



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

1. Whether your local authority record or monitor data on exclusions specifically in relation to pupils awaiting EHCP assessments?

We record and monitor data on permanent exclusions of pupils awaiting EHC assessments. However, we do not record or monitor suspensions of pupils awaiting EHC assessments.

2. If so, for the 2024/25 academic year, please provide:

2.1 The number of pupils in your local authority who were excluded (suspensions or permanent) while awaiting the outcome of an EHCP assessment following a request.

2.2 A breakdown of the number of such exclusions by type of exclusion (suspension vs permanent), if held.

2.1 14 pupils were permanently excluded in 24/25 whilst going through EHC assessment.

2.2 Primary reason for permanent exclusion:

- Persistent Disruptive Behaviour: 8 pupils
- Physical assault against adult: 4 pupils
- Physical assault against pupil: less than 4 pupils
- Threat Offensive Weapon: less than 4 pupils
- Verbal abuse/threat against adult: less than 4 pupils

3. If this data is not held centrally or cannot be disaggregated, please confirm:

3.1 Whether such information may be held in case records, or if any internal reviews/reports have addressed this issue.

3.1 Wigan Council do not hold the information that you have requested for this question 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:

To answer Q3.1 – number of pupils who were suspended in 24/25 whilst going through an EHC assessment – 3,276 individual files would need to be reviewed, this would take 5 mins per file which would in total amount to 273 hours on top of the time already taken to complete the full FOI request which would take it over the 18 hours allocated.