

## Summary of the Review Meeting

**Internal review reference: 2019-0018030**

**Internal review date: 20 May 2019**

### **Request:**

#### Request

Dear Department for Education

Companies House records show that a charge relating to Isle of Portland Aldridge Community Academy Trust has been 'partially satisfied'.

The trust has now dissolved.

I should be grateful if you could let me know how much IPACA paid to partially satisfy the charge.

I should also be grateful if you could let me know what happens to the unsatisfied part of the charge. The academy was taken over by Aspirations Academy Trust but there is no charge listed in relation to this trust.

Yours faithfully,

J Downs

#### Response

Dear J Downs

### **Freedom of Information Request**

Thank you for your request for information, which we received on 15 April 2019. You requested to know how much the Isle of Portland Aldridge Community Academy Trust paid to partially satisfy the charge recorded on Companies House. You also requested to know what happens to the unsatisfied part of the charge.

I have dealt with your request under the Freedom of Information Act 2000. The Department does not hold the information you requested and is therefore not able to provide you with further information. I recommend contacting Companies House as they may hold the information you have requested.

If you have any queries about this email, 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 email. Your complaint will be considered by an independent review panel, which 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  
Tanya Arkle  
Deputy Director  
ESFA Academies Operational Delivery – South West

**Request for Internal Review received 10 May 2019 (2019-0018030):**

Dear Department for Education,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Department for Education's handling of my FOI request 'Unsatisfied charge relating to Isle of Portland Aldridge Community Academy Trust' (IPACA).

I am not convinced the DfE does not have information about charges in favour of the Secretary of State for Education or that the DfE doesn't keep a record of any consideration given when charges are satisfied or partially satisfied.

Company House documentation relating to the charge says any payment should be sent to 'the credit of such account as the Lender [the Secretary of State for Education] may designate'. The Statement of Satisfaction in Part or in Full relating to IPACA was submitted by a solicitor acting for the 'Chargor', that is the person granting the charge (ie the SoS).

I am, therefore, requesting an internal review.

A full history of my FOI request and all correspondence is available on the Internet at this address:

[https://www.whatdotheyknow.com/request/unsatisfied\\_charge\\_relati...](https://www.whatdotheyknow.com/request/unsatisfied_charge_relati...)

Yours faithfully

J Downs

**Internal Review Panel:**

- Mark Foley – (ESFA Academies Operational Delivery and panel Chair) the Chair is a suitably senior official and independent of original request. The Chair will consider whether the original request had been undertaken properly
- [REDACTED] – Senior FOI Compliance Manager
- [REDACTED] – Official who dealt with original request
- [REDACTED] – Official's line manager

**Approach:**

Reason for the review: Respondent is challenging information not held by the Department

The official talked through the timeline and actions (see annex A) taken to find the requested information.

**Review Conclusions:**

The panel decided that this FOI request had been handled correctly insofar as the official exhausted all areas available to find the information requested.

An action was decided for the official to communicate with the law firm listed on the partial charge legal document, to ask who from the Department of Education the firm worked with. Upon further investigation with the law firm, the panel would review and conclude whether the information requested is not held by the Department.

Annex A – Timeline and actions taken by official to complete FOI request

FOI timeline and actions			
Date	Action	Date	Outcome
16-Apr	FOI received		
17-Apr	Case discussion with G7		
17-Apr	Checked SharePoint folders - information not found		
17-Apr	Email sent to RSC team to see if information held	17-Apr	Response from RSC team that no emails or documents found relating to this request
17-Apr	Email forwarded from RSC team to Central Delivery Unit (RSC)	17-Apr	Response from ██████, advised to speak to ██████
17-Apr	Email sent to Real Estate Team to see if information held	17-Apr	Response from Real Estate Team - not this team's area. No information available
17-Apr	Update sent to G7 on case		
17-Apr	Email sent to LAO to seek advice if we would hold this information	17-Apr	Response from LAO - advising that we should hold information, to contact the Land Transaction Team
17-Apr	Email sent to Land Transaction Team (as advised by LAO)	17-Apr	Response from Land Transaction Team - charge not recalled. Forward email to ██████ & ██████.
17-Apr	Email forwarded from Land Transaction Team to Legal Counsel (██████)	17-Apr	Response from ██████ (Legal Counsel) - details of previous case info, nothing relating to this project. Advised to check with wider legal team
23-Apr	Email sent to Wider Legal Team - as advised by ██████		
23-Apr	Email sent to original AMSD case lead (now back from annual leave) with case details		
29-Apr	Email to chase response to Wider Legal Team	29-Apr	Response from ██████ (wider legal team). Also phone call - unable to shed any light on this case. Advised it would have been ARDD/AMSD decision
29-Apr	Email sent to G7 & G6 to update on case progress. Asked whether the case should be handled by Capital legal team	29-Apr	Response from G6 that possible case should be led by Capital, however as we accepted the FOI, may not be able to transfer it. [Advise from ██████ - it would have been ARDD & AMSD decision]

30-Apr	Email sent to ██████ (Real Estate Team) to follow up on process for land charge	01/05/19 Phone call	Response from ██████ via phone - believes there to be an error on Companies House
30-Apr	IPACA submission sent by original case lead - reviewed for the decision on part charge. No clear information held		
02-May	Draft letter response - information not held - sent to G7	03-May	G7 content for response to go to PIRAS
07-May	Letter sent to PIRAS for comment	07-May	Response from PIRAS - asking for additional info - why does the DfE not hold info
07-May	Email sent to ██████ - to seek advice on questions from PIRAS	07-May	Response from ██████ via email to explain possible error on Companies House
07-May	Email sent to PIRAS with ██████ comments - Companies House error	08-May	Response from PIRAS - content with update from ██████ and letter
08-May	Email sent for DD approval	08-May	Email response about how the individual can find out the information
08-May	Email response to DD to explain error on Companies House		
08-May	Email sent to PIRAS to check on amendment to recommend that Companies House may hold information	08-May	Response from PIRAS on updated letter - content with addition
09-May	Email sent to DD for approval for tweak made	09-May	Response from DD - approved