

2 Bristol Avenue, Colindale, NW9 4EW

29 November 2024

Our ref: 13281648

Thank you for your request received on 1 November 2024, for the following information:

Between 1st January 2019 and 1st October 2024 how much was spent by the council on SEND (special educational needs and disabilities) provision?

Between 1st January 2019 and 1st October 2024 how much was spent by the council on legal teams for cases dealing with SEND appeals?

Between 1st January 2019 and 1st October 2024 how many SEND appeals were received by the council?

Of these appeal cases decided by tribunal, how many were in favour of the council?

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 this information, because we consider that the following exemption and exception apply to it.

Between 1st January 2019 and 1st October 2024 how much was spent by the council on SEND (special educational needs and disabilities) provision?

Section 21 - Information available elsewhere - We consider that the absolute exemption set out in Section 21 (information accessible by other means) applies to the information requested because it is already reasonable accessible at:

[Section 251: 2024 to 2025 - GOV.UK](#)

[Section 251: 2023 to 2024 - GOV.UK](#)

[\[Withdrawn\] Section 251: 2022 to 2023 - GOV.UK](#)

[\[Withdrawn\] Section 251: 2021 to 2022 - GOV.UK](#)

[\[Withdrawn\] Section 251: 2020 to 2021 - GOV.UK](#)

[\[Withdrawn\] Section 251: 2019 to 2020 - GOV.UK](#)

Please note, the funding for SEND can cover many different elements from funding for schools, colleges, therapies, early years support. The S251 details this expenditure.

Between 1st January 2019 and 1st October 2024 how much was spent by the council on legal teams for cases dealing with SEND appeals?

In respect of your 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 we currently do not hold this data as a category on our management system. We would need to check each case and establish the cost. Please see the exemption below.

Between 1st January 2019 and 1st October 2024 how many SEND appeals were received by the council?

2019 - 97

2020 - 94

2021 - 102

2022 - 143

2023 - 147

2024 - 144(to date)

Of these appeal cases decided by tribunal, how many were in favour of the council?

S12 - Cost limit (Exceeds Appropriate Limit)

We are refusing part of 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 approx [33 hours] to comply with your request. Our calculation is as follows:

We would have to read 727 Appeal cases. It would take approximately 5 minutes to review each case. 727 cases x 5 minutes = 3635 minutes (60 hours). We have therefore decided to refuse part of your request, please see refusal notice (Section 12) below.

Advice and Assistance

Please be advised, in order to obtain the information requested in your third question, you could request for the last fiscal/academic year. We will also look to publish this data at the end of each year on the following portal; [Barnet Open Data - Opening up Barnet's data and information.](#)

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.