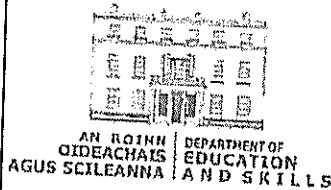


An Roinn Oideachais agus Scileanna
Bóthar Phort Laoise
An Tulach Mhór
Co. Uí Fhailí
R35 Y2N5



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

Re: FOI request 2017/379

17th October 2017

I refer to the request which you made under the Freedom of Information Act 2014 for records held by this body.

Please note this information is sent today, 17th October 2017, since due to the severe weather warning it was decided to close all Department offices on Monday 16th October for health and safety reasons.

I, Elizabeth Dunican, Executive Officer, School Transport Section have now made a final decision to part grant your request on 17th October 2017.

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

1. a schedule of all of the 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.

1. I would like to know under the freedom of information act to know why and who decided to reduce the size of the bus on this route?

Under the terms of the Post Primary School Transport Scheme, children are eligible for transport where they reside not less than 4.8 kms from and are attending their nearest education centre as determined by the Department/Bus Éireann, having regard to ethos and language.

Bus Éireann, which operates the school transport scheme on behalf of the

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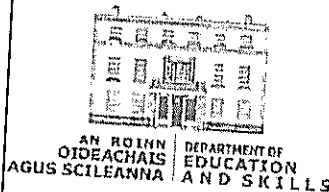


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		<p>Department, review all school transport services over the summer months. Arising from this review, routes may be altered, extended or withdrawn depending on the number and location of eligible children who will be availing of school transport for the following school year.</p>
<p>2. a. I would like to be furnished with all relevant documentation relating to the reduction from a 52 seater to 33 seater provided by the private bus operator</p> <p>b. why the decision was made to reduce the bus and who made the decision?</p>		<p>Basis for Refusal: <i>15(1) (a) This record no longer exists</i></p> <p>Bus Éireann, which operates the school transport scheme on behalf of the Department, review all school transport services over the summer months. Arising from this review, routes may be altered, extended or withdrawn depending on the number and location of eligible children who will be availing of school transport for the following school year.</p>
<p>3. From 2000 to 2008 numbers of pupils that were eligible and concessionary that travelled this route to secondary schools in Portlaoise?</p>		<p>Basis for Refusal: <i>Records created prior to 21 April 2008 do not come under the FOI Act 2014.</i> <i>15(1) (a)</i> <i>The record for 2008 no longer exists.</i></p>
<p>4. From 2009 to present numbers of pupils that were eligible and concessionary that travelled this route to secondary schools in Portlaoise?</p>		<p>Basis for Refusal: <i>Bus Éireann only hold details from 2015/16 year on their system.</i></p> <p><i>School Year 2015/16: 26 Eligible, 7 Concessionary</i></p> <p><i>School Year 2016/17: 25 Eligible, 6 Concessionary</i></p> <p><i>School Year 2017/18: 32 Eligible, 11 Concessionary</i></p>

<p>5. What is the procedures followed by the Dept of education and bus Eireann on appeals?</p>	<p>Appeals Procedures</p> <p>A School Transport Appeals Board was established in 2003. The Board acts independently of the Department.</p> <p>The Board examines and determines appeals against decisions made by, or on behalf of, the Department of Education and Science regarding the provision of school transport services and/or grant-aid under the terms of the School Transport Schemes.</p> <p>The Board may also examine appeals against decisions made by Bus Éireann, following the conclusion of any appeal procedures provided for under the <i>Guidelines for Discipline and Procedures for Dealing with Alleged Misbehaviour on School Transport</i>.</p> <p>The Board does not examine cases deemed by Bus Éireann to involve serious misconduct or behaviour which poses a threat to the safety and well being of pupils and/or the driver or to the safe operation of the service generally.</p> <p>Appeals are made on a specific form STAI which sets out the detailed information needed by the Board to consider an appeal.</p> <p>Appeal forms are available from School Transport Section or on the Department's website at www.education.ie</p> <p>The <i>Terms of Reference and Operating Procedures for the Board</i> is also available on the Department's website at www.education.ie</p>
<p>6. What is the number of successful appeals each year from 2000 to present?</p> <p>2000 – 2002</p> <p>2003 – 2008</p> <p>2009 - 2017</p>	<p>2000-2002 <i>Basis for Refusal:</i> <i>This record does not exist</i></p> <p>2003-2008 13</p> <p>2009-2017 <i>Basis for Refusal:</i> <i>This record does not exist</i></p>

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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. I consider that the specified records are exempt from release under the provisions of section 37(1) of the FOI Act 2014:

37(1) Personal Information

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).

3. Right of appeal

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, D01 RC96. 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 body.

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 wish to discuss the above, please contact me by telephone at 057 9325464

Yours sincerely,

Elizabeth Dunican
Executive Officer
School Transport Section