

31 January 2020

Our ref: 6006564

Thank you for your request received on 22 January 2020, for the following information:

**Dear Sir/Madam**

**I am writing to request information under the provisions of the Freedom of Information Act 2000:**

**I would like to know:**

**The number of secondary school children expelled from school's within the council's remit in the years 2014, 2015, 2016, 2017, 2018 and 2019 and the reasons for these expulsions.**

**The number of secondary school students from school's within the council's remit suspended for illegal drug use, possession or selling in the years 2014, 2015, 2016, 2017, 2018 and 2019.**

**The number of secondary school students expelled from school's within the council's remit for illegal drug use, possession or selling in the years 2014, 2015, 2016, 2017, 2018 and 2019.**

**The number of secondary school students expelled or suspended from school's within the council's remit for use, possession or selling of Class A drugs in the years 2014, 2015, 2016, 2017, 2018 and 2019.**

**The number of secondary school students expelled or suspended from school's within the council's remit for use, possession or selling of Class B drugs in the years 2014, 2015, 2016, 2017, 2018 and 2019.**

**The number of secondary school students expelled or suspended from school's within the council's remit for use, possession or selling of Class C drugs in the years 2014, 2015, 2016, 2017, 2018 and 2019.**

**If possible could you supply a break-down of which drugs in particular these pupils were involved with.**

We have processed this request under the Freedom of Information Act 2000.

## **Response**

- 1. The number of secondary school children expelled from school's within the council's remit in the years 2014, 2015, 2016, 2017, 2018 and 2019 and the reasons for these expulsions.***

2. *The number of secondary school students from school's within the council's remit suspended for illegal drug use, possession or selling in the years 2014, 2015, 2016, 2017, 2018 and 2019.*
3. *The number of secondary school students expelled from school's within the council's remit for illegal drug use, possession or selling in the years 2014, 2015, 2016, 2017, 2018 and 2019.*
4. *The number of secondary school students expelled or suspended from school's within the council's remit for use, possession or selling of Class A drugs in the years 2014, 2015, 2016, 2017, 2018 and 2019.*
5. *The number of secondary school students expelled or suspended from school's within the council's remit for use, possession or selling of Class B drugs in the years 2014, 2015, 2016, 2017, 2018 and 2019.*
6. *The number of secondary school students expelled or suspended from school's within the council's remit for use, possession or selling of Class C drugs in the years 2014, 2015, 2016, 2017, 2018 and 2019.*
7. *If possible could you supply a break-down of which drugs in particular these pupils were involved with.*

Please see attached spreadsheet for information regarding permanent exclusions. Please note the Local Authority cannot give information on Fixed Term Exclusions (FTE), this information is collected directly from schools by the Department for Education. Therefore you would need to contact individual schools to obtain information regarding FTE's. Information on contacting schools is below.

\*indicates less than five. Please note that we have omitted the data where the values are 5 or less as this could reveal the identities of the children. We consider that this information is exempt under section 40 of FOIA. Please see the refusal notice below.

With regards to specific information regarding drug use; categories, possession or selling, permanent exclusions are recorded against categories prescribed by the DfE, one of which is DA (Drug and Alcohol). This should be used where the pupil has a substantial amount of drugs and is, therefore, on the "balance of probabilities" more likely to be selling or sharing drugs with other students. **We do not hold a breakdown by class of drugs or type of drugs.**

Fixed Term Exclusions:

Please see the link below:

<https://www.barnet.gov.uk/directories/schools>

Schools (including academies) are considered under the Freedom of Information Act (FOIA) to be public authorities in their own rights, and are subject to the FOIA in the same way as the council (albeit with different timescales to meet). It is therefore correct that the council does not hold this information, and that individual schools would need to be contacted.

## Refusal Notice

Section 40 FOIA sets out an exemption from the right to know if the information requested is personal information protected by the Data Protection Act 1998 (DPA).

The DPA which governs the processing of personal data and defines personal data "as any data which relate to a living individual who can be identified from those data, or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller."

Section 40 (2) FOIA exempts disclosure of information if such disclosure would contravene one of the data protection principles. This exemption is absolute and is not subject to the public interest test.

The first of the data protection principles requires that personal data is processed fairly and lawfully. It is our view that to disclose the withheld information would breach this principle, in particular, the requirement of fairness because the children have a reasonable expectation of privacy and do not expect that their personal information would be released in a response to a freedom of information request.

### **Further information**

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

### **Advice and Assistance : Direct Marketing**

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link [www.ico.org.uk](http://www.ico.org.uk)

**For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.**

### **Your rights**

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk). Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website [www.ico.org.uk](http://www.ico.org.uk)). There is no charge for making an appeal.