

Chief Executive's Office

Ms Catherine MacArthur
62 Broadwater Road
London
N17 6ET

Corporate Complaints
Town Hall
Mulberry Place
5 Clove Crescent
London E14 2BG

Enquiries to: **Ruth Dowden**
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www.towerhamlets.gov.uk

3 February 2010

Dear Ms MacArthur

Stage 3 Complaint 1-43705841
FOI - Compromise Agreements Signed by Teachers and Heads since 2004

I am writing to let you know that Isabella Freeman, Assistant Chief Executive, has completed the investigation into your complaint.

Your request was made 4 November 2009 and asked for

“Under the FOI Act 2000, I would like to know how many teachers, and Head Teachers have:

- 1) *Signed a compromise agreement since September 2004.*
 - 2) *How many of these resulted in the termination of their employment with yourselves, the council.*
 - 3) *How long they had been working for the Educational Service in your Council.*
 - 4) *How old they were on their day of leaving.*
- I would be grateful if you could let me know if there is a cost to this request.”*

The Council issued a Refusal Notice under the Freedom of Information Act on 1 December 2009 advising that the effort required to comply with the request as made would be in excess of the appropriate limit under the fees regulations. We had estimated, in our notice, that the work would cost £750, far in excess of the £450 limit.

Your complaint was made on 1 December 2009 and asked that we consider our costs on the basis that other public authorities had provided the information to you, and that

you believed that the information should be in the public domain. I will refer to these points separately

(1) Other local authorities providing the information

Other local authorities may keep a list of all compromise agreements, however the London Borough of Tower Hamlets does not. Therefore any attempt to fulfil your request would have involved a significant amount of effort, and hence the refusal on cost grounds. There would also be financial expenditure retrieving archived material in order to undertake this work. Freedom of Information requests are for information held by the public authority at the time the request was made.

(2) The information should be in the public domain

The Council's commitment to information being in the public domain is clear. Firstly it publishes substantial information on its website (and through other media), some of which is signposted from the Freedom of Information Publication Scheme. However, whilst we are aware that the answering of a Freedom of Information request places information into the public domain, the fees regulations ensure that the authority can manage its resources effectively. The regulations also ensure that we do not spend a disproportionate amount of time and money placing information into the public domain at the expense of other activity.

It may be that the Council decides to collate and publish this information itself at a later date, and outside of Freedom of Information request timescales. However it is under no obligation to do so.

Thank you again for bringing this to my attention. Please contact Ruth Dowden on the above number if you have any queries on the contents of this letter.

A copy of this correspondence will be placed on the "What Do They Know?" website at your request.

Yours sincerely



Kevan Collins
Chief Executive

If you feel that we have not properly dealt with your complaint, you have the option to contact the Information Commissioner's Office at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
Telephone: 01625 545 700 www.informationcommissioner.gov.uk