

20 December 2019

Ms Rebecca Woodward

Via WhatDoTheyKnow

Dear Ms Woodward

Your request for information

Thank you for your emails of 7, 8 and 9 December 2019 in which you requested information connected with Steiner schools, as set out in Annex A at the end of this letter.

The Freedom of Information Act

We have dealt with your request in accordance with the Freedom of Information (FOI) Act 2000. Normally, we should confirm whether we hold information of the description set out in your request. We are then under a duty to provide you with all the information we hold which falls within the scope of your request, provided it is not 'exempt' information.

However, in this instance, we consider that for Ofsted to comply with your request would exceed the 'appropriate limit' set out in the Act.

Under section 12(1)¹ of the FOI Act a public authority, such as Ofsted, is not obliged to comply with a request if the cost of doing so would exceed the 'appropriate limit'. The limit set for government departments is £600 per request or set of related requests. This figure equates to one staff member working for 24 hours at the hourly rate of £25.

Regulation 4(3)² of the Fees Regulations states that a public authority can only take into account the costs it reasonably expects to incur in carrying out the following permitted activities in complying with the request:

- determining whether the information is held;
- locating the information, or a document containing it;

¹ <http://www.legislation.gov.uk/ukpga/2000/36/section/12>

² <http://www.legislation.gov.uk/uksi/2004/3244/regulation/4/made>

- retrieving the information, or a document containing it; and
- extracting the information from a document containing it.

When a public authority is estimating whether the appropriate limit is likely to be exceeded, it can include the costs of complying with two or more requests if the conditions laid out in regulation 5³ of the Fees Regulations can be satisfied. Those conditions require the requests to be:

- made by one person, or by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign;
- made for the same or similar information; and
- received by the public authority within any period of 60 consecutive working days.

In this case you have made six FOI requests within three days, all related to Ofsted's inspections of Steiner schools. We have been looking into the information requested across all six of your requests and they consist of a wide range of information which would involve extensive searches across various teams within Ofsted. The correspondence and documentation captured by all of your requests is very broad and will cover a wide range of our work. As it currently stands, your request will involve searching our dealings with, and about, a number of schools, other public authorities, and inspection materials.

To locate all the information to answer your request would require us to approach a wide variety individuals and teams across Ofsted. Each team or individual, as appropriate, would need to manually search a large number of files and email accounts. Conducting a manual search of such a large volume of records and email accounts, assessing the results of those searches and extracting information within the scope of your request would take more than 24 hours of staff time.

On this basis, we are unable to deal with your requests in their current form.

Where a public authority, such as Ofsted, is using section 12, it is obliged under section 16 of the Act to provide advice and assistance to the individual making the request, where possible. We have considered whether there is an easy way for you to bring your requests within the appropriate limit, for example by removing one part of your request, or making a small change.

On this occasion, we cannot identify a clear way in which you could narrow your requests to bring them within the cost limit, as we do not know the specific focus of your interest, aside from Steiner education generally. Depending on the information you are most interested in, it may be that you could request a narrower category of information, reduce the date range, or limit the scope of your requests in some other

³ <http://www.legislation.gov.uk/uksi/2004/3244/regulation/5/made>

way. We can, however, explain that it is the correspondence aspects of your requests which require the broadest searches and are therefore the most time consuming in their current form.

Although we cannot respond to your requests in their current form, you may of course submit a revised request, taking into account the advice given above. On receipt of such a request, we will consider whether we can locate the information without exceeding the appropriate limit, and advise you accordingly.

You may find the Information Commissioner's Office (ICO) guidance on wording a FOI request⁴ of use in formulating your new request.

Please note that revising your request to fall within the limit does not guarantee disclosure of the requested information. On receipt of a new request, we will consider what information can be disclosed to the public, and whether any exemptions apply to that information.

I understand that this decision may be disappointing to you; however, I trust that this letter clearly explains our position. If you wish to submit a refined request, we would be happy to take this forward for you.

Should you be dissatisfied with the handling of your request, details of the steps available to you can be found in Annex B below.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Karon Crew", with a horizontal line underneath.

Karon Crew
Information Access Officer
Information Rights and Access Team

⁴ <https://ico.org.uk/your-data-matters/official-information/>

Annex A

Your requests

CAS-432777-BK51PS

I would like to see the letters between the education minister (Damien Hinds / Gavin Williamson) and Amanda Spielman regarding Kings Langley / Langley Hill between January 2018 and November 2019. Was 117631 ? proposed 147033 E of E Indy school

I would also like to see Damien Hinds letter of the 15 November 2018 (to Amanda Spielman) and the Amanda Spielman letter it was in response to. – published?

I would also like to see correspondence between Amanda Spielman and Nick Gibb regarding Steiner Schools between August 2017 and November 2019.

CAS-432792-8681PT

I would like to see the correspondence between Steiner Academy Bristol and Ofsted between August 2018 and August 2019. URN 141108

I would like to see the correspondence between RSC SW and Ofsted between September 2018 and November 2019 regarding Steiner Academy Bristol.

I would like to see the correspondence between Ofsted and Hannah Woodhouse between October 2018 and November 2019.

CAS-432798-94R084

Please could I see the written evidence bases and notes from the two Ofsted Inspection visits in February 2014 and November 2018 to Steiner Academy Frome.

CAS-432822-F5RBC5

As an interested party, I would like to see all documents (including hand-written notes) relating to the recent inspection of Steiner Academy Bristol

I would also like details of any communications with the Department for Education relating to Steiner academies in England.

CAS-432823-37JVNY

I would like to see the disclosure order response (580 pages) you sent regarding the Ofsted Inspection of Steiner Academy Bristol on the 13th march 2019 to the governors of the academy's legal team.

CAS-432835-ZX22PJ

Was Carolyn Dickinson involved with inspections of Steiner schools ? Whether that be in advisory role in the office or as an actual inspector ?

if yes, which ones and when please ?

Annex B

Next Steps

If you are dissatisfied with our response or the handling of your request, you may request a formal internal review. To do this, please write to the following address, setting out which areas of the response you are unhappy with:

Email: Richard McGowan at informationrequest@ofsted.gov.uk or write to:

Head of Information Rights and Correspondence
Ofsted
2 Rivergate
Temple Quay
Bristol
BS1 6EH

If you are not content with the outcome of the internal review, you also 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/concerns/getting/>

or:

Customer Contact
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF