



Education & Skills
Funding Agency

Education and Skills Funding Agency
Sanctuary Buildings
Great Smith Street
London SW1P 3BT

Reference: FOI 2018-0023438

25 July 2018

Sent via email – request-487432-40444a25@whatdotheyknow.com

Dear Ms Downs,

Thank you for your request for information, which was received on 25 May 2018. You requested:

I should be grateful if you could reveal the names of academy trusts receiving advances to enable them to achieve financial stability in the financial years 2016/17 and 2017/18.

I should also be grateful if you could let me know:

- 1. The total amount of advances awarded in financial year ending 31 March 2018.*
- 2. The names of academy trusts receiving loans under CIF and the amount each one received.*

My sincere apologies again for the lateness of our response to your request. We are taking action to ensure the administrative error that caused this does not happen again.

I have dealt with your request under the Freedom of Information Act 2000 ("the Act").

Responding to your request in order. The Department holds the names of the academy trusts in receipt of advances in the financial years 2016/17 and 2017/18 but this information is being withheld under S36(2)(c) of the Act.

Under Section 36(2)(c), the Department is not required to provide information, if in the reasonable opinion of a qualified person (a Minister in the case of Government Departments) disclosure of the information under the Act would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

In relation to your request, a Minister has decided that, in his reasonable opinion, disclosure of this information is likely to have this prejudicial effect and therefore the exemption in Section 36 applies.

Section 36 is a qualified exemption and therefore a public interest test has been carried out. In doing so the following factors have been taken into consideration:

There is a public interest in the accountability of public finances and ensuring they represent value for money; and this is reflected in the requirement that trusts publish annual audited accounts.

However, as the regulator, the ESFA needs to be able to engage with trusts on financial issues to enable them to stabilise their financial position and preserve the effective

education of children. Advances form a potential part of this engagement and it is in the greater public interest that trusts and the ESFA have a safe space to see this engagement through.

The arguments for and against release have been considered and it has been decided that the balance of public interest falls in favour of the maintenance of this exemption.

On your second question, I can disclose that trusts received £4,734,656.00 of advances in FY 2017/18, this represents 0.03% of the total allocated GAG for that year. I would like to note that advances to trusts are not additional funding. They are a cash movement intended to assist a trust experiencing a short-term negative cash flow. An advance to a trust is an advance on its General Annual Grant (GAG), which is allocated to the trust for that year. The 2017/18 allocations are available [here](#). With each advance, there will be a mutually agreed schedule of repayments, which are expedited as a monthly reduction of GAG. More information on advances for academies can be found [here](#).

Regarding your request for the names of academy trusts in receipt of Condition Improvement Fund and the amount received, the names of recipients are published at the addresses below:

<https://www.gov.uk/government/publications/condition-improvement-fund-2015-to-2016-outcome>

<https://www.gov.uk/government/publications/condition-improvement-fund-2016-to-2017-outcome>

<https://www.gov.uk/government/publications/condition-improvement-fund-2017-to-2018-outcome>

<https://www.gov.uk/government/publications/condition-improvement-fund-2018-to-2019-outcome>

The amount of CIF Funding received by each trust is being withheld under S.22 - information intended for future publication - of the Act,

Section 22 provides for information to be exempt from disclosure where the information is held by the Department with a view to its publication by the Department or any other person at some future date. The information was held at the time your request was made, and it is reasonable in all the circumstances that the information should be withheld until that date.

Section 22 of the Act is a qualified exemption which means that a public interest test needs to be carried out, and in doing so the following factors have been considered:

It is acknowledged that there is a general public interest in disclosure because of the need for there to be open and transparent government and that the sharing of information with the public should be free and open.

However, the Department has already determined that it will publish the amount of CIF funding in due course.

It is not reasonable for the Department to be expected to release piecemeal information in advance of its planned timetable and planned publication, and there is a strong argument in favour of allowing everyone to view this information at the same time. If it were to

release this information as requested, on varying occasions, this would result in partial information being released over a protracted period leading to confusion and inaccuracy.

The arguments for and against release have been considered and it is our view that the balance of public interest falls in favour of the maintenance of this exemption in relation to the information relating to this request

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

If you are unhappy with the way your request has been handled, you should make a complaint to the Department by writing to me within two calendar months of the date of this letter. Your complaint will be considered by an independent review panel, who were not involved in the original consideration of your request.

If you are not content with the outcome of your complaint to the Department, you may then contact the Information Commissioner's Office

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Emily Simons', with a stylized flourish at the end.

Emily Simons
Deputy Director – Academies National Operations
Education and Skills Funding Agency