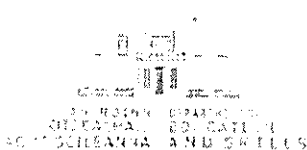


An Roinn Oideachais agus Scileanna
Bóthar Phort Laoise
An Tulach Mhór
Co. Uíbh Fhailí
R35 Y2N5

24 November 2017



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



Re: FOI request 2017/386

Dear 

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

"I would like to make a freedom of information request in relation to contact between your department and Educate Together.

1. *Some meetings are detailed in these lobbying returns:
<https://www.lobbying.ie/return/17922/educate-together>
<https://www.lobbying.ie/return/14292/educate-together>*

Please can I have any correspondence between your department and Educate Together in relation to these meetings with Educate Together and meeting records e.g. agendas, briefing notes, speaking notes, minutes, presentations.

2. *For the period from February 2016 to the present please can I also have:*
 - *any other correspondence between your department and Educate Together dealing with the issues of (a) fire safety, (b) demand for Educate Together schools*
 - *any internal documents dealing substantively with Educate Together and/or its requests on these topics*
 - *correspondence between the minister/your department and the Department of Children and Youth Affairs in relation to Educate Together (on these topics).*

I, Liz Marriott, have now made a final decision to part grant your request on 24, November 2017. You have sought access to the records and I consider *Electronic Copies* is an appropriate form of access in this case. Accordingly, a copy of the records are now enclosed including a copy of the schedule to these records.

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

I attach three Schedules of Documents which outline the documents that I consider come within the scope of your request. These documents are held in Forward Planning Section, Major Projects Section and ETB Financial/Administrative Personnel Section of the Department of Education & Skills.

The schedules outline the documents which are being released and also outline the reasons for non-release or part 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.

Schedule No 1:

Records relating to Part 1 of your request

Schedule No 2(1)(a):

Records relating to the first bullet point and second bullet point of Part 2 of your request relating to "fire safety"

Schedule No 2(1)(b)

Records relating to the first bullet point and second bullet point of Part 2 of your request relating to "demand for Educate Together schools"

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.

Section 15(1)(a) of the Act states that an FOI requested may be refused if: *'the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken'*. In this regard I have refused part 2 third bullet point of your request - *"correspondence between the minister/your department and the Department of Children and Youth Affairs in relation to Educate Together (on these topics)"* under this section of the Act.

Section 37 Personal Information

(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).

Two records were part granted in line with this Section of the Act.

Section 30 Functions and Negotiations of an FOI body

(1) A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to—

(c) disclose positions taken, or to be taken, or plans, procedures, criteria or instructions used or followed, or to be used or followed, for the purpose of any negotiations carried on or being, or to be, carried on by or on behalf of the Government or an FOI body.

One record was refused under this Section of the Act.

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, Dublin D01 RC96 or email foi@education.gov.ie

Your correspondence should include a fee of €30 for processing the appeal. 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 9325403.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Liz Marriott', written over a horizontal line.

Liz Marriott
Executive Officer