

Freedom of Information Act 2000

Definition document for the governing bodies of maintained and other state-funded schools in Wales

This guidance is written for the use of all schools in Wales that are subject to the Freedom of Information Act 2000 (FOIA). If you are a sixth form college, you may opt to use either this definition document or the one for [colleges of further education](#), as appropriate to your constitution. However, you must make clear which document you are using.

You might find this guidance useful if you are developing your own guide to information. Alternatively, if you are a small school, you may use the template guide to information for the schools sector available on the [definition documents](#) page on the ICO's website.

The guidance gives examples of the kinds of information that the ICO would expect you to provide in order to meet your commitments under the FOIA model publication scheme.

The ICO expects you to make the information in this definition document available unless:

- you do not hold the information;
- the information is exempt under one of the FOI exemptions or Environmental Information Regulations 2004 (EIR) exceptions, or its release is prohibited under another statute (eg UK GDPR);
- the information is readily and publicly available from an external website. Such information may have been provided either by you or on your behalf. You must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or
- it would be impractical or resource-intensive to prepare the material for routine release.

If the information is held by another public authority, you should provide details of where to obtain it.

The guidance is not meant to give an exhaustive or definitive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and you should look to

provide as much information as possible on a routine basis.

As a minimum, the ICO expects you to make available information that is required by statute or by the Welsh Government or by virtue of a funding agreement. The ICO would not expect schools that are subject to a funding agreement to provide information contrary to its provisions.

Publishing datasets for re-use

As a public authority, you must publish under your publication scheme any dataset you hold that has been requested, together with any updated versions, unless you are satisfied that it is not appropriate to do so. So far as reasonably practicable, you must publish it in an electronic form that is capable of re-use.

If the dataset or any part of it is a relevant copyright work and you are the only owner, you must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.

The [2018 Section 45 Code of Practice](#) recommends that public authorities make datasets available for re-use under the [Open Government Licence](#).

The term 'dataset' is defined in section 11(5) of FOIA. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of FOIA. The ICO has published guidance on [Datasets \(sections 11, 19 and 45\)](#). This explains what is meant by "not appropriate" and "capable of re-use".

Model publication scheme

The table below identifies the specific information the ICO expects you to publish under each of the seven classes of information set out in the [model publication scheme](#).

Class 1 – Who we are and what we do
Organisational information, structures, locations and contacts.
Information in this class to be current information only.
• Instrument of government • School prospectus

The contents of the school prospectus and curriculum, as required by the Welsh government and in accordance with the [School Information \(Wales\) Regulations 2011](#).

An outline of the school curriculum.

- **Governors' annual report to parents**
- **Governing body**

Make available the names of the governors, and the basis on which they have been appointed, along with details of how to contact them via the school.

- **Gender pay gap reporting**

Read the Government's guidance on the [gender pay gap reporting](#) to find out what information you need to publish. Publish this data annually if you have a head count of 250 staff or more.

- **School session times and term dates**

Provide details of school session times and dates of school terms and holidays.

- **Location and contact information**

The address, telephone number, email address and website for the school together with the names of key personnel.

Class 2 – What we spend and how we spend it

Financial information about projected and actual income and expenditure, procurement, contracts and financial audit.

Make available financial information for the current and previous two financial years.

- **Annual budget plan and financial statements**

Provide details of the sources of funding and income provided to the school and the school's annual income and expenditure returns.

Provide details of items of expenditure over £5,000, including costs, supplier and transaction information. Publish this at least annually, or if practical for you to do so, on a quarterly or six-monthly interval.

- **Capital funding**

Provide information on major plans for capital expenditure. Provide details of the capital funding allocated to or by you together with information on related building projects and other capital projects. You should include any private finance initiative and public-private partnership contracts.

- **Financial audit reports**

- **Procurement and contracts**

Provide details of procedures used for the acquisition of goods and services, including details of contracts that have gone through a formal tendering process.

- **Staff allowances and expenses**

Provide details of the allowances or expenses that can be incurred or claimed for all staff. Include the total of the allowances and expenses paid to individual staff members by reference to categories. You should produce this information in line with your policies, practices and procedures. You must at least include travel, subsistence and accommodation.

- **Staff pay and grading structures**

You can provide this as part of your organisational structure. As a minimum, include the details of senior staff salaries in bands of £5,000. For all other posts, identify levels of pay by salary range.

- **Governors' allowances**

Provide details of allowances and expenses that can be incurred or claimed, and a record of total payments made to individual governors.

- **Premiums or other forms of financial support available**

Provide details of any premiums you receive, or any other forms of financial support received such as for free schools meals or pupil deprivation grants.

Class 3 – What our priorities are and how we are doing

Strategies and plans, performance indicators, audits, inspections and reviews.

As a minimum, provide current information.

- **School profile, including:**
 - performance targets by key stage, absence rates and targets data supplied to the Welsh Government and the relevant local authority;
 - non-specified targets; and
 - the latest full Estyn report, including an executive summary and action plans.
- **Performance management information**

Provide details of your performance management policy and procedures as adopted by your governing body.

- **Future plans**

Include details of your school development plans and strategies for improvement in line with the [Education \(School Development Plans\) \(Wales\) Regulations 2014](#).

- **Data protection impact assessments (in full or summary format) or any other impact assessments (eg health and safety impact assessments, equality impact assessments), as appropriate and relevant.**

Class 4 – How we make decisions

Decision-making processes and records of decisions.

Make information in this class available at least for the current and previous three years.

- **Admissions policy or decisions**

Your admission arrangements and procedures, together with information about the right of appeal. You do not have to publish individual admission decisions. However, if you hold such information, publish information on application numbers or patterns of successful applicants, including criteria on which applications were successful. If you are not your own admissions authority, provide a direct link to the relevant page on the local authority's website.

- **Exclusion policy**

Your framework for regulating the circumstances under which pupils may be expelled from the school.

- **Minutes of meetings of the governing body and its committees**

Publish, as soon as practicable, the minutes, agendas and papers considered at such meetings, unless an exemption applies to the information or parts of it.

Class 5 – Our policies and procedures

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

Information in this class to be current only.

- **School policies and other documents**

Include relevant policies such as your behaviour policies, eSafety and anti-bullying policies. As a minimum, include policies, procedures and documents that you are required to have by statute, by the Welsh Government or by your funding agreement or equivalent. You should also include policies and procedures for handling requests for information and operating the publication scheme.

- **Records management and personal data policies**

Include information security policies, records retention, destruction and archive policies, and data protection (including data sharing and CCTV usage) policies.

- **Safeguarding and child protection**

Provide details of the policies and procedures that you have put in place to ensure that you exercise your functions with a view to safeguarding and child protection, including by promoting the welfare of children, in compliance with the legislation and any guidance issued by the Welsh Government.

- **Equality and diversity**

Include policies, schemes, statements, procedures and guidelines relating to equal opportunities.

- **Welsh language standards**

Include details of how you comply with the requirements of either the Welsh Language Act 1993 or the Welsh Language Measure (Wales) 2011, or both.

- **Health and safety**
- **Pay policy statement**

The statement of your policy and procedures regarding pay, including your approach to any performance related pay and to providing support for lower paid staff. Publish this information in line with the [transparency of senior salaries in the devolved public sector](#).

- **Policies and procedures for the recruitment of staff**

Make readily available details of current vacancies if these are advertised as part of recruitment policies.

- **Charging regimes and policies**

Provide details of any statutory charging regimes, including charging for school activities. Include charging policies about charges made for information routinely published. As part of your charging policy, clearly state what costs you are recovering, the basis on which you made them, and how you calculate them.

If you charge a fee for licensing the re-use of datasets, state in your guide to information how this is calculated and whether the charge is made under the Re-use Fees Regulations or under other legislation. You cannot charge a re-use fee if you make the datasets available for re-use under the Open Government Licence.

- **Customer service and complaints procedures, including parental complaints**

Class 6 – Lists and registers

Information to be in currently maintained lists and registers only.

- **Curriculum circulars and statutory instruments**

Statutory instruments (for example regulations), departmental circulars and administrative memoranda sent to the head teacher or governing body concerning the curriculum.

- **CCTV**

Details of the locations of any overt CCTV surveillance cameras operated by you or on your behalf. You should decide on the level of detail which is appropriate. This could be by building or more general geographic locations, eg postcodes or partial postcodes, depending on the security issues raised.

- **Asset register**

Make available some information from capital asset registers, if you hold such registers.

Any information you are currently legally required to hold in publicly available registers

Class 7 – The services we offer

Information about the services the school provides including leaflets, guidance and newsletters.

Generally, this is an extension of part of the first class of information and may also relate to information covered in other classes.

As part of this class, you can include:

- **Extra-curricular activities**
- **Out of school clubs**
- **School publications**
- **Services for which you are entitled to recover a fee, together with those fees**
- **Leaflets, booklets and newsletters**