Discipline	Statement of general principles on behaviour and discipline and of measures taken by the head teacher to prevent bullying.

School Policies and other information related to the school - This section gives access to information about policies that relate to the school in general.

Class	Description
Published reports of Ofsted referring expressly to the school	Published report of the last inspection of the school and the summary of the report and where appropriate inspection reports of religious education in those schools designated as having a religious character
Post-Ofsted inspection action plan	A plan setting out the actions required following the last Ofsted inspection and where appropriate an action plan following inspection of religious education where the school is designated as having a religious character
Charging and Remissions Policies	A statement of the school's policy with respect to charges and remissions for any optional extra or board and lodging for which charges are permitted, for example school publications, music tuition, trips
School session times and term dates	Details of school session and dates of school terms and holidays
Health and Safety Policy and risk assessment	Statement of general policy with respect to health and safety at work of employees (and others) and the organisation and arrangements for carrying out the policy
Complaints procedure	Statement of procedures for dealing with complaints
Performance Management of Staff	Statement of procedures adopted by the governing body relating to the performance management of staff and the annual report of the head teacher on the effectiveness of appraisal procedures
Staff Conduct, Discipline and Grievance	Statement of procedure for regulating conduct and discipline of school staff and procedures by which staff may seek redress for grievance

Curriculum circulars and statutory instruments	Any statutory instruments, departmental circulars and administrative memoranda sent by the Department of Education and Skills to the head teacher or governing body relating to the curriculum
Annex A - Other documents	Annex A provides a list of other documents that are held by the school and are available on request

[** Information available on our website]

[Our website is at (www.NAME.org.uk)]

7. Feedback and Complaints

We welcome any comments or suggestions you may have about the scheme. If you want to make any comments about this publication scheme or if you require further assistance or wish to make a complaint then initially this should be addressed to ***[INSERT CONTACT DETAILS]***.

If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made then this should be addressed to the Information Commissioner's Office. This is the organisation that ensures compliance with the Freedom of Information Act 2000 and that deals with formal complaints. They can be contacted at:

Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

or

Enquiry/Information Line: 01625 545 700

E Mail: publications@ic-foi.demon.co.uk.

Website : www.informationcommissioner.gov.uk

[INSERT School Name]
Freedom of Information Publication Scheme
Annex A – Further documents held by the school

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The classes of information that we undertake to make available are organised into four broad topic areas:

School Prospectus – information published in the school prospectus.

Governors' Documents – information published in the Governors Annual Report and in other governing body documents.

Pupils & Curriculum – information about policies that relate to pupils and the school curriculum.

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Governors' Annual Report and other information relating to the governing body– this section sets out information published in the Governors' Annual Report and in other governing body documents.

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³ Some information might be confidential or otherwise exempt from the publication by law – we cannot therefore publish this

	<ul style="list-style-type: none"> • a statement on progress in implementing the action plan drawn up following an inspection • a financial statement, including gifts made to the school and amounts paid to governors for expenses • a description of the school's arrangements for security of pupils staff and the premises • information about the implementation of the governing body's policy on pupils with special educational needs (SEN) and any changes to the policy during the last year • a description of the arrangements for the admission of pupils with disabilities; details of steps to prevent disabled pupils being treated less favourably than other pupils; details of existing facilities to assist access to the school by pupils with disabilities; the accessibility plan covering future policies for increasing access by those with disabilities to the school • a statement of policy on whole staff development identifying how teachers' professional development impacts on teaching and learning • number of pupils on roll and rates of pupils' authorised and unauthorised absence • National Curriculum assessment results for appropriate Key Stages, with national summary figures • GCSE/GNVQ results in the school, locally and nationally • GCE A/AS and vocational qualification results in the school and nationally • the number of pupils studying for and percentage achieving other vocational qualifications • the destinations of school leavers¹ • a statement of the extent to which proposals in the post- inspection action plan have been carried into effect
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Race Equality Policy	Statement of policy for promoting race equality
Collective Worship	Statement of arrangements for the required daily act of collective worship
Careers Education Policy	Statement of the programmes of careers education provided for Key 4.
Child Protection Policy	Statement of policy for safeguarding and promoting welfare of pupils at the school. <i>(from March 2004)</i>
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Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

or

Enquiry/Information Line: 01625 545 700

E Mail: publications@ic-foi.demon.co.uk.

Website : www.informationcommissioner.gov.uk

[INSERT School Name]
Freedom of Information Publication Scheme
Annex A – Further documents held by the school

Name of Document	Description
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