

**Freedom of Information Act 2000 (FOIA)  
Environmental Information Regulations 2004 (EIR)**

**Decision notice**

**Date:** 18 December 2020

**Public Authority:** The Governing Body of Al-Furqan Primary School

**Address:** Reddings Lane  
Tyseley  
Birmingham  
B11 3EY

**Decision (including any steps ordered)**

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1. The complainant has requested information from Al-Furqan Primary School ("the School") on various aspects of its responses to the Covid-19 pandemic, including information on contingency plans, decisions made, funding and training.
2. The Commissioner's decision is that the School failed to respond to the request within 20 working days and has therefore breached section 10 of the FOIA. However, as the School has now provided the complainant with a response, the Commissioner does not require any steps to be taken as a result of this decision notice.

**Request and response**

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3. On 6 October 2020 the complainant made a request to the School in the following terms:

*"Please can you provide copies of the following:*

1. Any information including emails about the school plan to teach children in the Covid-19 situation

- 2. Any minutes of meetings or any documents/emails where discussions have taken about providing support to children during the Covid-19 situation, whether this is formal or not.*
  - 3. School policy on remote learning for children and teaching staff.*
  - 4. Number of electronic devices available per child, such as iPad, in school for children to use.*
  - 5. Amount of extra funding been made available per child to the school to teach children as a result of Covid-19.*
  - 6. Any information about extra training for the teaching staff to use technology to teach children remotely. If applicable, provide names of courses, training materials and their content.*
  - 7. A list of named senior leadership team and the length of time including start date in the role for each leader."*
4. The complainant did not receive a response to this request and therefore contacted the Commissioner about his complaint.

### **Scope of the case**

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5. The complainant contacted the Commissioner on 14 November 2020 to complaint about the lack of response . The Commissioner wrote to the School on 23 November 2020 to chase up the response and remind the public authority of its obligations under the FOIA. The School responded to the request on 4 December 2020.
6. The Commissioner considers the scope of this notice is to consider whether the School complied with section 10 of the FOIA.

### **Reasons for decision**

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#### **Section 10 – time for compliance**

7. Section 1 of FOIA provides for a general right of access to information held by public authorities. Section 10(1) provides that a public authority must comply with section 1 promptly and in any event not later than the twentieth working day following the date of receipt of a request for information.

8. In this case, the complainant made his request for information on 6 October 2020. The School responded to the request on 4 December 2020. As the School failed to issue a response to the request within the required timescale it breached section 10(1) of the FOIA.

## Right of appeal

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9. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

10. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
11. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed** .....

**Jill Hulley**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**