

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 3 August 2023

Public Authority: The Governing Body of Roundhay School
Address: Old Park Road
LEEDS
LS8 1JX

Decision (including any steps ordered)

1. The complainant has requested information from Roundhay School (the School) relating to the number students excluded or directed off site.
2. The Commissioner's decision is that, on the balance of probabilities, the School does not hold the requested information.
3. The Commissioner does not require further steps.

Request and response

4. On 6 February 2023, the complainant wrote to the School and requested information in the following terms:

"1. How many pupils have been excluded, moved off-site to Alternative Provision on a long-term basis or removed from RHS's rolls, for Y9 and Y10? To be broken down by race, ethnicity, age, gender from 2014-2015 to present.

2. How many pupils have been directed off-site to Alternative Provision for the improvement of behaviour and how many of those students have been integrated back into Roundhay High School at the end of their time limited placement. To be broken down by race, ethnicity, age and gender, from 2014-2015 to present.

3. Report on numbers of Black Minority Ethnic boys and girls excluded /

directed offsite to Alternative Provisions across all years compared to white students, from 2014-2015 to present.”

5. The school responded on 14 March 2023. It provided the requested information from the 2015/16 academic year onwards but stated that it did not hold the information for the 2014/15 academic year.
6. Following an internal review, the School wrote to the complainant on 4 May 2023. It stated that it was upholding its position.

Scope of the case

7. The complainant contacted the Commissioner on 13 June 2023 to complain about the way their request for information had been handled.
8. The Commissioner considers that the scope of his investigation is to consider whether, on the balance of probabilities, the School holds the information for the 2014/15 academic year.

Reasons for decision

Section 1 general right of access

9. Section 1 of FOIA states that:

“Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him”.

10. The Commissioner has sought to determine whether, on the balance of probabilities, the School holds the information for the 2014/15 academic year.
11. The school explained to the Commissioner that the reporting of alternative provision placements became a required part of the termly school census in January 2023, this included any placements which were active on or began after 6 October 2022. Therefore, the School’s management system only holds records in this form from this time.

12. The School admitted to the Commissioner that it had misinformed the complainant in a previous response. It had stated that information was held at the required level of detail for the whole of the requested timeframe. It later clarified that due to a system change, it didn't hold this information for the whole time period requested, but did hold information from September 2015.
13. The school further advised that although data (which formed part of the government determined common transfer file) was migrated between systems, information prior to September 2015 only had basic information. For example, the attendance data only included attendance marks. There were no comments relating to time spent off-site. No enrolment history was transferred between systems, which would have been needed to have identified any individuals dual registered at another institution.
14. Finally, the census reports available prior to the system change only show headline totals and would not include the identity of pupils or their characteristics. The school concluded that based on the above, the requested information was not held.

The Commissioner's decision

15. Given the explanations provided and the fact that the School disclosed data for the remaining eight of the nine years' worth of data requested, the Commissioner sees no reason to believe that the School is not attempting to be transparent.
16. Based on the above information, the Commissioner is satisfied that, on the balance of probabilities, the School does not hold the information for the 2014/15 academic year. In order to have responded to the request, the School would have needed to know, not just how many pupils had been dual registered or excluded, but which pupils they were. Without such information, it would have been unable to breakdown any overall numbers that it did hold in the way the complainant is seeking.

Right of appeal

17. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

18. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
19. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed
Roger Cawthorne
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF