

27th June 2017

[REDACTED]

Re: FOI request 2017/227

[REDACTED]

I refer to your request dated 28th May 2017 made under the Freedom of Information Act 2014, which was received on 29th May 2017, for records held by the Department of Educations and Skills. Your request sought:

1. Records that show the early school-leaving rates broken down by school, for each school in Dublin for
 - a. 2011
 - b. 2014
 - c. 2015
 - d. 2016

I, Eimear Ellis, Administrative Officer have now made a final decision to refuse your request on 27th June 2017.

The purpose of this letter 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, and
2. a statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these parts in turn.

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

Access to the records concerned is denied under Section 41 (1) (b) of the Freedom of Information Acts. Section 41 states that:

41.-(1) A head shall refuse to grant an FOI request if -

- (a) the disclosure of the record concerned is prohibited by law of the European Union or any enactment (other than a provision**

specified in *column (3) of Part 1 or 2 of Schedule 3 of an enactment specified in that Schedule*), or

(b) the non-disclosure of the record is authorised by any such enactment in certain circumstances and the case is one in which the head would, pursuant to the enactment, refuse to disclose the record.

The relevant enactment in this case is Section 53(a) of the Education Act 1998 which states that the Minister may:

“Refuse access to any information which would enable the compilation of information (that is not otherwise available to the general public) in relation to the comparative performance of schools in respect of the academic achievement of students enrolled therein.”

As school-leaving rates for individual schools constitute information on the ~~comparative performance of schools in respect of the academic achievement of their~~ students, I must refuse access to the information requested.

2. Rights of appeal

If you are unhappy with this decision you may appeal it. 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, D09RC96. 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 accepts 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.

Should you wish to discuss the above, please contact me at 01 889 2404 or at Eimear_Ellis@education.gov.ie.

Yours sincerely,

Eimear Ellis
Administrative Officer
Statistics Section