

Freedom of Information Act 2000 (FOIA) Decision notice

Date: 13 October 2022

Public Authority: Colchester Royal Grammar School
Address: 6 Lexden Road
Colchester
CO3 3ND

Decision (including any steps ordered)

1. The complainant requested the minutes from meetings of the Board of Governors. Colchester Royal Grammar School (the School) provided these while relying on Section 40 of FOIA to redact some sections.
2. The Commissioner's decision is that the School was entitled to rely on section 40 of FOIA to withhold the redacted information.
3. The Commissioner does not require further steps.

Request and response

4. On 4 December 2021, the complainant asked the School for minutes of all board of governors meetings held since 13 May 2021.
5. The public authority provided the minutes with select areas redacted under Section 40 of FOIA – a position it upheld at internal review.

6. Reasons for decision

7. The following analysis explains why the Commissioner is satisfied that the School was entitled to withhold the redacted information.
8. Section 40 of FOIA allows a public authority to withhold information if it constitutes personal data and disclosure would contravene the data protection principles.
9. During the course of the investigation, the School provided the Commissioner with a copy of the withheld information. The information represents names and details of personal circumstances specific to individuals.
10. If the School were to disclose this information, the Commissioner considers individuals would be identifiable both by the complainant and indirectly by others via cross-referencing with publicly available records.
11. The Commissioner considers that there is a legitimate interest in board of governor meetings being available in full to encourage greater transparency. However, the Commissioner does not consider that there is a pressing social need to interfere with the privacy rights of individuals in order to disclose the withheld information.
12. The Commissioner is therefore satisfied that the public authority is entitled to withhold the redacted information under Section 40.

Right of appeal

13. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

14. 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.
15. 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

Phillip Angell
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Cheshire
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