

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 5 July 2024

**Public Authority:** Kent County Council

**Address:** County Hall  
Maidstone  
Kent  
ME14 1XQ

#### **Request:**

The complainant requested the following information from Kent County Council on 30 March 2024:

"Please can I be provided with the following information for the last 5 years:

- The number of places available at maintained special schools in East Kent (Canterbury and Thanet districts)
- The number of places available at Special Resource Provisions at maintained schools in East Kent (Canterbury and Thanet districts)
- The number of times KCC have placed children in a maintained special school in East Kent (Canterbury and Thanet districts) despite the school advising they are full
- The number of times KCC have placed children in a Special Resource Provision at a maintained mainstream school in East Kent (Canterbury and Thanet districts) despite the school advising they are full."

**Commissioner's Decision:**

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

**Steps:**

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

**Right of Appeal:**

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

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

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Reference: IC-310415-T6Z9



**Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF**