



HILLINGDON

LONDON

Ms Catherine MacArthur
request-22563-818d6f97@whatdotheyknow.com
By Email

Our Ref: 3E/04/RI/FOI/1581

1st December 2009

Dear Ms McArthur

Re: Freedom of Information Request

I am writing in response to your email dated 24th November 2009 requesting an internal review to our response to your Freedom of Information request dated the 20 November 2009. As I did not deal with your original request; I have dealt with the internal review on behalf of the Principal Corporate Lawyer in this instance.

As I understand it you were requesting 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.*

In our response to your request dated 20th November 2009, we refused your request pursuant S12 of the Freedom of Information Act 2000 (FOIA) stating that to respond to your request would be over the appropriate limit of £450 as specified in the Freedom of

Legal Services
Deputy Chief Executive's Office
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London Borough of Hillingdon,
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Rajesh Alagh (Borough Solicitor) - LL.B (Hons), Dip.L.G.

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Information and Data Protection (Fees and Appropriate Limit) Regulations 2004 (the Regulations).

In your request for internal review you have stated that:

Most other Councils from whom I have had a response or an acknowledgement, have either supplied me with this information, or are reviewing their position at no extra cost, all within 20 days.

In section 16 of the FOI Act, authorities are asked to provide "advice and assistance". Please let me know if a particular aspect of my request is difficult, and if so, perhaps you would consider responding to a part of my request.

I have looked into this matter, and I am of the opinion that Ms Sharma's refusal of your request under S12 of the FOIA was correct in this instance. I am satisfied that for the London Borough of Hillingdon to respond to any part of your request would take over 18 hours to locate, retrieve and extract the information requested and as such would be over the appropriate limit as laid down in the Regulations.

The basis for this decision is that we do not maintain a separate central record of compromise agreements we have entered into with Teaching Staff and, therefore, to answer any part of your request would involve examining the records of all teaching staff employed during the period specified. By way of explanation we currently employ over 2,000 full time and part time teaching staff, so I hope you can appreciate the scale of the task involved in locating, retrieving and extracting the information requested.

I acknowledge that we have a duty under S16 of the FOIA to provide advice and assistance to applicants and, in regards to S12, this would extend to assisting applicants to narrow down or refine their requests to bring them under the appropriate limit. However, in this instance, given how the records are structured, I can not see how a more refined request for this information can be made. Nonetheless, I can inform you that as a result of your request we have identified that a central record of this information will need to be kept in the future.

If you are not happy with my response you should put your complaint in writing to:
Principal Corporate Lawyer, Legal Services, Civic Centre, High St, Uxbridge, UB8 1UW.

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply to the Information Commissioner for a decision. The Information Commissioner can be

contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Yours sincerely

Richard Ingle
**Data Protection &
Freedom of Information Officer**