

Bóthar Phort Laoise
An Tulach Mhór
Co. Uíbh Fhailí
R35 Y2N5

Department of Education and Skills
Portlaoise Road
Tullamore
Co. Offaly
R35 Y2N5

[REDACTED]

20th January, 2017

Re: FOI request 2016/495

Dear [REDACTED]

I refer to your request for access to information under the terms of the Freedom of Information Act 2014 which was received by this Department on 23rd December 2016:

Part 1. All Records from 25th March 2016 to 22nd December 2016 relating to the proposed site for Gaelscoil an Ghoirt Álainn at Tank Field, Cork.

Part 2. All records from 25th March 2016 to 22nd December 2016 relating to the proposed new building for Gaelscoil an Ghoirt Álainn.

Part 3. All records from 1st January 2016 to 22nd December 2016 relating to the closure and/or amalgamation of the two primary schools in Mayfield, Cork, Scoil Eoin Aspal (Roll No. 14198D) and Scoil Mhuire Banríon (Roll No. 18587L).

Part 4. All records from 1st January 2016 to 22nd December 2016 relating to the buildings of the two schools referred to in 3 above, including proposals and/or decisions relating to their use after September 2017.

I, Adrian Healy, Higher Executive Officer, have now made a final decision to part grant your request in respect of Parts 3 & 4 on 20th January 2017.

The purpose of this letter is to explain that decision. This explanation has the following parts:

1. Schedule of all records covered by your request
2. An explanation of the relevant findings concerning the records to which access is denied and,
3. A statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these three parts in turn.

1. Schedule of records

A schedule is enclosed with this letter, it shows the documents that this body considers relevant to your request. It describes each document and refers to the sections of the FOI Act which apply to prevent release. The schedule also refers you to sections of the detailed explanation given under heading 2 below, which are relevant to the document in question. It also gives you a summary and overview of the decision as a whole.

Listed below are the steps I have undertaken to locate the records sought and the outcome of each of these steps:

- A search of records both electronic and hard copy held by School Capital Appraisal Section was conducted, however no relevant records could be identified.

2. Findings, particulars and reasons for decisions to deny access

The sections of the Act which can apply to deny access to documents are known as its exemption provisions. In respect of Part 3 of your request, my decision to partially release all records, falls under the provisions of section 37(1) of the Freedom of Information Act 2014.

37 (1) Subject to this section, a head shall refuse to grant an FOI request if, in the opinion of the head, access to the record concerned would involve the disclosure of personal information (including personal information relating to a deceased individual).

In respect of Part 4 of your request, this falls under the provisions of section 15(1) (a) of the Freedom of Information Act 2014.

'15. (1) A head to whom an FOI request is made may refuse to grant the request where—

(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken'.

Above I have listed the searches undertaken by this Department, and the results of those searches. In accordance with the requirements of section 15(1) (a) I am satisfied that all reasonable steps have been taken to identify and locate the records requested under Part 4.

3. Right of appeal

In the event that you are unhappy with this decision you may appeal it. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, Department of Education and Skills, Marlborough Street, D01RC96 or by email to foi@education.gov.ie. Your correspondence should include a fee of €30 for processing the appeal. Payment should be made by way of personal cheque or postal money order made payable to the accountant in the Department of Education and Skills. Please note the Department of Education and Skills no longer accept cheque payments from business users. For further information regarding payment methods for business users, please email foi@education.gov.ie

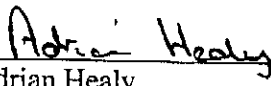
You should make your appeal within 4 weeks from the date of this notification, where a day is defined as a working day excluding the weekend and public holidays. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Publication

All non-personal FOI requests will be recorded on an FOI disclosure log which will be published on the Department of Education and Skills website in due course.

Should you have any questions regarding the above, please contact me by telephone on (057) 93 25378 or by email at adrian_healy@education.gov.ie.

Yours sincerely,



Adrian Healy
Schools Capital Appraisal Section
Building Unit

Freedom of Information Schedule of Records - Summary of Decision Making

FOI Request Reference

FOI 2016/495 - Part 3

Rec. No.	No. of pages	Date of Record	Brief description of record	Decision	Basis for refusal - Exempt under FOI Act	Other
1	2	22/04/2016	Letter to Department from Cathaoirleach, St. John the Apostle Boy's Primary School, Mayfield and attachment letter dated 14th April, 2016 from Patron granting his approval to amalgamation.	Release		
2	2	22/04/2016	Letter to Department from Chairperson, Board of Management, Scoil Mhuire Banríon, Mayfield and attached letter dated 14th April, 2016 from Patron granting his approval to amalgamation.	Release		
3	1	22/04/2016	Letter from Diocesan Office regarding the Patron's appointment of a Chairperson to the Steering Committee for the amalgamation.	Partial Release	Section 37.1 (Personal information)	Redacted to exclude chairperson's mobile phone number and email address.
4	1	06/05/2016	Letter from Department to Patron in respect of amalgamation	Release		Redacted information on letter to Patron dated, 6th May, 2016 as it doesn't come within the scope of the FOI request.
5	1	09/05/2016	Letter of acknowledgement from Diocesan Office to Department in respect of Department's letter dated, 6th May, 2016.	Release		

Freedom of Information Schedule of Records - Summary of Decision Making

FOI Request Reference

FOI 2016/495 - Part 3

Rec. No.	No. of pages	Date of Record	Brief description of record	Decision	Basis for refusal - Exempt under FOI Act	Other
	2	20/05/2016	Letter from Chairperson, Steering Committee, to Department enclosing email correspondence and requesting correspondence from Department.	Partial Release	Section 37.1 (Personal information)	Redacted to exclude chairperson's mobile phone number and email address.
6						
	6	22/09/2016	Internal Department email advising Primary Allocations Section of proposed amalgamation and attached correspondence with Patron regarding same.	Partial Release		Redacted information on letter to Patron dated, 6th May, 2016 as it doesn't come within the scope of the FOI request.
7						