

Public Interest Test – Freedom of Information Act 2000
Case No. 1393 and 1438
Further Information

Requestor:	Matt Hupfield and Amanda Goldston
Request:	Request a copy of the 6 questions and 60 question DCSF Elective Home Education questionnaire.
Exemptions to be considered:	S36 (2) (b) and (2) (c)

Background Information

The following information is provided by Lian Stibbs, Access to Information Officer to inform the panel of the background information to this case.

Two requests for a copy of the County Councils response to the DCSF's questionnaire responding to Elective Home Education Provision have been received. Along with factual information, the questionnaire asks staff to provide their view on the service/parents. The 60 question version is held by [REDACTED] (PA to Peter Traves). She has informed me that we did not respond to the 6 question version. Response is optional and the DCSF have stated that responses will be confidential. The DCSF have applied the above exemption and will not release. However, the release of questionnaire from a number of LA's is a subject of interest amongst home educating parents.

Statement(s) from Interested Parties

The following statement has been made by Iain Campbell (DCSF) in support of withholding information in this case.

'[I] confirm that we will be treating the information contained in the LA replies to the questionnaire as exempt from disclosure under the freedom of Information Act. The exemption from disclosure is under section 36(2)(b) of the Act, in that disclosure of the information would, or would be likely to, inhibit the free and frank provision of advice or the free and frank exchange of views for the purposes of deliberation and under section 36(2)(c) of the Act, in that disclosure would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs'.

The following statement has been made [REDACTED] in support of withholding information in this case.

'Sarah McCarthy-Fry –minister (Labour MP for Portsmouth) had placed the exemption [for the DCSF]'.

The release of this could potentially damage the positive relationships developed with parents / EO over the past 10 years [in that opinion is provided].

The only argument for release comes from Home Educating Parents who feel that they have a right to know what is contained within the questionnaire. , 'I as a home educating parent, have a right to know what they wrote because it affects our family' – Amanda Goldston.

Peter Traves has stated he is 'personally happy' to release the questionnaire, however, when informed that a public interest test was to take place he replied with 'fine'.