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27<sup>th</sup> April 2021

Main number 020 8854 8888  
Textphone

Dear Mr Bright

**Re: FOI - Internal Review - 47024**

Thank you for your enquiry of 26/03/2021 where you requested an internal review of our response to the FOI-47024.

FOI Request

You submitted an FOI request dated 08/02/2021 as stated below, incorporated with the response to this request, which was issued to you on 19/03/2021:

I am requesting information, under the Freedom of Information Act, relating to services provided to the Inspire Academy Partnership Trust and information relating to the Leader of the Council, Cllr Danny Thorpe.

Specifically, I would like a response to the following questions:

1) In his role as the Leader of the council, has Cllr Danny Thorpe made complaints to employers of residents of the Royal Borough of Greenwich and, if so, how many complaints have been made?

**One**

2) Were any Chief Officers included in these complaints and, if so, how many and which Chief Officers?

**One**

3) Do council officers have access to and the ability to log into and post from the Royal Borough of Greenwich twitter account and, if so, how many council officers?

**Yes – the Communications Team operates the twitter account @ Royal\_Greenwich. Thirteen officers have access to the account.**

4) Do councillors have access to and the ability to log into and post from the Royal Borough of Greenwich twitter account and, if so, how many council officers?

**No. Councillors are not able to post from the Royal Greenwich twitter account.**

5) Does the Leader of the Council, Cllr Danny Thorpe, have access to and the ability to log into and post from the Royal Borough of Greenwich twitter account?

**No**

6) Is the twitter account @DanLThorpe of the Leader of the Council, Cllr Danny Thorpe, officially affiliated with the Royal Borough of Greenwich?

**This is a private account and is not associated with the Council.**

7) Does the Royal Borough of Greenwich hold original, copies (including screenshots) of Greenwich residents, members of the public or public twitter users on Royal Borough of Greenwich IT systems (including email communications)? If so how many instances of this exist on Royal Borough of Greenwich IT systems (including email communications)?

**Clarification rec'd for Q7 - "I require records pertaining to information processed and held on your IT systems, including email communication, as well as records pertaining to use of the social media platform Twitter."**

**The Council does not hold this information. However, in accordance with section 16(1) of the Freedom of Information, the Council has a duty to provide advice and assistance.**

**Section 16 states:-**

***16.—(1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do assistance. so, to persons who propose to make, or have made, requests for information to it.***

**Our response is below:-**

**The Council does not keep any files on Twitter users. However, we do monitor social media (including Twitter) and where issues are raised, we raise the matter concerned with departments so that these can be actioned/addressed by the department. The Communications service will then notify the customer when the issue has been resolved.**

**The Council holds records on its systems regarding Greenwich residents for a variety of purposes across all departments, such as council tax, housing, electoral records and more.**

8) Does the Royal Borough of Greenwich provide any services to Woodhill Primary School or the Inspire Partnership Academy Trust? If so, how many and which specific services are provided? What is the date of the commencement of these services?

- **No. of services provided**

**10**

- **List of services provided**

- 1. Primary Analysis Packs**
- 2. Music Hub**
- 3. Attendance Advisory Service**
- 4. Education Psychology Service**
- 5. NQT Induction Service**
- 6. Payroll**
- 7. Legal**
- 8. Greenwich Property - Fabric Package**
- 9. Greenwich Property - Maintenance Package**

**10. Energy Procurement**

- **Date of commencement**  
**1<sup>st</sup> September 2020**

9) Does the Royal Borough of Greenwich provide legal services to Woodhill Primary School or the Inspire Partnership Academy Trust? If so, what is the cost of these legal services?

**Yes, we do. No year has been specified so this year we charged Woodhill Primary £785.40 for 20/21**

10) Does the Royal Borough of Greenwich provide legal services to any academy trust or school that is not under Local Authority Control? If so what is the cost of these services and how many instances of this type of agreement exist?

**We have agreements with 5 academies including Woodhill. The total charge is £3,203.64.**

11) Has the Leader of the Council had complaints made relating to his conduct as a councillor? If so, how many complaints have been received by the Royal Borough of Greenwich?

12) Has the Leader of the Council, Cllr Danny Thorpe, been spoken to by the Metropolitan Police in relation to his conduct or compliance with the rule of law? If so, on how many occasions and what was this in relation to?

The information you have requested at questions 11 and 12 are exempt in accordance with section 40(5B)(a)(i) of the FOIA.

This section provides that the duty to confirm or deny whether information is held does not arise if it would contravene any of the principles relating to the processing of personal data set out in Article 5 of the UK General Data Protection Regulations 2004.

The Council considers that confirmation or denial of this information is disclosure of a third party's personal data.

Confirming or denying the requested information is held would contravene Article 5 (1)(a) which states that:-

Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.

In the absence of consent from the data subject for disclosure of his personal data to the world at large disclosure of such information would be unlawful, unfair and not in a transparent manner.

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**EMAIL RECEIVED ON 08/02/2021, AS FOLLOWS:**

I refer to your response of 8th February.

The clarification you have claimed you require in order to respond to this request existed in the information provided within my request of 3rd January.

I am concerned that you have unlawfully delayed the response to this request. I am therefore seeking all information within the scope of my request dated 3rd January in accordance with FOIA, 2000.

I am also seeking a full explanation outlining:

1. The reasons for requesting clarification given the information had been included in my request of 3rd January;
2. The reasons for delaying your response to the request in an apparent breach of FOIA.

**Internal Review**

On 26/03/2021 you emailed your request for an internal review as stated below, incorporated with the response to this Internal Review request:

Thank you for your response to my Freedom of Information request of 3rd January.

I am not satisfied that you have provided me with all of the information I am entitled to, in accordance with the Freedom of Information Act, and it would appear there are a number of inaccuracies and incomplete information in some of the responses you have given. I have also requested further information. I have outlined these below:

1. Were any Chief Officers included in these complaints and if so, how many and which Chief Officers?

The number of chief officers you have identified is incorrect according to data I hold. I am requesting the number of Chief Officers - those who hold senior responsibilities within the council. I have also requested which Chief Officers were included and involved in complaints. You will be aware that I have the right to receive information in relation to officers acting within their role in the council on matters of business.

**The Council has reviewed its records and the number is two not one as stated in our original response.**

2. Does the Royal Borough of Greenwich hold original, copies (including screenshots) of Greenwich residents, members of the public or public twitter users on Royal Borough of Greenwich IT systems (including email communications)? If so how many instances of this exist on Royal Borough of Greenwich IT systems (including email communications)?

Your statement that 'The Council does not hold this information' is incorrect according to data I hold. You have stated that the Council holds records on its systems regarding Greenwich residents for a variety of purposes

across all departments, such as council tax, housing, electoral records and more. Please could you confirm if these involve twitter posts of residents and if any such data had been included in the one complaint made by the Leader of the Council? Please could you provide information pertaining to the issues raised on social media and the respective departments who dealt with these issues.

**Our original response was recorded as Information not held. We have reviewed our records and our response is:-**

**The Communications & Digital service holds the responsibility for the operation of and engagement with users on the Council's social media channels which includes Twitter. The Communications & Digital service do not retain files on Twitter users.**

**While some Council services probably retain copies or screenshots of service requests made on social media (including Twitter) if the post is relevant to an issue or may include actionable information, this isn't carried out in a centralised manner and consequently there is no central record or method of identifying the data. There have also been no authorisations made in relation to social media under the Regulation of Investigatory Powers Act 2000.**

**To ascertain an accurate record of what copies of social media posts are held would require the interrogation of each individual file on every Council officer's network account. There are approximately 3,300 users on the Council's network.**

3. Does the Royal Borough of Greenwich provide any services to Woodhill Primary School or the Inspire Partnership Academy Trust? If so, how many and which specific services are provided? What is the date of the commencement of these services?

Whilst you have listed the services provided. You have not given the date for each of these services including the day, month and year. If these services are annual, please can you confirm this and provide the year services commenced and any instances of renewal.

4. Does the Royal Borough of Greenwich provide legal services to Woodhill Primary School or the Inspire Partnership Academy Trust? If so, what is the cost of these legal services?

**Our response is given in columns one & two below and clarifies the reply given to your our original FOIA request.**

**The request for an Internal Review asked additional questions 'If these services are annual, please can you confirm this and provide the year services commenced and any instances of renewal' Please refer to columns three & four in the table below.**

<b>Does the Royal Borough of Greenwich provide any services to Woodhill Primary School or the Inspire Partnership Academy Trust?</b>	Yes		
<b>No. of services provided</b>	10		
<b>List of services provided (as of date of FOI)</b>	<b>Date of commencement</b>	<b>Duration</b>	<b>Instances of renewal'</b>
1. Primary Analysis Packs	1 <sup>st</sup> September 2020  (All commenced on the above date)	Annual	Refer to table below (this includes services – past and current)
2. Music Hub			
3. Attendance Advisory Service			
4. Education Psychology Service			
5. NQT Induction Service			
6. Payroll			
7. Legal			
8. Greenwich Property - Fabric Package			
9. Greenwich Property - Maintenance Package			
10. Energy Procurement			

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#### Instances of renewal

Renewal Year	SLA Start Date	Services Included
2013 Renewal  (2013 - 2014 Academic year)	01/04/2013	Legal
		NQT Induction
		HR
		Occupational Health, Safety and Wellbeing
		Payroll
2014 Renewal  (2014 - 2015 Academic year)	01/04/2014	Performance Analysis Service
		Attendance Advisory Service
		NQT Induction
		Improvement Partner Programme
		Educational Psychology Service
		Governor Services
		Schools Accounting and Bursarial
		HR Coaching and Advice
		Payroll
		Occupational Health, Safety and Wellbeing
		Insurance Service
		Legal
		Energy Procurement
2015 Renewal  (2015 - 2016 Academic year)	01/04/2015	Attendance Advisory Service
		Improvement Partner Programme
		Behaviour Support Service
		Educational Psychology Service
		Governor Services
		Schools Accounting and Bursarial
		HR Coaching and Advice
		Payroll
		Occupational Health, Safety and Wellbeing
		Insurance Service
		Legal
		Energy Procurement
2016 Renewal  (2016 - 2017 Academic year)	18/05/2016  2year SLA	Performance Analysis Service
		Attendance Advisory Service
		NQT Induction
		Improvement Partner Programme
		Educational Psychology Service
		Governor Services
		Schools Accounting and Bursarial
		HR Coaching and Advice

		Behaviour Support Service
		Occupational Health, Safety and Wellbeing
		Insurance Service
		Legal
		Energy Procurement
2017 Renewal (2017 - 2018 Academic year)	18/05/2016  2year SLA agreed 2016	see 2016 services - 2year SLA
2018 Renewal (2018 - 2019 Academic year)	01/09/2018	Academies and Free Schools KS1 and KS2 statutory moderation and monitoring
		Academies and Free Schools statutory assessment updates and support (EYFS, KS1, KS2)
		Performance Analysis Service
		Primary one page summary (PAS)
		Primary disadvantaged gaps (PAS)
		Primary Behaviour Support service
		Apprenticeship Programme
		HR Professional Services
		Occupational Health, Safety and Wellbeing
		Legal
2019 Renewal (2019 - 2020 Academic year)	01/09/2019	KS1 and KS2 statutory moderation and monitoring
		Statutory assessment updates and support (EYFS, KS1, KS2)
		Performance Analysis Service
		Primary one page summary (PAS)
		Primary disadvantaged gaps (PAS)
		Behaviour Support service
		Music Hub Service
		Physical Education Support Service
		Attendance Advisory Service
		Payroll
2020 Renewal (2020 - 2021 Academic year)	01/09/2020	PAS - Analysis Pack
		Attendance Advisory Service (Package 1)
		NQT Induction
		Payroll
		Legal
		KS1 and KS2 statutory moderation and monitoring

As point 3 explains, I have requested the date legal services commenced. Whilst you have stated that these services have been renewed for 2020/2021, I require the date of commencement (e.g., when did the council begin providing these services?). I also request all dates or years these services were renewed, including but not limited to dates and years these services were not renewed. Has the Leader of the Council had complaints made relating to his conduct as a councillor? If so, how many complaints have been received by the Royal Borough of Greenwich?

You will be aware that I have the right to receive information in relation to those acting within their role in the council on matters of business. The information requested pertains to complaints made against those in the role of Leader of the Council. I also request the dates of complaints.

5. Has the Leader of the Council, Cllr Danny Thorpe, been spoken to by the Metropolitan Police in relation to his conduct or compliance with the rule of law? If so, on how many occasions and what was this in relation to?

You will be aware that I have the right to receive information in relation to those acting within their role in the council on matters of business.

You will be aware that I have the right to receive information in relation to those acting within their role in the council, including information within complaints.

You have stated that, 'In the absence of consent from the data subject for disclosure of his personal data to the world at large disclosure of such information would be unlawful, unfair and not in a transparent manner'. Please can you confirm if consent was sought and if it was withheld?

**The Council is upholding its original decision in accordance with section 40(5B)(a)(i) of the Freedom of Information Act 2000.**

I am disappointed that you are yet to fully respond to concerns raised in an email of 8th February, specifically in relation to 'the reasons for requesting clarification given the information had been included in my request of 3rd January'. I would urge you to respond to this point within 14 days and without further delay.

**The Council sought clarification in line with Information Commissioner Office (ICO) guidance as the content of your request was deemed to be ambiguous. Following your reply, we processed your request on our interpretation that it was related mostly to social media.**

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Yours sincerely,

**John Scarborough**

John Scarborough  
Director of Legal Services