



Standards
& Testing
Agency

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www.gov.uk/sta

Email enquiry form:

www.education.gov.uk/contactus/sta

Date: 24 October 2018

Correspondence reference: 2018-0035136

Dear Ms Tye

Thank you for your request for information, which was received on 29 August 2018.

You requested the following information:

"I would like to request any documents pertaining to the possible maladministration of Phonics testing, KS1 and KS2 SATs testing at Our Lady Catholic Primary School, Hitchin SG5 1XT between 2006 and 2018. I understand there was a closed STA maladministration investigation in 2017 which found no loss of integrity to Test results between 2014 and 2016.

I would also like to request documentation pertaining to the John Henry Newman School, Stevenage SG1 4AE amending results of pupils from the above feeder school due to maladministration from 2017 onwards and to the present day."

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

The Department holds the information you have requested, but it is being withheld because the following exemptions apply:

Section 36 – Prejudice To Effective Conduct Of Public Affairs

Under Section 36, the Department is not required to provide information, if in the reasonable opinion of a qualified person (a Minister in the case of a Government Department) 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 their reasonable opinion, disclosure of this information under the Act:

Would, or would be likely to inhibit –

- i) the free and frank provision of advice, or

- ii) the free and frank exchange of views for the purposes of deliberation - Section 36(2)(b) or,
- iii) Would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs – Section 36(2)(c).

Section 36 is a qualified exemption and therefore a public interest test has been carried out. In considering the public interest test the following factors have been taken into account.

- It is acknowledged that there is a general public interest in disclosure because of the need for there to be an open and transparent Government, and the sharing of information with the public should be free and open.
- The release of information could result in people being reluctant to respond to maladministration investigations honestly in the future and be unwilling to engage with ongoing maladministration investigations. STA's informants (and those involved in the investigation) need to be confident in the knowledge that the information they provide will not be released and their identity protected.
- The release of this information could cause negative public prejudice against the reputation of the school, which may impact the staff, children and parents.
- The release of this information may discourage people from contacting STA to report maladministration.
- The release of this information would otherwise prejudice, or would likely prejudice the conduct of public affairs and investigations such as the school's governing body, local authority or the Teaching Regulation Agency (TRA) investigations and disciplinary hearings.
- The release of this information may also affect on-going professional relationships with stakeholders (for example, local authorities) that STA work with to undertake aspects of maladministration investigations. It may make STA's stakeholders reluctant to release / provide information if it is likely to be released into the public domain.

The arguments for and against release have been considered and it is STA's view that the balance of public interest falls in favour of the maintenance of these exemptions. This is because after considering the relative weight of the arguments for and against disclosure, STA has decided that the argument against release outweighs the benefit to the public of releasing it.

Under s36(3) of the Act the Standards and Testing Agency can neither confirm or deny whether there has been any request by the John Henry Newman School to change KS2 test results at *Our Lady Catholic Primary School* due to maladministration.

If you have any queries about this letter, please contact me using the details listed above. 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.

If you have any queries, please do not hesitate to contact STA at STA.maladministration@education.gov.uk or 0300 303 3013.

Yours sincerely,

Faye Mccotter

Maladministration Project Manager