

Daly, Paul

From: Freedom of Information
To: [REDACTED]
Cc: Freedom of Information
Subject: RE: FOI 2016/40 [REDACTED]

Dear [REDACTED]

I refer to your request for access to information under the terms of the Freedom of Information Act 2014 which was received in this office on 28/01/2016 and your subsequent clarifications which were received on 10/02/2016:

Part 1. The numbers of National/ recognised Primary Schools, in the most recent year for which data is available, in the following categories:

- a) Vested in the Minister- total
- b) Vested in 'local' or other trustees- total, and totals for each of the following:
 - i. Vested In Roman Catholic Diocesan Trusts
 - ii. Vested in Roman Catholic Religious congregations or their trusts
 - iii. Vested in Protestant religious bodies
 - iv. Vested in Jewish religious bodies or trusts
 - v. Vested in Muslim bodies or trusts
 - vi. Vested in bodies with a linguistic mission- e.g. Gaelscoileanna.
 - vii. Vested In other persons or bodies not explicitly affiliated with recognised religious bodies.
- c) Currently Non-vested schools in operation- total, and
 - i. Non-vested due to expiry and non-renewal to date, of most recent lease/legal agreements
 - ii. Non-vested due to non-completion of legal instruments in respect of new schools.

Part 2. Blank copies of standard agreements, lease documents, indentures or other legal instruments used to secure the interests of the state in recognised National / Primary Schools vested in local or other trustees, in the following years: 1955, 1965, 1975, 1985, 1995, 2005 and 2015.

In accordance with the provisions of section 13(1) of the FOI Act 2014, a decision is to be conveyed to the requester no later than 20 working days after the receipt of your request. A reply should issue to you therefore by 09/03/2016. *(Please note the date of receipt of your final clarifications becomes the effective date of your request).*

The file, reference number FOI/2016/40, has been forwarded to the Site Acquisitions and Property Management Section for direct reply. John Hughes is the elected decision-maker in this instance and may be contacted at (057) 932 4479 should you have any queries regarding your request.

If you are not satisfied with the eventual outcome of your request then you are entitled to seek an internal review in accordance with the terms of section 21 of the FOI Act 2014. The internal review will be conducted by an officer of a grade higher than that of the officer who made the initial decision regarding your request. You must submit your request for an internal review within 20 working days from the date of the decision notification.

Furthermore, you are also entitled to seek an internal review if no reply is issued to you by the date specified above. This internal review proceeds on the legal basis that the initial request is considered to be rejected once the specified time for responding to it has expired.

In the event that you wish to make an application for an internal review, you may do so by writing to the Freedom of Information Unit, Department of Education & Skills, Marlborough Street, Dublin 1 or by emailing foi@education.gov.ie. Under the FOI Act 2014, the fee for internal review is €30.

Please note the Department of Education and Skills has a policy of posting a summary of non-personal requests and decisions on the Departments website for reference purposes. All personal information will be redacted from any records published.

Should you have any queries please do not hesitate to contact this Office.

Kind Regards,

Paul Daly

Freedom of Information/Records Management Unit
Department of Education & Skills
Marlborough Street
Dublin 1
D01 RC96

Email: foi@education.gov.ie

From: [REDACTED]
Sent: 10 February 2016 16:00
To: Freedom of Information <foi@education.gov.ie>
Subject: Re: FOI: 2016/40 [REDACTED]

Attn: Jason Colligan,

Dear Jason,
I thank you for the email re the above FOI request.
I refer in particular to the segment copied below:

We have made preliminary inquiries within this Department where it would be reasonably be expected to find the records you seek and have been asked by the Property Management & Site Acquisitions section if it would be possible for you to provide us with further more specific information to assist them in identifying records relevant to your request.

In relation to Part One of your request could you please specify if this part of your request is in relation to charging leases or to school patronage?

Any further information you could provide us with would be greatly appreciated.

1. The reference to 'Part One' appears to be in error. The request for further specification relates to Part 2 of my request. I'd be grateful if you would confirm this.
 2. I request blank copies of the leases(legal instruments) that relate to the recognition of trustees who undertake to hold the property- not in the ownership of the State- in trust for the purposes of a National school, where they exist for the years referenced in the request.
- In addition, I also request, where they exist for the years referenced in the request, blank copies of such charge agreement documents as have been issued or exist, and such patronage assignment agreement documents as have been issued or exist.

I trust this further specification is helpful. Should you have further queries I will be happy to assist.

Looking forward to your early provision of the requested items,

Sincerely

[REDACTED]

On 4 Feb 2016, at 16:47, Freedom of Information <foi@education.gov.ie> wrote:

Dear [REDACTED]

I refer to your request for access to information under the terms of the Freedom of Information Act 2014 which was received in this office on 28/01/2016:

Part 1. The numbers of National/ recognised Primary Schools, in the most recent year for which data is available, in the following categories:

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 - vii. Vested in other persons or bodies not explicitly affiliated with recognised religious bodies.
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Part 2. Blank copies of standard agreements, lease documents, indentures or other legal instruments used to secure the interests of the state in recognised National / Primary Schools vested in local or other trustees, in the following years: 1955, 1965, 1975, 1985, 1995, 2005 and 2015.

We have made preliminary inquiries within this Department where it would be reasonably be expected to find the records you seek and have been asked by the Property Management & Site Acquisitions section if it would be possible for you to provide us with further more specific information to assist them in identifying records relevant to you request.

In relation to Part One of your request could you please specify if this part of your request is in relation to charging leases or to school patronage?

Any further information you could provide us with would be greatly appreciated.

Please note that the Freedom of Information Act requires that you, the requester, give us 'sufficient particulars' to enable us to identify the records you require. We are then required to take 'reasonable steps' to identify and locate those records. Section 12(1) (b) of the Act is the relevant section here:

12 (1) A person who wishes to exercise the right to access shall make a request, in writing or in such other form as may be determined, addressed to the head of the FOI body concerned for access to the record concerned --

(b) containing sufficient particulars in relation to the information concerned to enable the record to be identified by the taking of reasonable steps

Kind Regards,

Jason Colligan

Freedom of Information/Records Management Unit
Department of Education & Skills
Marlborough Street
D01 RC96

Email: foi@education.gov.ie

From: [REDACTED]
Sent: 28 January 2016 12:38
To: Freedom of Information <foi@education.gov.ie>
Subject: FOI request

Request for Information under the Freedom of Information Act, 2014.

From: [REDACTED]


To:

Freedom of Information Unit,
Department of Education and Skills,
Marlborough st.,
Dublin 1.

A Chara,

The Following Information is sought:

1. The numbers of National/ recognised Primary Schools, in the most recent year for which data is available, in the following categories:
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 - b. Vested in 'local' or other trustees- total,
and totals for each of the following:
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 - v. Vested in Muslim bodies or trusts
 - vi. Vested in bodies with a linguistic mission- e.g. Gaelscoileanna.
 - vii. Vested in other persons or bodies not explicitly affiliated with recognised religious bodies.
 - c. Currently Non-vested schools in operation- total, and
 - i. Non-vested due to expiry and non renewal to date, of most recent lease/legal agreements
 - ii. Non-vested due to non-completion of legal instruments in respect of new schools.
2. Blank copies of standard agreements, lease documents, indentures or other legal instruments used to secure the interests of the state in recognised National / Primary Schools vested in local or other trustees, in the following years:
1955, 1965, 1975, 1985, 1995, 2005 and 2015.

Contact Details:


Phone: 

Please acknowledge this request and provide an indicative date for the issue of the requested information.

I thank you for the service being provided and I look forward to an early response to this request,

Sincerely,

[Redacted signature]

[Redacted signature]

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<http://www.per.gov.ie/civil-service-renewal/>