



## Information Governance Team

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20 May 2021

Dear Sir/Madam

**Freedom of Information Act 2000 (FOIA)  
Request ID: FOI329429488**

Thank you for your request for information relating to placements in independent special schools.

You have requested the following information:

**This is a request for information under the Freedom of Information Act 2000. My request relates to Coventry City council's funding for placements in independent special schools for pupils with special educational needs and disabilities (SEND), Social, Emotional & Mental Health needs, (SEMH) and Autism (ASC).**

**My request refers to pupils with Education, Health, and Care Plans (EHCP) that are given council-funded placements in independent special schools approved under Section 41 of the Children and Families Act 2014. My request refers to independent special schools that operate as day schools, residential schools, and children's homes for pupils under the age of 25. My request is referring to all independent special schools that Coventry City council funds placements for and is not restricted to schools in Coventry.**

**For between 1st September 2020 to the day this request is processed, I would like to find**

**out the number of pupils that have been given Coventry City council-funded placements in independent special schools. For each individual placement, please provide the following:**

**1. The total cost of the placement (by cost I mean the amount charged per placement by each company).**

it is confirmed that the Council does hold information pursuant to your request. However, it is our view that the information is exempt from disclosure under Section 43(2) – Commercially Sensitive Information. Section 43(2) exempts information from disclosure where disclosure of that information would, or would be likely to, prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity).

It is the Council's position that the third-party providers and its own commercial interests would be prejudiced and/or would be likely to be prejudiced by the disclosure of the requested information.

Once the information is disclosed this means that it will be in the public domain and it could not only be used by the requester but also any other providers in a similar market.

#### **Arguments in favour of disclosure.**

- Promote accountability and transparency for the Council's decisions and in its spending of public money.
- Assist the public to understand and challenge our decisions.
- Inform the public of the activities carried out on their behalf, allowing for more user involvement and collaborative decision making.
- Enable the public to better scrutinise the public monies spent

#### **Arguments against disclosure.**

- There is a public interest in allowing public authorities to withhold information which if disclosed, would reduce providers' ability to compete in a commercial environment.
- The successful providers operate in a competitive market. If prejudicing the commercial interests of the successful providers in the market would distort competition in that market, this would not be in the public interest.
- Disclosure of information may cause unwarranted reputational damage or loss of confidence in the Council.
- Revealing information such as a pricing mechanism can be detrimental to a provider's commercial interest. If an organisation has knowledge of a provider's business model, it can exploit this for its own commercial interest. This would also have a detrimental impact on the Council on other contracts and procurements by distorting the market, for the reasons stated above.

Having considered the arguments for and against disclosure, the Council has decided that the public interest in this case is best served by maintaining the exemption under section 43(2) FOIA and by not disclosing the information requested.

The decision to withhold the information requested is therefore upheld on the basis that Section 43(2) in relation to commercially sensitive information has been applied correctly

## 2. The name of the school where the pupil is placed.

For the period 01 September 2020 to 11 May 2021 Coventry City Council placed and funded 75 students with EHCPs in independent schools distributed across the following providers:

Arc Ansley School  
Arc Napton School  
Arc Old Arley School  
Avon Park School  
Cambian - Red Rose  
Cedars Hexagon Care  
Clovelly House School  
Dovetree School (Witherslack Group Ltd)  
Independent Educational Services Ltd  
Lawrence House School  
Learn 4 Life School  
Lewis Charlton School  
Maple Grove School  
Maple Hayes School  
Mulberry Bush  
Northleigh House School  
Norton College (Worcester) Ltd  
Options Autism  
Overton School  
Quorn Hall School Ltd  
R.E.A.L Independent School Ilkeston  
Red Boots School  
Rowan School  
Rugeley Horizon Priory  
Secret Garden  
Sketchley School  
Spenbrook School  
Swalcliffe Park CIO  
The Lighthouse School  
Values Academy  
Wathen Grange School Ltd  
Young Foundations Ltd

The supply of information in response to a Freedom of Information request does not confer an automatic right to re-use the information. You can use any information supplied for the purposes of private study and non-commercial research without requiring further permission. Similarly, information supplied can also be re-used for the purposes of news reporting. An exception to this is photographs. Please contact us if you wish to use the information for any other purpose.

For information, we publish a variety of information such as: [FOI/EIR Disclosure Log](#), [Publication Scheme](#), [Facts about Coventry](#) and [Open Data](#) that you may find of useful if you are looking for information in the future.

If you are unhappy with the handling of your request, you can ask us to review our response.

Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: [infogov@coventry.gov.uk](mailto:infogov@coventry.gov.uk)

If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email [icocasework@ico.org.uk](mailto:icocasework@ico.org.uk).

Please remember to quote the reference number above in your response.

Yours faithfully

**Information Governance**