

London Borough of Barnet  
2 Bristol Avenue,  
Colindale NW9 4EW  
6 January 2025  
Our ref: 12897231

Thank you for your request received on 9 September 2024, for the following information:

**Please provide copies of emails and letters sent by DFE between April and September 2024 which ask for the secure children's home project in London to be put on hold with reasons. Please restrict this information request to emails and letters sent by DFE to Barnet Council.**

We have processed this request under the Environmental Information Regulations 2004.

## **Response**

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

However, we believe that the exceptions detailed below apply to all of this information and this is withheld. Please see the Refusal Notice below.

### **R12(5)(f) - The interests of the supplier of the information**

We consider that regulation 12 (5) (f) (Interests of person who provided the information) applies to the information requested because we consider that disclosure of the information requested would adversely affect the the interests of the person who provided the information where that person:

- (i) was not under, and could not have been put under, any legal obligation to supply it to that or any other public authority;
- (ii) did not supply it in circumstances such that that or any other public authority is entitled apart from these Regulations to disclose it; and
- (iii) has not consented to its disclosure

Making volunteered information available to the public could inhibit open and constructive discussions between public authorities and third parties. It is recognised therefore that the supply of volunteered information could diminish if information is later published in response to EIR requests. The information we are withholding under this exception was supplied voluntarily without legal obligation, where the London Borough of Barnet had no legal right to request such information.

This is a qualified exception under the EIR which means that consideration must also be given to whether in all the circumstances of the case the public interest favouring disclosure is greater than the public interest in maintaining the exception. The material was provided to the Council for the purpose of facilitating discussion on this topic and disclosure in these circumstances may impact the willingness of these stakeholders and others to disclose such information in the future. The public interest in withholding the requested information outweighs the public interest in disclosure of the requested information. Therefore, we have decided to withhold the information.

### **Further information**

The Department for Education (DfE) has been consulted on this request as per the Code of Practice on handling information requests.

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 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](http://www.ico.org.uk)). There is no charge for making an appeal.