

An Roinn Oideachais agus Scileanna  
Bóthar Phort Laoise  
An Tulach Mhór  
Co. Uíbh Fhailf  
R35 Y2N5



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



24 June 2016

I refer to your request for access to information under the terms of the Freedom of Information Act 2014, as follows:

#### Part 1

My understanding is that the DES has an agreement with Bus Éireann for the provision of school transport for children with Special Needs. I request a copy of that agreement that covers 3 years to today's date.

#### Part 2

If it is not included in agreement, I explicitly request copy of the Service Level Agreement (SLA) between parties for the 3 years up to today's date.

#### Part 5

I understand that Bus Éireann tenders out all of the work for the transport of children with Special Educational Needs. I request the records that detail the guidelines issued by the DES on how the tendering process must be carried out.

#### Part 6

I understand that a new "sanction letter" was given for a new service from Malahide commencing in April 2016 going to St Augustine's School. I request copy of this sanction letter and all of the records that supported this sanction letter being issued.

#### Part 7

In DES Circular of November 2011, it states:

"Bus Éireann endeavours, within available resources, to ensure that each eligible child has a reasonable level of school transport service"

I want records that detail how "reasonable level" is defined and assessed by the DES.

I have made a final decision to refuse Parts (1), (2), (5), (6) and (7) of your request on 24<sup>th</sup> June 2016 on the basis that no such documents exist. In this regard I invoke Section 15 (1) (a) of the Freedom of Information Act 2014.

Section 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.*

### Part 3

My understanding from correspondence with Bus Éireann is that annually, they forward details of "cost savings" that they have achieved in the prior year. I request the records that show these cost savings for 3 years to today's date.

### Part 4

I understand that the DES issue guidelines on maximum amount of time a student (either attending Primary or Secondary School) should be on a bus. I request the equivalent record for children attending Special Schools who have special needs.

I have made a final decision to part grant Part (3) and (4) of your request on 24<sup>th</sup> June 2016.

A schedule of all records covered by your request is attached. It shows the documents that this Department considers relevant to your request. It also gives you a summary and overview of the decision as a whole. The schedule describes each document and indicates whether the document is released in full, released with deletions or not released. The schedule refers to the sections of the FOI Act which apply to prevent release.

You may appeal this decision. 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, Dublin 1. Your correspondence should include a fee of €30 for processing the appeal. Payment should be made by way of personal cheque, bank draft or postal money order to the accountant the Department of Education and Skills. *(Please note that from 19 September, 2014, the Department of Education and Skills will no longer accept cheque payments from business users in accordance with the Department of Finance Circular 01/2013. For further information regarding payment methods for business users, please email [foi@education.gov.ie](mailto:foi@education.gov.ie)).*

You should make your appeal within 4 weeks from the date of this notification; 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 staff of this Department.

Yours sincerely,

  
Rosemary Foy  
School Transport Section