

25th April 2017



Re: FOI request 2017 / 126

Dear 

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

A copy of briefing material prepared for the Department of Education & Skills Secretary General in relation to his appearance before the Public Accounts Committee on the 23rd March 2017.

I, Áine Garvin have now made a final decision to part grant your request of 24th March 2017 in relation to material prepared by the Finance Unit for the Secretary General.

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 at Appendix A, it shows the documents that the Department of Education & Skills 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.

2. Findings, particulars and reasons for decisions to deny access

A total of 19 documents were considered relevant under the FOI request, five of which have been part granted and one is refused. Set out below are the specific items which have been part granted / refused. The sections of the Act which can apply to deny access to documents are known as its exemption provisions.

Record No.	Record Summary	Status	Reason for Part Granting / Refusal
9	<p>End year Vote Expenditure</p> <ul style="list-style-type: none"> ➤ End Year Vote Expenditure 2014 ➤ End Year Vote Expenditure 2015 ➤ End Year Vote Expenditure 2016 	Part Granted	<p>End Year Expenditure information for the years 2014 and 2015 have been released under this FOI.</p> <p>End Year Expenditure has been refused for 2016 under Section 30(1)(a) Functions and negotiations of FOI bodies - prejudice effectiveness of tests, examinations, investigations, inquiries or audits.</p> <p>The Department's 2016 draft Vote Appropriation Accounts have been submitted to the Comptroller & Auditor General and are currently subject to audit. These documents form part of the audit process and are not available for release until the final accounts have been completed. The 2016 final accounts will be published in September 2017.</p>
11	<p>Management Letter 2013-2015</p> <ul style="list-style-type: none"> ➤ Management Letter 2013 ➤ Management Letter 2014 ➤ Management Letter 2015 	Part Granted	<p>The summary of the 2014 Management Letter has been released in full.</p> <p>The summary of the 2013 Management Letter has been part granted under Section 29(1)(a) Deliberations of FOI bodies - opinions, advice, recommendations and the results of consultations. One item currently remains under review and is not available for release until the consultative process has been completed.</p> <p>The summary of the 2015 Management Letter has been refused under Section 30(1)(a) Functions and negotiations of FOI bodies - prejudice effectiveness of tests, examinations, investigations, inquiries or audits. Items raised in the 2015 Management Letter are currently under review and are subject to internal processes within the Department including the Department's Internal Audit Committee.</p>
12	<p>Supplementary Estimate 2014-2016</p> <ul style="list-style-type: none"> ➤ Supplementary Estimate 2014 ➤ Supplementary Estimate 2015 ➤ Supplementary Estimate 2016 	Part Granted	<p>Supplementary Estimate information for the years 2014 and 2015 have been released under this FOI.</p> <p>Supplementary Estimate information has been refused for 2016 under Section 30(1)(a) Functions and negotiations of FOI bodies - prejudice effectiveness of tests, examinations, investigations, inquiries or audits.</p> <p>The Department's 2016 draft Vote Appropriation Accounts have been submitted to the Comptroller & Auditor General and are currently subject to audit. These documents form part of the audit process and are not available for release until the final accounts have been completed. The 2016 final accounts will be published in September 2017.</p>

Record No.	Record Summary	Status	Reason for Refusal
14	Legal Costs	Part Granted	Legal costs information has been disclosed under this FOI, however where individuals can be identified this information has not been disclosed under Section 37(1) Personal information – disclosure of personal information.
17	Late Payment Interest	Part Granted	Late payment interest information has been disclosed under this FOI. Data refused, under Section 36(1)(b) Commercially sensitive information, relates to a specific type of payment. This information is withheld on the basis that its release may prejudice other contract negotiations.
18	DES Current Account Banking Charges & NTF Banking Charges	Refused	Information regarding current account banking charges is refused under Section 36(1)(c) Commercially sensitive information - prejudice contract or other negotiations of the person. The release of this information may impact on current consultations in relation to banking services.

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 1. 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 01-889 2217.

Yours sincerely,



Áine Garvin
Finance Unit