

[REDACTED]

By Email

29 March 2017

**Re: Request for information under the Freedom of Information Act 2014**  
**Reference No: 2017/88**

[REDACTED]

I refer to your application for information under the Freedom of Information Act 2014 for records held by this Body as follows:

- *All records held by the department relating to enrolment deception, including*

*Complaints of such activity for the year 2005-2016*  
*Investigations/reports compiled as a result of any complaints made*  
*Internal reports/memos on the subject*  
*Any correspondence to schools on the issue*

I have now made a final decision to refuse your request on 29 March 2017 under Sections 32(1), 35 (1) and 37(1) of the Act.

**Section 32(1) – Law Enforcement and Public Safety:**

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:

*(a) prejudice or impair*

*the prevention, detection or investigation of offences, the apprehension or prosecution of offenders or the effectiveness of lawful methods, systems, plans or procedures employed for the purposes of the matters aforesaid,*

*the fairness of criminal proceedings in a court or of civil proceedings in a court or other tribunal*

**Section 35(1) – Information obtained in confidence**

Subject to this section, a head shall refuse to grant an FOI request if-

*the record concerned contains information given to an FOI body, in confidence and on the understanding that it would be treated by it as confidential and in*

*the opinion of the head, its disclosure would be likely to prejudice the giving to the body of further similar information from the same person or other persons and it is of importance to the body that such further similar information as aforesaid should continue to be given to the body*

### **Section 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).*

In the event that you are unhappy with this decision you may appeal the 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 or by e-mail to [foi@education.gov.ie](mailto:foi@education.gov.ie). The fee for an internal review is €30 and for information on payment methods please email the Department's Freedom of Information Unit.

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.

Should you have any questions or concerns regarding the above, please contact me by telephone on 090 648 3718.

Yours sincerely,

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Paul Kelly  
Higher Executive Officer/Decision Maker  
School Governance Section