



London Borough of Barnet,
2 Bristol Avenue,
Colindale, NW9 4EW
27 April 2021
Our ref: 7154540

Thank you for your request received on 22 March 2021, for the following information:

For each primary school in the borough, including academies, voluntary-aided schools etc, could you please provide a list of secondary schools where their pupils were admitted, together with a number of such pupils for each combination of primary/secondary schools.

My requests concerns historical data for the past five years. So for each primary school I would like to know to what secondary schools their pupils were transferred after year 6 in the last 5 years. If you have only partial information about it, please provide it.

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, please see attached. However, we are withholding some of that information since we consider that the following exemptions apply to it.

Section 12 – Time limit

In respect of your recent enquiry for information under the provisions of the Freedom of Information Act, the information that you asked for cannot be provided within the statutory 18 hour limit because there are no generic reports that would return the requested historical data from our admissions database, so in order to obtain reliable data, the work would involve extracting Year 7 pupil data from the October pupil roll census for each secondary school: 3500 (approx.) per academic year (2020,2019,2018,2017); total 14,000 records approx (please see below).

We would have to read 14,000 records. It would take approximately 3 minutes to review each case. 14,000 files x 3 minutes = 42,000 minutes (700 hours). We have therefore decided to refuse your request, please see Refusal notice (Section 12) below.

Refusal Notice

Section 12 of FOIA states that the council does not have to comply with a request for information if the cost of compliance exceeds the appropriate limit of £450 calculated at £25 per hour with a limit of 18 hours. The appropriate limit relates strictly to the

process of determining whether the information is held; locating, retrieving and extracting the information, or a document containing it.

Section 40 – Personal Data - * 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(2)

Part 1 of Schedule 19 of the Data Protection Act 2018 amends the personal data exemption under section 40 of the Freedom of Information Act 2000(FOI). These are consequential amendments designed to ensure that the correct provisions of the GDPR and the new Act are referenced instead of the now repealed DPA 1998. They will not fundamentally impact when personal data can, and cannot, be disclosed in response to an FOI request.

Personal Information is governed by the Data Protection Act legislation and is defined as any information relating to an identified or identifiable natural person ('data subject')". It adds that: an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location number, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

The withheld information is exempt because disclosure would contravene the first data protection principle which requires that personal data is processed fairly and lawfully. Disclosure of the requested information would breach this principle and in particular the requirement of fairness.

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.