

Mr John Robertson
robertsoncaff@btconnect.com

Date: 20th May 2008
Our Ref: FOI.08.3099

Dear Mr Robertson

Freedom of Information Request – Internal Appeal

I refer to your recent appeal request dated 22nd April 2008.

I can now confirm that an independent review of your request was undertaken on 20th May 2008. Officers on the panel were Brian T Scott, Head of Corporate Governance, Mike Harding, Legal Services Manager, Brian Dawson, Corporate Assurance Manager and Head of Internal Audit and Marie Galloway, Records Management Team Leader (who was there to defend her decision but whom is not part of the panel)

After a further review of your request a decision has now been taken to uphold the original decision by Ms Marie Galloway.

For the purposes of the Freedom of information Act 2002 (FOI), South Tyneside Council is the holding body for the retention of the school governors meeting minutes, which have been produced and supplied to the Council on behalf of Jarrow School. Under these circumstances the Council does not hold ownership of these records but rather the school. In this situation, the request must be transferred to Jarrow School for the School Governors to consult on.

However, for the purposes of the FOI Act, if the Council did hold the information the refusal would still be upheld on the basis that the information is regarded as extremely confidential. Exemptions 40 and 41 of the Act, which were stipulated in the original decision, would be relied upon for refusal.

Information Commissioner

Should you remain dissatisfied with the outcome of the appeal you can write to the Information Commissioner to ask for an independent review of your requests at the following address: Information Commissioner, Wycliffe House, Water Lane, Wilmslow, SK9 5AF. Please quote the above reference number in all correspondence to the Information Commissioner.

For information purposes, the Information Commissioner is the Government's Independent Body responsible for overseeing the Data Protection Act 1998 and the Freedom of Information Act 2000. More details about the Information Commissioner can be obtained from the Information Commissioner's website at www.informationcommissioner.gov.uk.

If you have any further queries regarding this matter then please do not hesitate to contact me.

Yours sincerely

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