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Information Management
Shire Hall
Warwick
CV34 4RL

Telephone 01926 412211

Email xxxxxxxxxxxx@xxxxxxxxxxxxx.xxx.xx

Please ask for Bruce Green

Our ref: 3834762

Your ref:

Date: 12th November 2018

Dear Sir / Madam

Freedom of Information Act 2000

Your request for information has been considered by Warwickshire County Council under the Freedom of Information Act 2000. I can confirm that some of the information you have requested is held by Warwickshire County Council. Please see below for further details.

However, please be advised we are unable to provide all of the information you have requested. This is because some of the information you have requested is not held by Warwickshire County Council.

Also, we would consider that some of the information you have requested is exempt under Section 43 (Commercial Interests) of the Freedom of Information Act 2000. Please see below for further details and explanation.

You asked us:

Freedom of Information request - Eleven Plus Test publication on Website.

I seen many reports about eleven-plus tests and how the Council uses the same test many time for same entry year. I find this unusual.

***I seen on the elevenplus forum site at web address
<http://www.elevenplusexam.co.uk> questions from tests being posted by KenR.***

Can you answer questions below

i) a) Can you tell me if there has been any study by this Council that what has

been published on this site as being some of the questions on 2015 and 2016 test exam used in Warwickshire grammar school is really test questions or not or partly test questions?

No formal study has been conducted by Warwickshire County Council, therefore no information is recorded and held. However, the Council is aware of this website and monitors the content on a regular basis.

Regarding the part of this question that asks whether these are real test questions or not - Warwickshire County Council consider that the qualified exemption set out in Section 43(2) (Prejudicial to commercial interests) applies to this information requested as part of question 1a above. Therefore, we have decided to withhold this information. In applying this exemption, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

Factors in favour of disclosure:

- Transparency in respect of how the Council spends public money;
- Enabling public scrutiny in ensuring that the Council is securing the best use of public resources.

Factors in favour of withholding:

We consider that this exemption applies because disclosure of the information requested could prejudice third parties' commercial interests in a free market place.

Although Warwickshire County Council is no longer using the tests from 2015 and 2016, our test providers, in this case University of Durham, will keep such questions to utilise in the future. As a result, questions from these test papers could well be used for other Local Authorities who purchase services from them, either now, or in the future.

Therefore, the Council considers that in all circumstances, on balance the public interest favours withholding the information at this time.

Please treat this letter as a refusal notice in accordance with Section 17 of the Freedom of Information Act 2000, in respect of the part of question 1a above which asks whether these are real test questions or not.

b) If there was study (2015 and 2016 post) then on what date was the study and who did the study and did they compare actual paper with what is published by KenR (or was there no point in checking as nobody sits test so late)?

Not applicable - no study has been carried out.

ii) Has Council given permission to this <http://www.elevenplusexams.co.uk> website to capture test question from paper by parents giving to them or not? If so when?

No.

iii) Has Council given permission to this <http://www.elevenplusexams.co.uk> website to publish what parent given them on much later time? If so, when?

No.

iv) To how many company's or people has Council given permission to, for them to capture test questions from parents whose child tell them after test?

None.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within 40 days of the date of receipt of the response to your original letter and should be addressed to:

Information Management
Shire Hall
Warwick
CV34 4RL
xxxxxxxxxx@xxxxxxxxxxxxx.xxx.xx

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Phone: 0303 123 1113
Website: www.ico.gov.uk

I will now close your request as of this date.

Yours faithfully

Bruce Green
Information Rights Officer