

London Borough of Barnet
2 Bristol Avenue
Colindale
NW9 4EW
14 April 2023
Our ref: 9389146

Thank you for your request received on 14 March 2023, for the following information:

I am writing to make an open government request for all information to which I am entitled under the Freedom of Information Act 2000.

Please send me all available details relating to the following questions in regards to children's social services at your local authorities OR all local authorities relevant to your organisation:

1.How much has your local authority spent appealing special educational needs and disabilities (SEND) tribunals over the last five years (2017 - 2022)? Please give your answer on a year-on-year basis.

2.How many SEND tribunals has your local authority appealed over the last five years (2017 - 2022)? Please give your answer on a year on year basis.

3.What percentage of appeals against SEND tribunal decisions lodged by the council were successful for each of the past five years? Please give your answer on a year on year basis.

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

Response

I can confirm that the council holds the information you requested. However we are withholding some of the information because we consider that the following exemption exemptions and exceptions apply to it.

1.How much has your local authority spent appealing special educational needs and disabilities (SEND) tribunals over the last five years (2017 - 2022)? Please give your answer on a year-on-year basis.

Please see the below refusal notice under question 3.

2. How many SEND tribunals has your local authority appealed over the last five years (2017 - 2022)? Please give your answer on a year on year basis

43 - 2017

71 - 2018

101 - 2019

97 - 2020

58 - 2021

138 - 2022

3. What percentage of appeals against SEND tribunal decisions lodged by the council were successful for each of the past five years? Please give your answer on a year on year basis.

We are refusing your request under section 12 because we 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 Regulation 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 approximately 57 hours to comply with your request. Our calculation is as follows:

We have identified 508 matters and at £25 an hour, this would mean that they would need to work at an unrealistic rate to examine all 508 matters properly within the limit. It will take a conservative estimate of 10 minutes to check each matter. This means that the costs would be 508×10 which equals 5080 minutes. This amounts to 84.5hrs hours.

Advice and Assistance

We are unable to suggest ways in which the request can be narrowed to bring it within the 18 hour time limit.

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 Records & Information Management Service, Assurance Group, 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.