The Winterton Federation
Requests for Information Policy

Name and title of Author/s:	Mrs Cheryl Baxter
Name of responsible Committee/individual:	Governing Board
Implementation date:	Autumn 2026
Review date:	Autumn 2028
Targeted audience:	Staff/governors/parents/carers/ contractors/ volunteers/agencies and partner organisations operating on behalf of the federation
Related documents: All federation policies referred to are available on the federation website: https://thewintertonfederation.co.uk If English is not your first language, and you require assistance/translation, please contact the Junior school office.	The Freedom of Information Act 2000 (FOIA); Environmental Information Regulations 2004 (EIR); Data Protection Act 2018 (DPA); Human Rights Act 1998; Common law duty of confidence; Equality Act 2010; Education (Pupil Information) Regulations 2008; Education Act 1996; Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004; Re-use of Public Sector Information Regulations 2015; Records Management Policy; Information Security and Confidentiality Policy; Complaints Policy; Freedom of Information Publication Scheme; Department for Education - Schools Complaints Unit - Complain about a School or Child-minder; Department for Education - Education Funding Agency
Strategic alignment:	

Contents

Introduction 2
Purpose 2
Scope 3
Legal Framework 3
Links with other Policies and Procedures 3
Freedom of Information Act 2000 3
Freedom of Information Request for Information 4
Environmental Information Regulations 2004 5
Environmental Information Regulation Requests for Information 5
Re-use of Information 6
Data Protection Act 2018 6
Pupil Information Regulations 7
Data Protection Act Subject Access Requests and Requests for Information in the Education Record 7
Data Protection Section 29 and Section 35 Requests for Information 8
Data Sets 9
Publication Scheme 9
Contact Details 10
Roles and Responsibilities 10
Request for Information Complaints 10
Audit 11
Monitoring and Review 11

Appendices

Appendix A - Freedom of Information Exemptions 12
Appendix B - Environmental Information Regulation Exceptions 13
Appendix C - Data Protection Exemptions 15
Appendix D - Environmental Information Definition 16
Appendix E - Information Request Charging 17
Appendix F - Pupil Information Regulation Exemptions 19

At The Winterton Federation we endeavour to nurture unique individuals in a happy, safe, respectful and inclusive environment, where everyone is inspired to be the best they can be throughout their journey of life.

"Let your light shine so others may see your good deeds|" Matthew 5:1

Introduction

The Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 (EIR) and the Data Protection Act 2018 (DPA) are the information request regimes under which schools will generally receive requests for information.

The Information Commissioner's Office (ICO) regulates this legislation in the UK and copies of their guidance notes can be accessed at www.ico.org.uk.

Information is an important asset that schools must manage to comply with legislation and to function efficiently, such as being able to respond to requests for information in a timely fashion.

The FOIA provides anyone anywhere in the world with the right to ask for general information held by a school. The EIR provides the same right but this time to environmental information. The DPA provides each person with the right to ask for a copy of his or her own personal information. In each case a legal timeframe must be complied with.

The FOIA also requires that schools produce a Publication Scheme, to publish a set list of information so that it is made available without the need to request it. The ICO produces a list of the information that should be published.

All requests for information are recorded by the federation in a single register with a unique identification reference number.

Purpose

The purpose of this policy is to ensure compliance with FOIA, EIR and DPA, in terms of requests for information. This is achieved by there being a Publication Scheme and by responding to requests for information, as set out in this policy. Also covered are requests to re-use information.

Scope

This policy applies to any information held by or on behalf of the federation where the policy has been adopted by the governing board.

The scope of this policy extends to employees, contractors, volunteers, agencies and partner organisations operating on behalf of the federation.

Legal Framework

The federation must comply with all relevant statutory UK and European Union legislation, including the following:

- Human Rights Act 1998;
- Common law duty of confidence;
- Equality Act 2010;
- Education (Pupil Information) Regulations 2008;
- Education Act 1996;
- Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004;
- Re-use of Public Sector Information Regulations 2015.

Links with other policies and procedures

This policy is supported by other policies including the following:

- Records Management Policy;
- Information Security and Confidentiality Policy;
- Complaints Policy;
- Freedom of Information Publication Scheme;
- Department for Education - Schools Complaints Unit - Complain about a School or Child-minder https://www.gov.uk/complain-about-school/state-schools
- Department for Education - Education Funding Agency - https://www.gov.uk/government/organisations/education-funding-agency

Freedom of Information Act 2000

Schools have two main responsibilities under the FOIA, as follows:

- produce a Publication Scheme;
- deal with individual requests for information.

The FOIA provides a right of access to anyone to all recorded general information held by a school. This includes paper records, emails, information stored on computer, audio records, photographs, handwritten notes or any other form of recorded information.

Information is considered to be held if it relates to the business of the school and has been created or received by the school or if it is being held by another organisation on behalf of the school.

A Code of Practice under section 45 of the FOIA provides recommendations for schools about their handling of requests for information.

Freedom of Information Request for Information

Requests for information under the FOIA:

- must be in writing;
- must provide the requester's real name and a correspondence address;
- must describe the information being requested;
- should ideally state the format the requester would like to receive the information in;
- do not have to mention the FOIA in the request.

Any request that cannot be answered promptly as part of normal day to day business or where the requester asks for it to be handled under FOIA will be treated as a potential FOIA request.

The federation aims to acknowledge requests within 5 school days and respond to requests within 20 school days, or 60 working days if this is shorter. This timeframe starts on the next school or working day after the request is received. School days are any days when pupils are in attendance and working days are any day other than Saturday, Sunday, public holidays, bank holidays, school holidays and training days when pupils are not in attendance.

If the request genuinely cannot be understood, clarification will be promptly sought from the requester and the response time will not start until the request is understood and agreed.

Requests for information under the FOIA can be refused for reasons including:

- the information is not held;
- it would cost too much or take up too much of someone's time;
- the request is considered vexatious;
- the request is considered repeated.

Details about the FOIA fee limit and how it is calculated and any other charges that may apply are shown as Appendix E. If a fee is due this will also be promptly requested and the response timeframe will be put on hold until payment is received.

Information can also be withheld from a requester if one or more of the exemptions listed in the FOIA, as shown in Appendix A apply.

If we can release the requested information, we collate it, advise that the information is held and provide a copy in a format requested if this is reasonably practicable. Information is redacted, if for example someone would be identified who should not be. If we are unable to provide some or all information we explain why in writing within the permitted timeframe.

If the information being released is a dataset wherever possible we provide it in a re-usable format. Datasets requested under FOIA are made available via the Publication Scheme with regular updates, unless this is not practical.

We provide advice with each request about how to make a complaint and how to appeal to the ICO.

Environmental Information Regulations 2004

Schools have two main responsibilities under the EIR, as follows:

- to proactively publish environmental information in an accessible electronic format whenever possible;
- deal with individual requests for environmental information.

The definition of environmental information is set out in Appendix D.

The EIR provides a right of access to both individuals and organisations to recorded environmental information held by a school. This includes paper records, emails, information stored on computer, audio records, photographs, handwritten notes or any other form of recorded information.

Information is considered to be held if it relates to the business of the federation and has been created or received by the federation or if it is being held by another organisation on the federation's behalf.

The Code of Practice on the discharge of the obligations of public authorities under EIR sets out good practice recommendations for handling EIR requests.

Environmental Information Regulation Requests for Information

Requests for information under the EIR:

- can be verbal or in writing;
- must provide a name and contact address;
- must describe the information being requested;
- should ideally state the format the requester would like to receive the information in;
- does not have to mention the EIR in the request.

Any request that cannot be answered promptly as part of normal day to day business or where the requester asks for it to be handled under EIR will be treated as a potential EIR request.

The federation aims to acknowledge requests within 5 school days and respond to requests within 20 working days, but this can be extended to 40 working days for complex or voluminous requests. This timeframe starts on the next working day after the request is received. Working days are any day other than Saturday, Sunday, public holidays, bank holidays as set out by the Financial Dealings Act 1971.

If the request genuinely cannot be understood clarification will be promptly sought from the requester and the response time will not start until the request is understood and agreed.

Requests for information under the EIR can be refused for reasons including:

- the information is not held;

- the request is considered manifestly unreasonable;
- the request is considered repeated.

Details about any charges that could apply are shown in Appendix E. If a fee is due this will also be promptly requested and the response timeframe will be put on hold until payment is received.

Information can also be withheld from a requester if one or more of the exceptions listed in the EIR and as shown in Appendix B applies.

If we are able to release the requested information, we collate it, advise that the information is held and provide a copy in the format requested if this is reasonably practicable. We redact information, if for example someone would be identified who should not be. If we are unable to provide some or all information we explain why in writing within the permitted timeframe.

If the information being released is a dataset wherever possible we provide the dataset in a re-usable format. Datasets requested under EIR are made available via the Publication Scheme with regular updates, unless this is not practical.

We provide advice with each request about how to make a complaint and how to appeal to the ICO.

Re-use of Information
Anyone can ask to re-use information that has already been made accessible by a school. Requests should be made in writing and will be responded to within 20 working days, as set out by the Re-use of Public Sector Information Regulations 2015 (RPSI).

In the spirit of transparency information will be made available for re-use free of charge whenever possible.

Data Protection Act 2018
Schools have a responsibility under the DPA to deal with individual requests for recorded personal information. These are known as Subject Access Requests or SARs and might be made for employee or pupil information.

The DPA also sets out exemptions from the right to make a SAR to access personal information and exemptions that work the opposite way around and mean the school can release an individual's personal information to a third party. An example being when personal information connected to the prevention and detection of crime could be released to the police. Requests for third party personal information are generally made relying on the DPA exemptions in section 29 or section 35 of the DPA. Further information on DPA exemptions can be found in Appendix C

SAR requests can also be made by a third party with the permission of the person to whom the information relates. Children are generally considered mature enough to make their

own request from 12 years of age. At this point or younger in some cases the response will be sent to the child. If a child is not considered mature enough generally an adult with parental responsibility could make the request on their behalf, but this is a case-by-case decision based on what is in the best interests of the child.

Personal information is defined by the DPA as that which could identify someone either directly or by being put together with other information reasonably available to the requester.

Pupil Information Regulations
Maintained schools have a responsibility under the Pupil Information Regulations (PIR) to deal with requests for access to Education Record information. Academies or Independent Schools are not covered by these Regulations but can opt to deal with such requests as a SAR request.

The PIR sets out a series of exemptions that allow all or some information from the Education Record to be withheld.

The Education (Pupil information) (England) Regulations 2005 gives parents of children who attend maintained schools a right to access their child's educational records. This means that if a parent of a child at a maintained school submits a written request for a copy of their child's educational record, the school must respond within 15 school days.

Data Protection Act Subject Access Requests and Requests for Information in the Education Record
Article 15 of the GDPR provides an individual with a right to be informed, on request, whether or not Personal Data concerning them is being processed and if so to access to the Personal Data.

A formal request from a data subject for information that a school holds about them must be made in writing. A Subject Access Request can be made by anyone including pupils, parents, staff, governors and members of the public.

Following receipt of a Subject Access Request, and provided that there is sufficient information to process the request, an entry is made in the federation's subject access log book, showing the date of receipt, the data subject's name, the name and address of the requester (if different), the type of data required (e.g. Student Record, Personnel Record), and the planned date for supplying the information (not more than one calendar month from the request date).

Should more information be required to establish either the identity of the data subject (or agent) or the type of data requested, the date of entry in the log will be the date on which sufficient information has been provided.

If more time is needed to respond to complex requests, an extension of another two months is permissible, provided this is communicated to the data subject in a timely manner within the first month.

The federation aims to acknowledge requests within 5 school days.

If the request genuinely cannot be understood clarification is promptly sought from the requester and the response time will not start until the request is understood and agreed.

Details about any charges that could apply are shown in Appendix E.

If we can release the requested information, we collate it, advise that the information is held and provide a copy. The information provided is in the format requested if this format is reasonably practicable. Sometimes we need to redact information, if for example someone would be identified that should not be. If we are unable to provide some or all information we explain why in writing within the permitted timeframe.

If the federation receives duplicate SAR requests, we are within our rights to refuse additional requests.

Data Protection Section 29 and Section 35 Requests for Information
Requests for third party personal information can be made under Section 29 or Section 35 of the DPA. Section 29 requests can be made by organisations that have a crime prevention, law enforcement or tax collection function. Section 35 requests if the information is required under another law, an enactment or court order or in connection with ongoing or prospective legal proceedings. Requests:

- must be in writing;
- must provide the requester's real name and address and proof of identification;
- must clearly describe the information being requested;
- should ideally state the format the requester would like to receive the information in;
- how the information would assist the requester.

The federation aims to acknowledge requests within 5 school days. Requests must then be responded to within a reasonable amount of time, and we aim to do so within 40 consecutive days.

If the request genuinely cannot be understood clarification is promptly sought from the requester and the response time will not start until the request is understood and agreed.

DPA Section 29 and Section 35 requests for information are considered on a case-by-case basis and on occasion a school may decide not to release information without a court order.

Details about any charges that could apply are shown in Appendix E.

If we can release the requested information, we collate it, advise that the information is held and provide a copy. The information provided is in the format requested if this format is reasonably practicable. If we are unable to provide some or all information we explain why in writing within the permitted timeframe.

We provide advice with each request about how to make a complaint and how to appeal to the ICO for DPA related complaints and the Department for Education for Pupil Information Regulation Complaints.

Datasets

A dataset is defined by the ICO as:

> *'A collection of factual information in electronic form to do with services and functions of the authority that is neither the product of analysis or interpretation, nor an official statistic and has not been materially altered'.*

Duties relating to datasets were added to the Act by the Protection of Freedoms Act 2012.

Publication Scheme

The Model Publication Scheme for schools that is approved by the ICO has been adopted and commits schools to publish certain information and to:

- make the Publication Scheme and the information in it available to the public;
- explain how information can be obtained and if there is a charge;
- publish any dataset that has been released in response to a request for information in a re-usable form;
- make any published datasets that are 'relevant copyright works' where the school is the only owner available for re-use under a specified licence, which may be chargeable, but, if possible, will be free under the Open Data Licence;
- routinely review and update all published information, including dataset information, unless in the case of datasets it is not appropriate to do so.

The following category of information is published in the Publication Scheme:

- who we are and what we do;
- what we spend and how we spend it;
- what our priorities are and how we are doing;
- how we make decisions;
- our policies and procedures;
- lists and registers (including datasets);
- services offered.

Information including the following will not generally be published in the Publication Scheme:

- information prevented from disclosure by law or by an exemption under the FOIA, EIR or DPA;
- information that is no longer readily available including that which has been archived or is difficult to access for similar reasons;
- information that is not held;

- where it would not be practical to publish or it would be too resource intensive.

Contact Details
All requests for information should be made in writing to the federation Business Manager.

Advice and assistance on how to make a successful request can be obtained by contacting the federation Business Manager.

Roles and Responsibilities
The Executive Headteacher has the following responsibilities:

- promoting compliance with this policy and therefore the FOIA;
- producing and publishing the school's Publication Scheme;
- assisting managers in compliance with the FOIA;
- carrying out request for information Internal Reviews (complaint investigations);
- processing requests for information and responding to the requester.

Request for Information Complaints
The federation is determined to ensure that its services are as efficient and effective as possible. If anyone considers their request has not been dealt with in a satisfactory manner it will be reviewed using the federation's Complaints Policy.

Complaints are investigated by way of an internal review and we generally aim to ensure that the complainant receives a response within 20 working days. This can be extended to 40 working days for complex complaints. The requester is kept informed of any extensions.

Anyone not happy with the outcome of the council's internal review may appeal to the ICO or Department for Education, using the following contact details:

The Information Commissioner (ICO)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 01625-545700 / Fax: 01625-545510

Department for Education - Complain about a School or Childminder - https://www.gov.uk/complain-about-school/state-schools for appeals related to a request for the Education Record from a maintained school.

Department for Education - Education Funding Agency
https://www.gov.uk/government/organisations/education-funding-agency for appeal related to a request for the Education Record from an academy where the complaint is not related to the Data Protection Act 1998.

Audit
This policy and any associated procedures are audited periodically to ensure compliance.

Monitoring and Review
This policy and all supporting procedures are reviewed as it is deemed appropriate but no less frequently than every 12 months and re-approved every 2 years.

Appendix A - Freedom of Information Exemptions

The Act has a series of exemptions that may allow information to be withheld, as follows:

- 'Absolute' exemptions - information will not be disclosed under any circumstances;
- 'Qualified' exemptions - a public interest test will be carried out and the information will only be withheld if the public interest in not disclosing is greater than the public interest in disclosing.

Some of the 'qualified' exemptions are also subject to a prejudice test, which must be carried out before the information can be considered exempt. This test considers whether harm will or is likely to be caused if the information is released.

Absolute Exemptions

1. Information accessible to the applicant by other means (section 21)
2. Security Matters (Section 23)
3. Court Records (Section 32)
4. Parliamentary Privilege (Section 34)
5. Conduct of public affairs in relation to parliament (Section 36)
6. Communications with Her Majesty and awarding of honours (Section 37)
7. Personal information (Section 40)
8. Information provided in confidence (Section 41)
9. Other legal prohibitions on disclosure (Section 44)

Qualified Exemptions

1. Information intended for future publication (Section 22)
2. National security (Section 24) - prejudice based
3. Defence (Section 26) - prejudice based
4. International relations (Section 27(1)) - prejudice based
5. International relations - relating to information obtained from another state (Section 27(2))
6. Relations with the UK (Section 28) - prejudice based
7. The economy (Section 29) - prejudice based
8. Investigations and proceedings conducted by public authorities (Section 30)
9. Law enforcement (Section 31) - prejudice based
10. Audit functions (Section 33) - prejudice based
11. Formulation of government policy (Section 35)
12. The effective conduct of public affairs (Section 36) - prejudice based
13. Communications with Her Majesty - to the extent not absolute (Section 37)
14. Health and safety (Section 38) - prejudice based
15. Environmental information (Section 39)
16. Personal information - to the extent not absolute (Section 40)
17. Legal professional privilege (Section 42)
18. Commercials interests - which apply to trade secrets (Section 43(1))
19. Commercial interests (Section 43(2)) - prejudice based.

Appendix B - Environmental Information Regulation Exceptions

The Regulations have a series of exceptions that may allow information to be withheld, as follows:

- 'Absolute' exemptions - there is one exception that falls into this category that applies to requests for personal information and it means that this information will not be disclosed under any circumstances;
- 'Qualified' exemptions - a public interest test will be carried out and the information will only be withheld if the public interest in not disclosing is greater than the public interest in disclosing.

Information on emissions into the environment is subject to more limited exceptions than other environmental information.

Under the Regulations there is an express presumption in favour of disclosure meaning that information should be made available unless there is a very strong reason for it not to be.

Regulation 12(3)

1) **Personal information.**
   Applies where the personal information of a third party is requested.

Regulation 12(4) - Information can be withheld if:

2) **Information is not held when the request is received.**
   Applies if the information is not held at the point the request is made.
3) **Request is manifestly unreasonable.**
   The request is considered vexatious or is so large as to be unreasonable.
4) **Request is too general.**
   Can only be used after advice and assistance has been offered to the requester to help refine or clarify the request.
5) **Information which is unfinished or in the course of being completed.**
   Where information is intended for future publication where the expected date of completion can be advised.
6) **Request involves the disclosure of internal communications.**
   To protect information created during internal thinking time.

Regulation 12(5) - Information can be withheld if:

7) **Disclosure would affect international relations, defence, national security or public safety.**
   Applies where harm could be caused by releasing the specified information.
8) **Disclosure would affect the course of justice, the ability of a person to receive a fair trial or ability of a public authority to conduct or criminal or disciplinary enquiry.**
   Where releasing information would harm the course of justice or the right of an individual to a fair trial.
9) **Intellectual property rights.**

If the release of information could seriously damage the rights given under trademarks and patents, for example.

10) **The confidentiality of the proceedings of a public authority where such confidentiality is protected by law.**

To be used where confidentiality is protected by law and not where information is simply marked 'confidential'.

11) **Commercial or industrial confidentiality where such confidentiality is provided by law to protect a legitimate economic interest.**

Where such confidentiality is provided by law to protect a legitimate economic interest and it can be proven that the person or organisation would suffer a real commercial or competitive disadvantage if the information were released.

12) **The interests of the supplier of the information.**

Where the provider of the information did so voluntarily and was not under (and could not have been put under) a legal obligation to supply the information and also did not give consent to its disclosure.

13) **The protection of the environment to which the information relates.**

Releasing the information could have a detrimental effect on the environment.

It is also our right to refuse requests from the Data Subject, when those requests have been repeated or similar and unreasonably close in time. Also, if there would be a "disproportionate effort" involved in our responding.

Appendix C - Data Protection Exemptions

The DPA exemptions are complex. In some cases, the exemption removes an individual's right to make a Subject Access Request (SAR), in other cases the exemption means personal information can be released to a third party, other exemptions mean there is no requirement to provide a privacy notice and a further set of exemptions mean that there is no need to register with the Information Commissioner.

The DPA exemptions that are most applicable to schools are summarised below:

1) **Section 29 - Crime and Taxation**
   If information is processed for the purposes of the prevention or detection of crime; the apprehension or prosecution of offenders; the assessment or collection of tax or duty it is exempt from principal one of the DPA and also from the Data Subject's right of access. This also means that if information is required for such purposes, then it may be disclosed to a third party.
2) **Section 34 - Disclosures Required by Law**
   If an organisation is required to disclose personal information under any UK enactment, any rule of common law or by an order of a court or tribunal it is exempt from principle one of the DPA. This means for these purposes it could be disclosed to a third party.
3) **Section 35 - Legal Advice and Proceedings**
   If an organisation is required to disclose personal information in connection with ongoing or prospective legal proceedings, to allow the obtaining of legal advice or to establish, exercise or defend legal rights it is exempt from principle one of the DPA. This means for these purposes it could be disclosed to a third party.
4) **Schedule 7 - Confidential References**
   Personal information in a confidential reference given by an organisation is exempt from a Data Subject's right of access. This does not apply to references received by an organisation.
5) **Schedule 7 - Management Information**
   Personal information that is being used for management forecasting or planning is exempt from a Data Subject's right of access if release is likely to harm the organisation.
6) **Schedule 7 - Negotiations**
   Personal information that is part of a record of the organisations intentions in negotiations is exempt for a Data Subject's right of access if release is likely to harm the negotiations.
7) **Section 30 - Personal Information in Educational Records**
   Personal information that is part of an Educational record is exempt for a Data Subject's right of access if release is likely to cause serious harm to the physical or mental health of the data subject or someone else.
8) **Schedule 7 - Examination Marks and Scripts**
   Personal information in the form of exam marks is exempt from a Data Subject's right of access until 40 days after publication of results or 5 months after the request has been made, whichever is sooner.
   Personal information in the form of a pupil's responses to exam questions is exempt from a Data Subject's right of access. Comments made by an examiner are not exempt.

Appendix D - Environmental Information Definition

a) The state of the elements of the environment - e.g. air, atmosphere, water, soil, land, landscape and natural sites such as wetlands, coastal and marine areas, biological diversity and the interaction of these elements;
b) Factors affecting (or likely to affect) the environment - including energy, noise, radiation, waste, emissions, discharges and other releases into the environment.
c) Measures - such as policies, legislation, plans, programmes, environmental agreements and activities affecting or likely to affect the elements and factors referred to above;
d) Reports - on the implementation of environmental legislation;
e) Economic analyses - including cost benefit and other economic analyses and assumptions used within the framework of measures and activities referred to in (c);
f) The state of human health and safety - including the contamination of the food chain, conditions of human life, cultural sites and built structures insofar as they are or may be affected by the state of the elements of the environment referred to in (a) or through those elements by any of the matters referred to in (b) or (c).

Appendix E - Information Request Charging

1) Freedom of Act 2000 and Environmental Information Regulation Charges

a) Freedom of Information Fee Limit Calculation (Not applicable to EIR)

This fee limit is reached under FOIA if it is estimated that the time taken to carry out the following four activities would exceed 18 hours of employee time, based on a £25 per hour rate regardless of job grade.

The same calculation is used to determine the fee if a request remains over the fee limit but it is agreed that we proceed with the request on payment of a fee by the applicant:

- determining whether the information requested is held;
- locating the information;
- retrieving the information;
- extracting the information to be disclosed (including the cost of materials used for editing redacting information, but not including staff time for this task).

The following costs cannot be included in this calculation:

- checking whether the request meets the requirements of the FOIA;
- locating information due to poor records management practice;
- considering the application of an exemption;
- applying a public interest test;
- obtaining internal or external legal advice;
- considering whether a request is vexatious or repeated;
- repeating an activity already undertaken;
- employee time for editing or redacting information;
- obtaining authorisation to provide information;
- calculating any fees to be charged;
- issuing a fees notice;
- providing advice and assistance.

b) Charges under other Legislation

If information is requested where other legislation permits a charge will be chargeable.

c) Publication Scheme

Information made available through the Federation's Publication Scheme where a charge is published will be chargeable.

d) Disbursement Costs

A reasonable charge may be made to cover the actual cost of communicating information to the requester. These charges can be made up of the cost of the following (other similar charges may also be included but it should be noted that a school is not permitted to charge for staff time):

- reproducing any document containing the information, e.g. printing or photocopying;
- postage and other forms of transmitting the information;

- providing information in a particular format where the applicant has expressed a preference for the means of communication and where this is reasonably practicable.

If these charges are applied the federation will publish details of how these charges are calculated, times when they will not be applied, what will not be included in the calculation and when refunds would be considered.

e) Data Protection Section 29 and Section 35 Requests
An administration fee may be charged for these requests and will be published by the Federation.

2) Requests to Re-use Information
Any charges associated with requests to re-use information already made accessible, will be advised on application. Where possible in the spirit of transparency information will be made available for re-use free of charge.

3) Data Protection Act 2018 Charges
No fee will be charged for Subject Access Requests for personal information. However, a 'reasonable fee' will be charged when a request is "manifestly unfounded or excessive, particularly if it is repetitive.

If any part of the request relates to the Education Record that is held at a maintained school, please see the Pupil Information Regulation Charges section.

4) Pupil Information Regulation 2008 Charges
If any part of the request relates to the Education Record held by a maintained school, the charge will depend on the number of pages being released on a sliding scale of £1 for 1-19 pages to £50 for 500+ pages.

There is no charge to inspect an Education Record at a maintained school, if no copies are required.

Appendix F - Pupil Information Regulation Exemptions

The following exemptions exist under the Pupil Information Regulations and they allow information to be withheld in certain situations when requests are made for information in an Education Record held by a maintained school.

Below is a summary of these exemptions:

1) **Data Protection Act 2018**
   Information can be withheld where the school is able to withhold it under the Data Protection Act 2018.

2) **Serious Harm to Physical or Mental Health**
   Information can be withheld if releasing it would be likely to cause serious physical or mental harm to the requester or another person.

3) **Child Abuse**
   Information can be withheld about whether the child is or has been subject to or may be at risk of child abuse, where disclosure would not be in the best interests of the child.

4) **Court Information**
   Information provided to a court can be withheld.