

2 September 2020

Simon Miller

Our reference: CAS-441448-0KHRH1

By email:

[request-682802-  
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Dear Mr Miller

## **Your request for information**

Thank you for your emails of 8 August 2020 in which you requested the following information via the whatdotheyknow website:

'I would like to see the inspection notes and evidence base used in compiling the 12th-13th March 2013 full report and the 23rd November 2017 short report for Roehampton Church School, Roehampton, London.'

## **The Freedom of Information Act**

We have dealt with your request in accordance with the Freedom of Information (FOI) Act 2000. The first requirement of the Act is that we should confirm whether we hold information of the description set out in your request.

I can confirm that we no longer hold the full evidence base for either inspection of the school, in line with our retention policy. In the case of the 2017 inspection, however, we do still hold electronically-completed summary evaluation forms.

Under the FOI Act, we must provide you with all the information we hold which falls within the scope of your request, unless it is 'exempt' information.

We are able to disclose the summary evaluation forms from the 2017 inspection to you in part, with some personal data of identifiable individuals removed. This personal data includes that of children, staff and inspectors, and has been removed under section 40(2) of the FOI Act. These individuals would not expect their personal data to be made public and it would be unreasonable to do so without their knowledge or consent. This is explained in full in Annex A below, and the disclosed summary evidence is attached.

Please note that as the evidence for the 2017 inspection is no longer held in full, and the summary forms have been redacted to protect the personal information of individuals who contributed to the inspection, the evidence cannot represent a full picture of all the evidence used by the inspectors in reaching their judgements.

I trust that this letter clearly explains our position. If you have any queries about our response, please contact me at [informationrequest@ofsted.gov.uk](mailto:informationrequest@ofsted.gov.uk) and I will do my best to address them.

If you are dissatisfied with our response or the handling of your request, you may request a formal internal review. Details of how to do this are set out in Annex B at the end of this letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Nicola Tanner".

Nicola Tanner  
Information Access Officer  
Ofsted Information Rights and Access Team

## **Annex A – Exempt information**

On this occasion, as explained briefly above, we have concluded that the exemption at section 40(2) applies to some of the information we hold.

### ***Section 40(2)*<sup>1</sup>**

Section 40(2) of the FOI Act applies to any requested information which is personal data. Personal data is defined, within the GDPR, as being “any information relating to an identified or identifiable natural person [...] who can be identified, directly or indirectly [...]”.

Section 40(2) of the FOI Act sets out a number of conditions which, if they apply to the personal data, mean that it cannot be disclosed to the public. The first such condition is where disclosing the personal data to the public “would contravene any of the data protection principles”. We think this condition is relevant to this request.

The data protection principles, as set out in Article 5(1) of the GDPR, require that personal data shall be processed lawfully, fairly and in a transparent manner. If no lawful basis can be found, our processing will contravene this principle. In order to process personal data fairly, Ofsted must only handle it in ways that people would reasonably expect; and not use it in ways that have unjustified adverse effects.

A small amount of information contained on the summary forms consists of information about individuals who can be identified. This includes information about staff, pupils and the inspector(s).

The information gathered during the inspection is used solely for the purpose of informing judgements about the standards of education being provided. The individuals who spoke with, or were observed by an inspector, or whose data was viewed during the inspection, would all justifiably expect that their information would be protected by Ofsted and that it would be used only for this purpose. They would not expect that information about them would be shared with the public at large.

Disclosure of information under the FOI Act has the same effect as publication. It would be unfair to share the personal data of these individuals with the public, and we consider it is likely to cause distress or have an adverse effect on them. We have therefore concluded it would not be appropriate for such information to be disclosed.

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2000/36/section/40>

## **Annex B - Next steps**

Please note, we currently have limited access to our offices, so we cannot accept correspondence by post.

If you are dissatisfied with our response or the handling of your request, you may request a formal internal review. In order to do this, please write to Richard McGowan at [informationrequest@ofsted.gov.uk](mailto:informationrequest@ofsted.gov.uk) setting out which areas of the response you are unhappy with.

If you are not content with the outcome of the internal review, you have the right to apply to the Information Commissioner for a decision as to whether we have complied with our obligations under the FOI Act with respect to your request. The Information Commissioner can be contacted at:  
<https://ico.org.uk/global/contact-us/>