

16 July 2020  
Our ref: 6400652

Thank you for your request received on 1 July 2020, for the following information:

**I would be grateful for responses to the following questions:**

**1) How many mainstream schools are in your area? Please break this down into a) LA maintained primary b) academy primary (any type) c) LA maintained secondary d) academy secondary (any type) and e) free school.**

**2) How many permanent exclusions was your authority notified of in the academic year 2018/19\*? In providing this information please break this down by school type as outlined above (a, b, c, d and e).**

**3) How many of the excluded pupils were children whom the schools recognised as having Special Educational Needs (SEN)? Please include those receiving Additional SEN Support and those with an Educational, Health and Care Plan (EHCP). In providing this information please break it down by school type as outlined above (a, b, c, d and e). Please also indicate the number of children with an EHCP.**

**4) In the academic year 2018/19 how many applications for Independent Review Panels (IRPs) were received by your authority? In providing this information please break it down by school type as outlined above (a, b, c, d and e).**

**5) How many IRPs resulted in an offer of reinstatement from the school? In providing this information please break it down by school type as outlined above (a, b, c, d and e).**

**6) In the academic year 2018/19 how many IRPs recommended: i) a school reconsider the exclusion; ii) that the exclusion should be quashed? Finally, how many upheld the decision? In providing this information please break it down by school type as outlined above (a, b, c, d and e).**

**7) How many applications for an IRP in the academic year 2018/19 contained a request for a SEN expert to be appointed? How many of these resulted in the appointment of a SEN expert?**

**8) In total, how many of the IRPs where a child had SEN (with or without an EHCP) resulted in: i) a recommendation that the school reconsider the exclusion; ii) a recommendation that exclusion be quashed; iii) the exclusion being upheld? Please state how many reviews proceeded with a SEN expert**

for each category (i,ii,iii).

**\*If your 2018/19 statistics are not yet available please provide the statistics for the 2017/18 academic year.**

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

## **Response**

*1. How many mainstream schools are in your area? Please break this down into*

- a. LA maintained primary*
- b. academy primary (any type)*
- c. LA maintained secondary*
- d. academy secondary (any type) and*
- e. free school.*

This information is available online via the below link:

<https://www.gov.uk/government/statistics/schools-pupils-and-their-characteristics-january-2019>

***2. How many permanent exclusions was your authority notified of in the academic year 2018/19\*? In providing this information please break this down by school type as outlined above (a, b, c, d and e).***

- a. \**
- b. 0*
- c. 9*
- d. 28*
- e. \**

***3. How many of the excluded pupils were children whom the schools recognised as having Special Educational Needs (SEN)? Please include those receiving Additional SEN Support and those with an Educational, Health and Care Plan (EHCP). In providing this information please break it down by school type as outlined above (a, b, c, d and e). Please also indicate the number of children with an EHCP.***

- a. \* EHCP*
- b. 0*
- c. 0 EHCP, \* SEN Support*
- d. 0 EHCP, 10 SEN Support*
- e. \* SEN Support*

***4. In the academic year 2018/19 how many applications for Independent Review Panels (IRPs) were received by your authority? In providing this information please break it down by school type as outlined above (a, b, c, d and e).***

- a. 0*
- b. 0*
- c. 0*

- d. 0 (Please note that applications for IRPs are submitted directly to the Academy or Free School as these categories of schools are responsible for their own IRPs, the LA is not involved in this process.)
- e. \*

**5. How many IRPs resulted in an offer of reinstatement from the school? In providing this information please break it down by school type as outlined above (a, b, c, d and e).**

- a. 0
- b. 0
- c. 0
- d. 0
- e. 0

**6. In the academic year 2018/19 how many IRPs recommended: i) a school reconsider the exclusion; ii) that the exclusion should be quashed? Finally, how many upheld the decision? In providing this information please break it down by school type as outlined above (a, b, c, d and e).**

- a. 0
- b. 0
- c. 0
- d. 0
- e. 0

**7. How many applications for an IRP in the academic year 2018/19 contained a request for a SEN expert to be appointed? How many of these resulted in the appointment of a SEN expert?**

- a. 0
- b. 0
- c. 0
- d. 0
- e. \*

**8. In total, how many of the IRPs where a child had SEN (with or without an EHCP) resulted in: i) a recommendation that the school reconsider the exclusion; ii) a recommendation that exclusion be quashed; iii) the exclusion being upheld? Please state how many reviews proceeded with a SEN expert for each category (i,ii,iii).**

- a. 0
- b. 0
- c. 0
- d. 0
- e. 0

\*If your 2018/19 statistics are not yet available please provide the statistics for the 2017/18 academic year.

\* 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.

## 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.