



Reference: FOI-1586

Request:

Under the Freedom of Information Act 2000 I would like to request the following:

- a) An electronic copy of the most recent finalised version of North Tyneside Council's Dedicated Schools Grant Management Plan.
- b) An electronic copy of North Tyneside Council's most recent Safety Valve Monitoring report sent to the Department for Education.
- c) A list of the Key Performance Indicators being used to monitor the Safety Valve funding arrangements agreed between the Department for Education and North Tyneside Council.

Response:

a) This information is withheld under s36(2)(b)(ii) and s36(2) (c). This is because the Qualified Person has determined that disclosure would be likely to inhibit the free and frank exchange of views for the purposes of deliberation and would be likely otherwise to prejudice the effective conduct of public affairs.

When applying these exemptions, it is necessary to consider the prejudice or harm that disclosure may cause, and its likelihood. A disclosure under FOI is to the world at large and not only the requestor and this is an important factor when looking at the prejudice or harm that could be caused by the release of this information.

Disclosure of the withheld information would place in the public domain information that would result in the following consequences:

- Releasing this information could damage trust and working relationships between organisations (LAs, maintained schools and academies, partners in health and social care, and the DfE) that have shared information in confidence, in the formulation of the Dedicated School Grant Management Plan. The publication of this return would have a severe detrimental impact on those close relationships. The loss of trust that the release of this report would create could have far reaching effects including, the schools and partners not sharing

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information with the Council. This could include information to undertake valid financial forecasts.

- Forcing disclosure of options discussions will influence the ability of the Authority and the DfE to have honest and transparent communications intended to mitigate financial difficulty.
- Having sensitive information published could inhibit the ability of the Authority and maintained schools to manage their staff effectively and consult with stakeholders at the appropriate times.

The exemption is not absolute, there is a 'public interest test.' That is, we must consider whether the public interest favours withholding or disclosing the information. In this case the public interest factors in disclosing the information within the scope of the request are:

- General interest in transparency and openness in government.
- Transparency about the current position of the High Needs Block.
- Assurance that the Local Authority has a robust plan to tackle deficits.

The factors in withholding the information are:

- It is vital that the Authority can maintain effective working relationships with schools and other stakeholders including the DfE.
- Damage to those relationships impacts on outcomes of discussions but also diverts resources into managing the relationship rather than progressing Local Authority/school priorities.
- A substantial public interest in maintaining circumstances where the Authority can effectively work with partners to maximise use of resources.

However, when the Authority submitted its Dedicated School Grant Management Plan, the Schools Forum were provided with an overview of the document and its detail, at a high level. The minutes of these can be accessed via the following link. <https://my.northtyneside.gov.uk/meetings/north-tyneside-schools-forum>

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- b) Please find attached a redacted copy of the Safety Valve Monitoring Report which was sent to the Department for Education.

The redacted sections of the report are being withheld under s36(b)(2)(ii) and s36(2) (c) of the FOIA for the reasons outlined above.

For further information, please see the following link to the Schools Forum minutes which provide a high level overview:

<https://my.northtyneside.gov.uk/meetings/north-tyneside-schools-forum>

- c) The Authority has not developed KPIs specific to the Safety Valve programme, however, we can provide a copy of our Safety Valve Agreement which is published online and can be accessed via the following link
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1142857/North_Tyneside_Safety_Valve_Agreement_2022-2023.pdf.

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