



Education & Skills
Funding Agency

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

Reference: FOI 2019-0014295/0016296

09 May 2019

Sent via email – request-566862-c011954f@whatdotheyknow.com

Dear Ms Downs,

Thank you for your requests for information, which were received on 08 April 2019. You requested:

"I should be grateful if you could give me details of academy trusts receiving advances to enable them to achieve financial stability in financial year 2018/19:

- 1 Total amount*
- 2 Names of trusts receiving these loans*
- 3 Amount of each loan*
- 4 Conditions of repayment (eg repayment deadline, interest)"*

and

"I should be grateful if you could let me have details of non-repayable grants to academy trusts to stabilise their finances in the financial year 2018/19:

- 1 Total amount*
- 2 Names of trusts*
- 3 Amounts which each trust received"*

We have dealt with your requests under the Freedom of Information Act 2000 ("the Act"). Please be advised that we are issuing one response to both of your requests, given that they were submitted at the same time and the topics of your requests are linked.

The Department holds the information about the trusts in receipt of "loans" (recoverable funding) and "grants" (non-recoverable funding) from April 2018 to March 2019 (financial year 2018/19) but it is being withheld under S36(2)(c) of the Act.

Under Section 36(2), 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 be likely otherwise to prejudice the effective conduct of public affairs.

In relation to your requests, a Minister has decided that, in their reasonable opinion, disclosure of the information relating to the trusts in receipt of deficit funding in financial year 2018/19 is likely to have this prejudicial effect and therefore the exemption in Section 36 applies.

Section 36(2)(c) 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 academy trusts' finances and ensuring

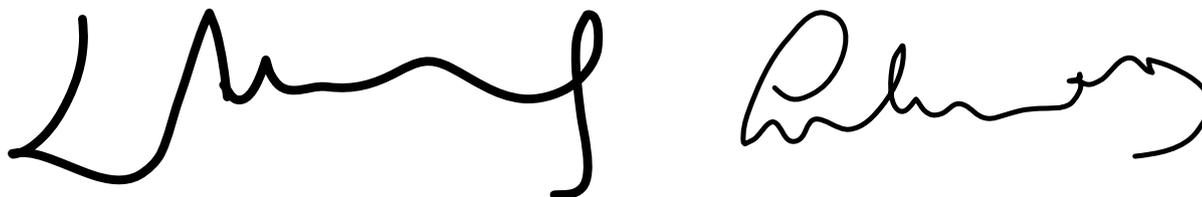
they represent value for money. This is reflected in the requirement that academy trusts publish annual audited accounts. However, our primary concern, and we believe the greatest public interest, is in ensuring that financial issues do not affect schools' provision and that the education of children is protected. As the regulator, the ESFA needs a safe space to be able to engage with trusts on live, complex financial issues and to support them with stabilising their finances. Release of this data has the potential to prejudice this ongoing work and therefore disclosure is not in the public interest.

If you have any queries about this letter, please contact us. Please remember to quote the reference numbers 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 us 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,



Lindsey Henning/Emily Simons

Deputy Director, Policy, Operational performance and Strategy