

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 5 December 2022

Public Authority: Endeavour Learning Trust
Address: Central Hub
Yewlands Drive
Leyland
PR25 2TP

Decision (including any steps ordered)

1. The complainant requested information from Endeavour Learning Trust ("the Trust") about funding received from the National Tutoring Programme and how it has been spent by each of the Trust's schools. The Trust disclosed all the recorded information it held.
2. The Commissioner's decision is that, on the balance of probabilities, the Trust does not hold further information within the scope of the request.
3. The Commissioner requires no steps to be taken as a result of this decision.

Request and response

4. On 15 May 2022, the complainant wrote to the Trust and requested information in the following terms:

"I am writing to you under the Freedom of Information Act 2000 to request the following information from Endeavour Learning Trust. Please may you provide me with:

Funding received as part of the National Tutoring Program, launched in November 2020, by Endeavour Learning Trust and how each of the Trust's schools has utilised (spent) this ring-fenced funding. To include:

- Payments received from the government, dates and totals of to each school within the Trust
 - Allocation of this ringfenced funding to tutoring programs within each school, including dates of allocation
 - Details of expenditure of the funding by each school with the Trust, including dates and amounts and how decisions were reached regarding allocation.
 - Details of tutoring programs within each school of the Trust, including external services used, school led tutoring and which pupils these were made available to, when they were made available, announced and for how long.”
5. The Trust responded on 10 June 2022 and provided a response to the request.
 6. The complainant expressed dissatisfaction with that response on 12 June 2022.
 7. Following an internal review, the Trust wrote to the complainant on 17 June 2022 and advised that no further recorded information was held within the scope of the request.

Scope of the case

8. The complainant contacted the Commissioner on 18 June 2022, to complain about the way their request for information had been handled.
9. The Commissioner has considered whether, on the balance of probabilities, the Trust holds further recorded information within scope of the request and whether it has complied with section 1(1) of FOIA.

Reasons for decision

Section 1 general right of access

10. Section 1 of FOIA states that:

“Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him”.

11. The Commissioner has sought to determine whether, on the balance of probabilities, the Trust holds further requested information.
12. The Trust has explained that it was formed on 15 November 2011 and some of the requested information pre-dates its existence. The request asked to include all schools within the Trust, however Ormskirk High School only joined the Trust on 1 April 2022 and any previous records would have been with the local authority. It added that the Trust only provides management for Wellfield School so it is therefore not part of the Trust. Tarleton High School only joined Endeavour Learning Trust on 19 July 2016 and the Trust states that it holds no records that precede this date. As part of its internal review response, the Trust suggested that the complainant could contact the relevant local authorities for information on these particular schools.
13. The Trust stated that it carried out searches of its finance system, emails and SIM to ascertain how the allocation of time and funds was devolved to its schools. The Trust also spoke to senior school staff and they had advised how the funding for the programme had been allocated and spent in their school. Search terms included 'National Tutoring Program', 'NPT' and 'Tutoring programme', and all information was derived from the Trust's finance system, SIMs system and emails of each school's electronic network. The Trust confirmed that no information is held on personal computers. The Trust feels that the searches performed were relevant to retrieve the information it held in respect of the request.
14. With regards to the complaint's comments about information relating to the pupil premium, the Trust added that it had consulted with schools who advised of consultations they had had with parents of children subject to pupil premium and the allocation of time for their children. Senior staff advised of meetings that had taken place where no formal records were taken in the allocation of time and money for this programme.
15. On the balance of probabilities the Commissioner is satisfied that the requested information is not held by the Trust, as he has not been provided with any evidence that the Trust would hold further information.
16. The Commissioner is satisfied that the Trust has complied with its obligations under section 1(1)(a) FOIA in this case. He is therefore satisfied that the Trust has complied with the requirements of section 1 of FOIA.

Right of appeal

17. 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

18. 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.
19. 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

Michael Lea
Team Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF