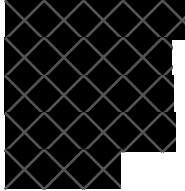




Mr John Hamill



04th April 2023

Re: Freedom of Information Request – DES-FOI-2023-0043

Dear Mr Hamill

I refer to your request dated 13th March 2023 for an internal review made under the Freedom of Information Act 2014, in relation to FOI-2023-0043.

I am a more senior member of staff in the ITE & Professional Development Section of the Department of Education than the original decision maker in this case. I have decided today 04th April 2022, to vary the original decision made in relation to your request. This review of your request is an entirely new and separate decision, and is explained as such below.

Your original request sought:

Access to all non-personal records within PDST relating to communications with the Le Chéile Schools Trust during the calendar year 2016. Specifically, this should involve searching the following two email accounts:

- ciaraodonnell@pdst.ie
- garycarley@pdst.ie

The search should seek all emails to and from the domain “@lecheiletrust.ie”. Also specifically within the scope of this FoI request are all presentations, training materials, meeting minutes, communications or other records relating to the arrangement and delivery of an event at the Stillorgan Park Hotel on March 8th 2016. I’m interested in records relating to how the event was arranged, what content was requested, what content was delivered during the event, and what internal PDST considerations were made with respect what content should be delivered.

I, Muireann Ní Cheallaigh, Higher Executive Officer, have now made a final decision in relation to your request on 13th March 2023.

Accordingly, the information is provided on the records that were partially granted/refused below:

Corr na Madadh, Baile Átha Luain, Co. na hIarmhí, N37 X659

Cornamaddy, Athlone, Co. Westmeath, N37 X659

T +353 90 6483946 | karen_ryan@education.gov.ie

www.education.ie



Record 2 - Emails between Le Chéile Trust & Gary Carley in 2016 – partially granted.

37(1) Personal information - disclose personal information

Section 37 of the FOI Act recognises a very strong public interest in protecting privacy rights and this is reflected both in the language of section 37 and in the Long Title to the Act (which makes clear that the release of records under FOI must be consistent with "the right to privacy"). Privacy rights will therefore be set aside only where the public interest served by granting the request (and breaching those rights) is sufficiently strong to outweigh the public interest in protecting privacy.

Having reviewed this decision I have decided to vary the decision made by the original decision maker and release a number of emails that were part-redacted, please see attached. In the interest of protecting privacy rights some third party names have been redacted in these records.

Record 3 - The event at the Stillorgan Park Hotel on March 8th 2016– Refused

15(1)(a) Record does not exist or cannot be found after all reasonable steps have been taken

Section 15 (1) (a) of the FOI Act provides for the refusal of a request where the records sought do not exist or cannot be found after all reasonable steps to ascertain their whereabouts has been taken.

Having reviewed this decision I am satisfied that no such requested information exists and have decided to affirm the decision made by the original decision maker.

Record 8 - Attachments to email between Le Chéile Trust & Gary Carley on 30/08/2016 – partially granted

37(1) Personal information - disclose personal information

Section 37 of the FOI Act recognises a very strong public interest in protecting privacy rights and this is reflected both in the language of section 37 and in the Long Title to the Act (which makes clear that the release of records under FOI must be consistent with "the right to privacy"). Privacy rights will therefore be set aside only where the public interest served by granting the request (and breaching those rights) is sufficiently strong to outweigh the public interest in protecting privacy.

Having carefully considered the public interest as it relates to disclosure of personal information, I have decided to affirm the decision of the original decision maker to redact personal information from this record.

Record 10 – Le Chéile Materials October 2016 – Refused

35(1)(a) Information obtained in confidence -understanding it would be treated in confidence.

Section 35 (1)(a) of the FOI Act provides for the refusal of a request where the record concerned contains information given to an FOI body in confidence and on the understanding that it would be treated by it as confidential (including such information as aforesaid that a person was



required by law, or could have been required by the body pursuant to law, to give to the body) and, in the opinion of the head, its disclosure would be likely to prejudice the giving to the body of further similar information from the same person or other persons and it is of importance to the body that such further similar information as aforesaid should continue to be given to the body.

Having carefully considered the interests of the body that supplied the information I have decided to affirm the decision made by the previous decision maker to refuse the records concerned, as it contains information given in confidence and on the understanding that it would be treated as confidential.

Record 11 - Email attachment 19 May 2016 – partially granted

37(1) Personal information - disclose personal information

Section 37 of the FOI Act recognises a very strong public interest in protecting privacy rights and this is reflected both in the language of section 37 and in the Long Title to the Act (which makes clear that the release of records under FOI must be consistent with "the right to privacy"). Privacy rights will therefore be set aside only where the public interest served by granting the request (and breaching those rights) is sufficiently strong to outweigh the public interest in protecting privacy.

Having carefully considered the public interest as it relates to disclosure of personal information, I have decided to affirm the decision made by the original decision maker.

Right of appeal

You may appeal this decision. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, Department of Education, Marlborough Street, Dublin 1, D01 RC96 or email foi@education.gov.ie. There is a fee of €30 for processing the appeal. For further information regarding payment methods, please email foi@education.gov.ie

You should make your appeal within 4 weeks from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

Publication

All non-personal FOI requests will be recorded on an FOI disclosure log which will be published on the Department of Education website in due course.

Should you wish to discuss the above, please contact me at 090-6483600 or by email at muireann_nicheallaigh@education.gov.ie.



Yours sincerely,

Muireann Ní Cheallaigh,
Higher Executive Officer.