

My Ref: IG-12334
Your Ref:
Contact: Freedom of Information Team
Email: FOI@nottinghamcity.gov.uk



Nottingham
City Council

Freedom of Information Team
Information Compliance
Legal & Governance
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Requester

At contact address specified for request number above

Tel: 0115 876 4376

Email:

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www.nottinghamcity.gov.uk

10th June 2019

Dear Requester

Request under the Freedom of Information Act 2000 (the Act)

The council has considered your request, which was received on 21st May 2019 and our response to your questions is shown below.

Please could you provide me with the following information relating to school admissions for every state school or state school site within your local authority on both a) national offer day 2018 and b) national offer day 2019:

1. *The name of the school or school site*
2. *The DfE number or URN of the school*
3. *The Published Admissions Number of the school in that year*
4. *The total number of times the school was listed as a preference*
5. *The total number of offers made*
6. *The number of offers made to siblings of existing pupils*
7. *The number of offers made under any proximity, distance or "other children" oversubscription criterion*
8. *The name of the admission criterion under which the last successful applicant was admitted, e.g. "Distance"*
9. *The home-to-school distance and unit of measurement (and whether this measurement was straight line or walking distance) of the last successful applicant, where distance was used to prioritise this last place*
10. *Whether the school was oversubscribed in that year*

The council has determined that the requested information is exempt from disclosure in accordance with section 22(1) of the Act as it will be reasonably accessible to you by other means as it will be publically available.

The council publishes information regarding on time offers include all offers of school places for Primary and Secondary schools made to Parents/Carers and Guardians on National Offer Day. On time offers includes no of preferences, published admission numbers (PAN's) and places allocated. For all oversubscribed community schools the criteria on which school places are allocated is shown. Nottingham City Council is the



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admission authority for all community schools. The datasets shown are available for Primary and Secondary Schools by academic year. This data is updated annually and the data for National Offer day 2019 is due to be published in the near future, and will be available here:

<https://www.opendatanottingham.org.uk/dataset.aspx?id=141>

Section 22(1) of the Act states:

(1) Information is exempt information if—

(a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),

(b) the information was already held with a view to such publication at the time when the request for information was made, and

(c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

The council can confirm it holds the requested information. As per the link provided above the council has regularly published this information since 2014/15. The council intends to publish data for National Offer day 2019 annually as per our publication schedule. The council's motivation to regularly publish this information is twofold, transparency of council services and decisions but also to reduce the burden on the Schools Admissions team to have to provide this information on an ad hoc basis in response to Freedom of Information requests received by the council. The council therefore believes it is reasonable to withhold the information until its planned publication as part of the council's publication scheme. The timetable for publication requires internal consideration of the information prior to its public release. The timetable of publication has been considered in the work plan and priorities of officers in the Schools Admissions team, and it would be a significant amount of work to extract and review this information prior to its regular publication date.

Section 22 is a qualified exemption. This means that, even when requested information falls within it, the council must consider whether the public interest in maintaining the exemption is greater than the public interest in disclosing the information. The council acknowledge there is a public interest in ensuring the council is transparent about the schools admissions process. The council also acknowledge there is a public interest in an awareness of oversubscribed schools, and in turn the action taken by the council to provide every child with a school place.

However, the council believes maintaining its current publication timetable does not prohibit the above public interest arguments in favour of disclosure. Section 22 acknowledges that organisations must have freedom to be able to determine their own publication timetables. This protection is afforded whether it is the public authority itself or another individual, a company or another public authority, which intends to publish. This allows public authorities to deal with the necessary preparation, administration and context of publication. Publication of this data is regular and is guaranteed. Withholding the information in response to an FOI request allows the council the necessary preparation, administration and context of publication. In order to provide the requested information officers would have to prepare, extract and administer the requested information from reports. The council does not feel this would be an effective use of officer time as the majority of the requested information will be published and freely available in the near future. Releasing information outside of the publication timetable for this dataset undermines

the value of the council regularly publishing this data. For these reasons, the council feel it is appropriate in this case to maintain the exemption and withhold the requested information, as it will be published at a later date.

Please note that in relation to secondary school information, schools handle their own admission criteria. Nottingham City Council therefore do not hold all the information you've requested, however, please approach schools directly for that information.

The council is withholding the information as detailed above under section 22(1). Please accept this letter as a partial refusal notice issued in accordance with section 17 of the Act.

You are free to use any information supplied for your own personal use. If the information provided is marked as published under an [Open Government Licence](#) you are free to reuse it, subject to the licence terms. However, if the information is not published under an Open Government Licence and you wish to reuse it, for example, by publishing the information or issuing copies to the public you are required to request permission for re-use of this information under the Re-use of Public Sector Information Regulations 2005 (RPSI). Your RPSI request must be in writing and include your name and address for correspondence, and specify the information you want to re-use and the purpose you intend to use it for.

If you are unhappy with the response provided or with the handling of your request, you can ask for an internal review in writing stating the reasons for your dissatisfaction. Your request for an internal review should be made to the council within forty working days of the date of this letter. Please quote reference IG-12334 in all communications.

You can contact the Freedom of Information Team either by email: FOI@nottinghamcity.gov.uk or writing to the **Freedom of Information Team, Information Compliance, Legal & Governance, 2nd Floor, Loxley House, Station Street, Nottingham, NG2 3NG.**

If you remain unhappy after receiving the response to your initial complaint you can request an independent review from the Information Commissioner's Office at **FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.** You may also contact the Information Commissioner's Office by telephone on 01625 545745 or by email at mail@ico.gsi.gov.uk.

Yours sincerely

Freedom of Information Team
Legal & Governance
Nottingham City Council