

Department of Education and Children

Rheynn Ynsee as Paitchyn

26 July 2017

Re: Freedom of Information Request – Reference Number IM93642I

Your Request:-

1. How many written notices have been served on a parent under Section 25 (1) of the Education Act 2001 because it appeared that a child educated 'otherwise' was not in receipt of a suitable education?
2. How many children educated 'otherwise' have been submitted for examination or assessment under Section 25 (2) of the Education Act 2001 because it appeared that the child was not in receipt of a suitable education?
3. How many School Attendance Orders have been served to a parent under Section 26 (1) of the Education Act 2001 because it has appeared that a child educated 'otherwise' is not in receipt of a suitable education?
4. How many of these School Attendance Orders were subsequently revoked under Section 27 (2) of the Education Act 2001?
5. How many parents have been convicted of an offence under Section 28 (1) of the Education Act 2001?

Department Response:-

While our aim is to provide information whenever possible, the Department is refusing to disclose some of the information requested in your Freedom of Information request on the grounds of a qualified exemption under Section 39 (1) of the Act (*exempt personal information*).

This is because the relatively low number of notices served may make identification of an individual or individuals possible and this would constitute personal data to which you are not entitled and disclosure of this data would likely cause damage or distress to the data subject(s).

I can however disclose that less than five written notices have been served in the last two academic years under Section 25 (1) of the Education Act 2001.

I can advise that in response to questions 2 to 5, the answer is none.

This information will also be published on the Government website in due course should you wish to revisit the information.

If you are unhappy with this response to your Freedom of Information request, you may ask us to carry out an internal review of the response, by completing a Review/Complaint form and submitting it electronically or by delivery/post to: Mr Andrew Shipley, Legal and Administration Manager, Hamilton House, Peel Road, Douglas, Isle of Man, IM1 5EZ.

An electronic version of our Review/Complaint form can be found by going to <https://www.gov.im/about-the-government/freedom-of-information/>

Your Review/Complaint request should explain why you are dissatisfied with this response, and should be made as soon as practicable. We will respond as soon as the review has been conducted.

Appeal Process

If you are not satisfied with the result of the review, you then have the right to appeal to the Information Commissioner for a decision on;

- 1 Whether we have responded to your request for information in accordance with Part 2 of the Freedom of Information Act; or
- 2 Whether we are justified in refusing to give you the information requested.

In response to an application for review, the Information Commissioner may, at any time, attempt to resolve a matter by negotiation, conciliation, mediation or another form of alternative dispute resolution and will have regard to any outcome of this in making any subsequent decision.

More detailed information on your rights to review is on the Information Commissioner's website at <https://www.inforights.im/contact-us/>

Should you have any queries concerning this letter, please do not hesitate to contact me.

Further information about Freedom of Information requests can be found at www.gov.im/foi