

[REDACTED]

I refer to the 54 individual requests (FOI 2017/215-217; FOI 2017/234-263 and FOI 2017/272-292 inclusive), which you have made under the Freedom of Information Act 2014, for records held by the Department of Education and Skills. Your requests were as follows:

Under the Freedom of Information Act, I wish to obtain the following information from the Department of Education (DOE).

- 1. The number of complaints from any teacher, parent, guardian or relative in relation to any issue at (school name – see 18 schools listed in Appendix A below) in 2015, 2016 and 1.1.2017 to 31.05.2017 inclusive.*
- 2. A copy of any complaint made about the school during this period.*
- 3. A copy of any minutes of meetings between any teacher, parent, guardian or relative and the DOE during this period.*
- 4. A copy of any correspondence sent to and from the DOE between any teacher, parent, guardian or relative concerning any complaint during this period.*

This FOI request includes complaints sent to and from the inspector's office, the secretary general, the Minister for Education's private secretary and the department's Athlone office.

I, Caitríona Ní Bhriain, am the decision maker for the Department of Education and Skills (DES) Inspectorate in respect of Freedom of Information (FOI) requests. This letter is my response in respect of your 54 individual requests. I have made a final decision to refuse your 54 individual requests today, 30th June 2017, under the FOI Act.

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

1. an explanation of the relevant findings concerning the records to which access is denied,
2. a statement of how you can appeal this decision should you wish to do so, and
3. information regarding the publication of non-personal FOI requests

This response addresses each of these three parts in turn.

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

The sections of the FOI Act 2014 that can apply to deny access to documents are known as its exemption provisions.

Section 15(1)(g) provides that an FOI body may refuse to grant a request where, in the opinion of the body, the request forms part of a pattern of manifestly unreasonable requests.

The relevant text is:

*15. (1) A head to whom an FOI request is made may refuse to grant the request where-
(g) the request is, in the opinion of the head, frivolous or vexatious or forms part of a pattern of manifestly unreasonable requests from the same requester or from different requesters who, in the opinion of the head, appear to have made the requests acting in concert*

The DES received approximately 500 FOI requests last year, 2016-2017. Your 54 individual requests would thus form approximately 10% of the total received by the DES over the course of a typical year. Your 54 requests were also received by the DES with a period of 11 working days: 23rd May to

8th June 2017 inclusive. The FOI Unit within the DES could not respond to a request of the type you made i.e. a submission of 54 individual requests made within such a short time frame, and manage to adhere to statutory FOI timelines. Thus, I advise you that your 54 individual requests are being rejected under the provision of section 15(1)(g). As outlined in that section, I consider that your 54 requests form part a series of unreasonable requests, submitted by the same requester within a very short time.

2. 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. 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.

3. 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.

I am aware that, in your response of 20th June 2017 to Mr McLoughlin, Assistant Principal Office, Parents, Learners and Data Base, you are not agreeable to seeking this information outside of the formal FOI system. Should you change your mind in that regard, please note that I am willing to consider your request outside of the FOI process within a mutually agreeable timeframe. However, in order to do so, I would need greater clarity in relation to the type of information you are seeking. If you wish to contact me directly in this regard, please contact me at (01) 8892240.

Should you wish to re-submit your FOI request, I suggest that you submit a more refined number of requests with a narrower focus. If requested, the FOI Unit should be able to advise you in that regard.

Yours sincerely,

Caitriona Ní Bhriain

FOI Decision Maker (Inspectorate),
Department of Education and Skills

Appendix A

FOI	School
2017/215-217	St Patrick's Comprehensive School, Shannon
2017/234-236	St John Bosco Community College
2017/237-239	St Joseph's Community College, Kilkee

2017/240-242	St Flannan's College, Ennis
2017/243-245	Ennis Community College, Ennis
2017/246-248	Scoil Mhuire, Ennistymon
2017/249-251	Meanscoil na mBraithre, Ennistymon
2017/252-254	Ennistymon Vocational School, Ennistymon
2017/255-257	Coláiste Mhuire, Ennis
2017/258-260	St Anne's Community College, Killaloe
2017/261-263	St Michael's Community College, Kilmihill
2017/272-274	Kilrush Community School
2017/275-277	Mary Immaculate Secondary School, Lisdoonvarna
2017/278-280	Rice College, Ennis
2017/281-283	Scarrif Community College
2017/284-286	St Joseph's Secondary School, Spanish Point
2017/287-289	St Joseph's Secondary School, Tulla
2017/290-292	St Caimin's Community School, Shannon

Caitríona Ní Bhriain
 Inspectorate
 Department of Education and Skills
 Cornamaddy
 Athlone
 Co. Westmeath