

8th February 2018

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Re: FOI Request 2018/11

Dear [REDACTED]

I refer to your request 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 the National Student Accommodation strategy.

Please can you provide me with correspondence with the following organisations in the course of drafting the strategy. This may also include notes of meetings.

1. Irish Universities Association
2. Technological Higher Education Association
3. Construction Industry Federation
4. DIT
5. TCD
6. UCD
7. JLL Property
8. Grangegorman development agency
9. Atelier Property Group
10. Hines
11. Global Student Accommodation
12. Winters Property Management
13. Ziggurat
14. NTM Capital

Please can I have these records in electronic format.”

The period of this correspondence would be June 2016 to July 2017.

(b) disclosure of the information concerned would constitute a breach of a duty of confidence provided for by a provision of an agreement or enactment (other than a provision specified in column (3) in Part 1 or 2 of Schedule 3 of an enactment specified in that Schedule) or otherwise by law.

Information obtained in confidence has been redacted in the records you seek. You will note that these sections have been marked out by a black marker.

The Freedom of Information Act 2014 protects the privacy of individuals about whom information is held by government departments and bodies. This is outlined in Section 37(1) of the Act:

### **Section 37(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)

Personal information has been redacted in the records you seek; the redactions relate to the personal telephone number of the sender. You will note that these sections have been marked out by a black marker.

### **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, D01 RC96. 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](mailto: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.

I, Donna Maguire, have now made a final decision to partially grant your request on 8th February and a copy of the relevant records is attached along with this letter, together with a schedule of 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

A schedule is enclosed with this letter, it shows the documents that this body 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

The sections of the Act which can apply to deny access to documents are known as its exemption provisions. The Freedom of Information Act 2014 protects information that was obtained in confidence and on the understanding that it would be treated as such. This is outlined in Section 35(1) of the Act:

### Section 35(1)

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

(a) 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 (including such information as aforesaid that a person was required by law, or could have been required by the body pursuant to law, to give to the body) 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, or

An Roinn Oideachais agus Scileanna  
Ardoideachais – Beartas agus Taighde,  
Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 RC96



Department of Education and Skills  
Higher Education – Policy and Research  
Marlborough Street  
Dublin 1  
D01 RC96

## 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 2204

Yours sincerely,

A handwritten signature in cursive script that reads 'Donna Maguire'.

Donna Maguire  
Administrative Officer  
Higher Education – Policy and Research