



REF: TKATFOI012201

Refusal Notice – Section 12 Freedom of Information Act 2000

Section 12 of the Freedom of Information Act 2000 allows a public authority to refuse a request if the cost of providing the information to the applicant would exceed the 'appropriate limit' as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004:

“12 Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit”.

The Regulations provide that the appropriate limit to be applied to requests received by public authorities is £450. In estimating the cost of complying with a request for information, an authority can only take into account any reasonable costs incurred in:

“(a) determining whether it holds the information,

(b) locating the information, or a document which may contain the information,

(c) retrieving the information, or a document which may contain the information, and

(d) extracting the information from a document containing it”.

For the purposes of the estimate the costs of performing these activities should be estimated at a rate of £25 per person, per hour.

We believe that it would take a considerable amount of time to extract and collate the information requested. The information you have requested is not held centrally and is held at our secondary academies, currently totaling some 15 establishments. Each academy would have to assign a staff member to search records for the information going back several years. As per your latest request, this will still require an individual at each secondary school to interrogate systems for students with different types of exclusions, then break them down by their SEN characteristics, FSM status and Ethnicities, all this for 3 separate academic years.

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If each staff member took only two hours to collate the data, the costs would still exceed £750 almost double the appropriate limit. Considering your assertion that without these questions disclosed in full, the request as a whole would not be much use to you , we do not believe we would be able to provide you with any meaningful information within the appropriate limit.

As a result, we are refusing your request under section 12 of the Freedom of Information Act 2000