



London Borough of Barnet,
2 Bristol Avenue,
Colindale,
London NW9 4EW
15 June 2020
Our ref: 6193989

Thank you for your request received on 13 March 2020, for the following information:

- 1. What was your total legal expenditure as a Local Authority for each financial year, 1st April ' 31st March, 2013, 2014, 2015, 2017, 2018 and 2019?**
- 2. How much did you spend on outsourced legal services and external counsel for handling and contesting appeals to the Special Educational Needs First-tier Tribunal in each of the years above?**
- 3. What was the internal spend on the council's legal team for handling and contesting appeals to the Special Educational Needs first-tier Tribunal for each of the years above?**
- 4. If no estimates are recorded, please provide the number of hours recorded by in-house solicitors related to work on the Special Educational Needs tribunals for each of the years listed above?**

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

Response

I can confirm that London Borough of Barnet holds the information you requested.

- 1. What was your total legal expenditure as a Local Authority for each financial year, 1st April ' 31st March, 2013, 2014, 2015, 2017, 2018 and 2019?**

All expenditure is published monthly and is publicly available on
<https://open.barnet.gov.uk/dataset>

- 2. How much did you spend on outsourced legal services and external counsel for handling and contesting appeals to the Special Educational Needs First-tier Tribunal in each of the years above?**

See Refusal Notice.

Harrow and Barnet Public Law provide most of, but not all, of the legal services on behalf of Barnet Council.

We are refusing your request under section 12 because they estimate that compliance with your request will exceed the "appropriate limit" under section 12. The appropriate limit is £450 which is equivalent to 18 hours at £25 per hour. The

per hour figure is set by Regulations rather than actual salary paid to any officers handling requests. The appropriate limit includes the time it will take the council to discover if it holds the information requested, to locate it, extract it and collate it as well as putting it into any particular format requested by the requester. We have calculated that it will take approx 21+ hours to comply with your request. Their calculation is as follows:

S12 exemption for SEN Special Education Needs Tribunals issued is approximately 130 files to check and each one would take a conservative estimate of 10 minutes = an estimated 21 hours

Whilst HBPL facilitate the majority of the legal work for LBB, LBB has also paid for legal services direct to other supplier including Special Educational Needs so the estimate is likely higher.

Advice and assistance There is no obvious way to narrow the request to bring the time under 18 hours. We have a duty to advise and assist applicants. If the only question was number 1 any payment made in respect of a legal file could be included under 'legal expenditure' (eg court fees, barrister fee, incidentals, cost orders, etc). HBPL do not categorise SEN by First Tier Tribunal and would have to interrogate all files, some of which are only in paper format and stored off-site/with LBB."

3. What was the internal spend on the council's legal team for handling and contesting appeals to the Special Educational Needs first-tier Tribunal for each of the years above?

4. If no estimates are recorded, please provide the number of hours recorded by in-house solicitors related to work on the Special Educational Needs tribunals for each of the years listed above?

Nil, all legal services are outsourced and provided by suppliers.

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

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. 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). There is no charge for making an appeal.