



Request

I am writing to request the following under the Freedom of Information Act 2000:

1. The number of referrals to the Local Authority Designated Officer for the five financial years from 2019/20 to 2023/24 where a person who works with children is alleged to have behaved in a way that has harmed or may have harmed a child in a nursery setting.
2. The number of referrals for the five financial years from 2019/20 to 2023/24 where a person who works with children is alleged to have possibly committed a criminal offence against or related to a child in a nursery setting.
3. The number of occasions during the five financial years from 2019/20 to 2023/24 where the police, children's social care or other authorities have been notified as a result of a referral to the LADO about care in a nursery setting.

Response

We do not hold the information that you have requested in an easily retrievable format. Section 12 of the Freedom of Information Act 2000 (FoIA) relieves a public authority from the obligation to comply with a request for information where the estimated time required to locate, review and extract the information exceeds a certain threshold set out in Regulations.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (SI 2004/3244) set out the rules in relation to the cost limit (otherwise called the "appropriate limit"). These Regulations are published by the Office of Public Sector Information (OPSI) and are viewable on their web site from this link: http://www.opsi.gov.uk/si/si2004/uksi_20043244_en.pdf

The Regulations set out the cost limit for Government departments and for other public authorities. For local government, Regulation 3 states that the cost limit is £450 and Regulation 4(4) states that the prescribed hourly rate is £25. Regulation 4(4) further provides that where the local authority estimates the time taken to gather the information would exceed this limit (which based on the prescribed hourly rate, equates to 18 officer hours), it may refuse the request under section 12 of FoIA.

I am satisfied the cost limit applies to your request and will explain why this is the case.

In the previous five years there have been 509 referrals regarding people who work or volunteer with children. This does not include "Advice Only" matters that did not result in a full referral. The local authority does not collect data relating to where alleged abuse took place. This is captured as part of case notes and documents and would require each referral to be considered and researched to establish if the alleged abuse occurred in a nursery.

Given the limit on effort guidance relating to FOI requests (18 hours), we have performed the following calculation, Eligible referrals (all referrals) 509. Minutes in 18 hours = 1080. $1080/509 =$ just over 2 minutes. We have researched two "straightforward" cases and they both took over 5 minutes. This request clearly exceeds the 18-hour limit for FOIs.