

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 16 January 2014

Public Authority: Holsworthy Federation Governing Body

Address: Holsworthy Community College
Victoria Hill
Holsworthy
Devon
EX22 6JD

Decision (including any steps ordered)

1. The complainant has requested a copy of the minutes of the last five Governors meetings. Holsworthy Federation Governing Body (HFGB) provided the complainant with three sets of Governor's meeting minutes. The complainant considers that two further sets of minutes are held between October 2012 and January 2013. HFGB said that no further information was held under section 1(1)(a) of the Freedom of Information Act 2000 (FOIA).
2. The Commissioner considers that HFGB has provided the complainant with all of the minutes it holds within the scope of the request under section 1(1)(a) FOIA.
3. The Commissioner requires no steps to be taken.

Request and response

4. On 23 May 2013 the complainant requested information of the following description:

"I am requesting to see copies of the last 5 governors meetings minutes. Please can these be forwarded to me by email or to the address above."

5. On 4 July 2013 HFGB provided three sets of minutes. HFGB said that this was the only information it held.

Scope of the case

6. The complainant contacted the Commissioner on 16 July 2013 to complain about the way his request for information had been handled. He does not consider that he has been provided with all of the information held relevant to the scope of the request. He explained that he believes there are two sets of minutes dated between October 2012 and January 2013 which have not been provided.
7. The Commissioner has considered whether any further sets of minutes, within the scope of the request, are held by HFGB.

Reasons for decision

8. Section 1(1)(a) of FOIA states that, "Any person making a request for information to a public authority is entitled – to be informed in writing by the public authority whether it holds information of the description specified in the request".
9. HFGB explained that during the period from September 2012 to January 2013 there was no Clerk to Governors and so meetings were audio recorded. These recordings are not minutes of the meetings, but are a verbatim record. It said that these recordings during this period have been sampled during the recent Devon County Council audit of Pyworthy, Bridgerule and Bradford Primary Schools. As the task to transcribe these verbatim recordings and then to produce minutes was deemed to be too onerous, the transcription has not been undertaken but the recordings have been available when required. It said that once a new Clerk to Governors was appointed, appropriate minutes have been taken, written and published on the School website as required by law. It summarised that no physical searches were conducted as there were no minutes of the meetings requested, other than those provided, only the recordings.
10. Based upon the submissions provided by HFGB, the Commissioner is satisfied that no further minutes were created within the scope of the request other than the three sets provided. The Commissioner therefore considers, on the balance of probabilities, HFGB has provided the

complainant with all of the information it holds within the scope of the request under section 1(1)(a) FOIA.

Right of appeal

11. 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: 0116 249 4253

Email: GRC@hmcts.gsi.gov.uk

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

12. 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.
13. 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

Pamela Clements
Group Manager, Complaints Resolution
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF