

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

### **Decision notice**

**Date:** 7 February 2020

**Public Authority:** The Governing Body of the International Academy of Greenwich

**Address:** 21 Meadowcourt Road  
London  
SE3 9DU

#### **Decision (including any steps ordered)**

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1. The complainant has requested information relating to the appointment of governors at the school and specific information concerning the departure of one and the appointment of another. To the date of this notice, International Academy of Greenwich (the school) has failed to respond to the complainant's request.
2. The Commissioner's decision is that the school has breached section 10 of the FOIA by failing to respond to the complainant's information request within the statutory timeframe for compliance.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
  - The school is required to respond to the complainant's information request in accordance with the FOIA.
4. The public authority must take these steps within 35 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 the Act and may be dealt with as a contempt of court.

## Request and response

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5. On 29 October 2019, the complainant wrote to the school and requested information in the following terms:

"1. IAG has implied that it conducts termly reviews of the school website and that when necessary information is updated. The public was only recently made aware of the fact that [name redacted] was appointed as a Governor on the 28<sup>th</sup> January 2019. In which term and academic year was the school website finally updated to reflect this appointment? To assist you: there was zero mention of this appointment on the school website in terms 3, 4 5 and 6 of the 2018/19 academic year.

2. During their inspection in July 2019, or at any time since that inspection, was Ofsted made aware of the fact that IAG's Governance details were inaccurate and not up to date? When did IAG admit to Ofsted that it had not disclosed the departure of [name redacted] and the appointment of [name redacted]?

3. In **October 2019**, the school website was finally updated to reflect the May/June 2019 departure of [name redacted]. Please provide the date that the DfE was notified about this departure - which was listed as the 23<sup>rd</sup> May 2019 according to the DfE website. Please provide a copy of the resignation of [name redacted] and a copy of the DfE notification.

4. The IAG website currently states that [name redacted]'s last reported 'business interest' was Intelligent Action. Please confirm that [name redacted]'s business interest was also Greenwich Academy Trust-director. Residents would like to know why IAG has failed to fully disclose [name redacted]'s GAT business interest? (note: you are legally required to do so).

5. IAG is required to have parent ELECTED governors. Please provide details of when any parent governors were elected by PARENTS, to include details of the election process, number of votes etc.

6. Since opening, IAG has consistently failed to comply with its Statutory obligations and terms of the Funding Agreement. In the financial year 2018/19, these failures include failing to report change of governors/resignations of governors, failures highlighted by Ofsted regarding careers etc. Please confirm that IAG/Big education trust will NOT be confirming, stating or implying in the Annual Report of Accounts 2018/19 that no instances of funding non-compliance were 'discovered' as quite clearly, this would be untrue.

7. According to IAG's 2019 Autumn census: please provide a breakdown of the number of pupils in year groups 7,8,9 and 10 and for each year group, provide a breakdown of their borough of residence"

6. The school acknowledged receipt on 31 October 2019 and confirmed that it would respond to the points in due course.
7. As the complainant did not receive a response, she chased the school on 29 November 2019.
8. As the complainant still did not receive a response, she referred the matter to the Commissioner on 17 December 2019.
9. The Commissioner contacted the school by email on 4 January 2020 and requested that it responds to the request in accordance with its obligations under the FOIA by 20 January 2020.

### **Scope of the case**

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10. The complainant contacted the Commissioner again on 4 February 2020 as the school had still failed to respond to her information request in accordance with the FOIA.
11. The Commissioner considers the scope of her investigation to be to determine whether the school has met its obligations under the FOIA.

### **Reasons for decision**

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12. Section 10 of the FOIA requires a public authority to respond to an information request promptly and in any event no later than 20 working days from receipt.
13. As the school has not to date responded, it is in breach of section 10 of the FOIA. The Commissioner now requires the school to respond to the complainant's information request in accordance with its obligations under the FOIA.

## Right of appeal

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14. 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)

15. 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.
16. 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

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