

Robert MacLean  
By email to request-780-f75859fe@whatdotheyknow.com

**Date** 7 August 2008  
**Our reference** FOI/001/08

Dear Mr MacLean

### **Complaint about the Learning and Skills Council**

I am writing further to previous correspondence regarding your complaint about the Learning and Skills Council (LSC) following your request for information under the Freedom of Information (FOI) Act. The complaint which was agreed and has been investigated is:

***I find it impossible to believe that the LSC has spent such a huge sum on Common Purpose Training but cannot readily name those who benefited from the expenditure. I believe that the Human Resources Department of most large organisations would keep a record of which employees had attended which courses. It seems inconceivable that within the Learning & Skills Council such a system does not exist.***

I am aware that your request under the FOI Act was received by the LSC on 20 June 2008. You made a request for "... total expenditure by the Learning and Skills Council on Common Purpose courses for each of the following years: 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007 and 2008 to date" and "...a copy of the invoice for each Common Purpose course paid for by this organisation".

A response to your request was sent to you on 8 July 2008. The information requested in the first part of your request was provided for the dates 2001 to date, as the LSC only came into force on 1 April 2001.

#### **Learning and Skills Council**

Cheylesmore House Quinton Road Coventry CV1 2WT  
T 0845 019 4170 F 024 7682 3675 [www.lsc.gov.uk](http://www.lsc.gov.uk)

You were advised that the cost of searching for the information in the second part of your request would significantly exceed the appropriate cost limit and therefore the LSC would not comply with this part of your request.

Following the above response, you made a further FOI request dated 8 July 2008 asking for "... a list of names and job titles of those who have attended the Common Purpose training for which the expenditure you have summarised relates". The LSC responded to your request on 10 July 2008 confirming that the cost of identifying the information would exceed the appropriate cost limit and therefore had decided not to comply with the request.

External training events delivered by specific training organisations and attended by LSC employees have not historically been recorded on a computerised employee database system, but have been maintained in paper form in individual files for each LSC employee and therefore the information requested was not readily available. The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 instruct a public authority to assess the cost by taking into account work incurred for searching and locating the information. The rate to be applied in the assessment is £25 per hour. The LSC assessed the cost to be £25 per hour x 55 = £1375.

Section 12 of the FOI Act 2000 makes provision for public authorities to refuse a request for information where the cost of dealing with the request would exceed the appropriate limit, which for the LSC is set at £450.

I can confirm that the LSC introduced a new Human Resources system in 2008 for LSC employee data, which will include future learning and development information in individual files for each LSC employee, but not the historic information you requested.

In light of the above I believe the LSC has undertaken a reasonable assessment of the costs allowed under section 12 of the FOI Act and reasonably concluded that those costs would exceed the appropriate cost limit. The LSC is therefore under no statutory obligation to comply with your requests.

Although the LSC could not readily provide you with the information requested, the new system as described above will hold records of learning and development activity undertaken by LSC employees, as agreed between the employee and the line manager. The information will therefore be stored as part of the employee file, personal to that individual, but it will not be mandatory to record the name of the training provider as part of the record.

In light of the above I do not uphold your complaint about the LSC.

If you remain dissatisfied you can make a complaint about the LSC's administration by writing, via your local MP, to the Parliamentary Ombudsman at: Office of the Parliamentary Commissioner for Administration, Millbank Tower, Millbank, London, SW1P 4QP.

Alternatively if you wish to make a complaint about non-compliance with the FOI Act, you can write to The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Complaints Co-ordinator  
[complaints@lsc.gov.uk](mailto:complaints@lsc.gov.uk)