

An Roinn Oideachais agus Scileanna  
Seomra G 20,  
Oifigí an Riatais,  
Bóthar Alfonsásm,  
Dún Dealgan, Co. Lú,



Department of Education and Skills  
Room G 20,  
Government Buildings,  
St Alphonsus Road,  
Dundalk, Co. Louth

16 March 2016

Re: FOI request 2016/29

I refer to your request of 28 February 2016 seeking to appeal, under the Freedom of Information Act 2014, the earlier decision of Ms Ní Bhriain, the FOI decision maker for the Inspectorate, dated 17 February 2016.

I Gráinne Conachy, Senior Inspector, am a more senior member of the staff of this body than the person making the first decision and I have decided on 16 March 2016 to affirm the original decision on your request. In arriving at this decision I have had regard to the original request as outlined below. I carefully reviewed the file and the earlier decision made by the Inspectorate's FOI decision maker and noted the content of the appeal letter which you submitted on 28 February 2016. This decision on review is an entirely new and separate decision on your request, and is explained as such below.

Your original request, sought access to the following records:

***All documentation under the Freedom of Information Act between the Department of Education and Co. Offaly VEC / Tullamore College pertaining to a French inspection in January 2007.***

The purpose of my letter is to explain my decision. The explanation has the following parts:

1. Rationale for my decision
2. Explanation of the searches reviewed and undertaken in arriving at my decision
3. Right of Appeal

#### **1. Rationale for Decision**

The original decision to refuse your request on the 17 February 2016 was under the provisions of section 15(1)(a) of the Freedom of Information Act 2014 which states:

***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.***

Your letter of appeal dated 28 February 2016 reiterates that you are seeking access to all documentation between the Department of Education and Co. Offaly VEC / Tullamore College pertaining to a French inspection in January 2007. Having reviewed the information gathered by Ms Ní Bhriain, the FOI decision maker for the Inspectorate, I am affirming the decision, as no records pertaining to your specific request were found. The next section details the searches that were conducted in processing and reviewing your request.

## **2. Explanation of Searches Undertaken**

The Inspectorate's FOI decision-maker organised for a number of searches to be conducted at various levels within the Inspectorate in an effort to obtain any documentation that existed between the Department of Education and Co. Offaly VEC / Tullamore College pertaining to a French inspection in January 2007, as requested. These included searches of the:

- electronic records of the recently-appointed assistant chief inspector with responsibility for schools in Co. Offaly
- relevant records of the assistant chief inspector who had responsibility for schools in Co. Offaly at the time of the publication of the inspection report
- inventory of the off-site files of the retired assistant chief inspector with responsibility for schools in Co. Offaly at the actual time of the subject inspection and Whole School Evaluation (WSE)
- inventory of the off-site files of a retired acting assistant chief inspector who had responsibility for schools in Co. Offaly during the time the report was being processed
- relevant inspection file of the retired senior inspector who conducted the subject inspection of French in 2007. This also included retrieval of files from off-site storage.

Discussions with personnel in the Office of the Chief Inspector also took place to ascertain if any records pertaining to the request could be found.

In conducting the internal review an additional search was carried out. As the subject inspection of French was linked to a subsequent WSE conducted in February 2007, I requested that relevant files of the retired senior inspector who acted as report inspector for the WSE be retrieved from off-site storage and searched for relevant documentation.

No relevant records could be found and in accordance with the requirements of section 15(1)(a), I am satisfied that all reasonable steps were taken to identify and locate the records requested.

## **3. Right of Appeal**

You may appeal this decision by writing to the Information Commissioner at 18 Lower Leeson Street, Dublin 2. There is a fee of €50 [€15 for medical card holders] for such appeals, other than appeals against a decision to impose a fee. If you wish to appeal, you must usually do so not later than 6 months from the date of this notification. Should you write to the Information Commissioner making an appeal, please refer to this letter.

If an appeal is made by you and accepted, the Information Commissioner will fully investigate and consider the matter and issue a fresh decision.

Yours sincerely,

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Gráinne Conachy  
FOI Internal Reviewer, Inspectorate