



Request

Please could you provide the following information schools in the Hindley area to assist me search for suitable education.

How many SEND pupils identified from each school remain for the duration or leave before education is complete

Response

After careful consideration, we are unable to comply with your request. This is because the cost of locating, retrieving and extracting the information you have requested would exceed the appropriate limit as set out in Section 12 of the Freedom of Information Act 2000.

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

The information you have requested is not held in the format specified. To respond, the Council would be required to manually review each individual EHCP case and extract the relevant details before compiling the information into the requested Excel format.

Reviewing 4177 EHCP at 5 mins per EHCP would take over 348 hours.