

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0AF2102975E24B24B33E25AD90C4EC39-GWEBSTER on behalf of Foi Enquiries
Sent: 05 February 2019 14:48
To: [REDACTED]
Subject: REV-18-1782 - Teacher Assaults

Dear [REDACTED],

Thank you for your email of 8 January 2019 requesting that Aberdeen City Council (ACC) review its handling of your request. I can now advise you that we have undertaken an internal review of our decision and the findings are set out below.

Review details

You requested that we review our decision based on the following:-

ACC refused to provide exact number of assaults and the exact number of cases where police were called where the number is greater than zero but less than or equal to five.

Review outcome

After discussion with officers within Education and officers within Legal Services, we have upheld our response. Please see below where we have explained further our position and provided some additional information:

Please supply the figure broken down by primary school, secondary school and special school.

To request the number of assaults by pupils on teachers so far this year (2018-2019)

Data for the 2018-19 session has not yet been analysed so information cannot be provided.

ACC is unable to provide you with information on **the number of assaults by pupils on teachers so far this year (2018-2019)** as it is not held by ACC. In order to comply with its obligations under the terms of Section 17 of the FOISA, ACC hereby gives notice that this information is not held by it.

and for each of the previous two years

The figures provided below are for teaching staff only and do not include support staff:

YEAR	No. of assaults against teaching staff		
	Primary	Secondary	Special
2016-17	154	74	**
2017-18	105	54	**
2018-19	N/A	N/A	N/A

Over the period 2016-2018, there were 7 reported incidents of violence against teaching staff at special schools.

Please note that if the number is greater than 0 but less or equal to 5 then such numbers have been replaced by asterisks (**) because they could lead to identification of individuals. Special Schools, by their very nature, do not have large classes or lots of teachers so it is more than likely that identification could occur should this information be released into the public domain. ACC has concerns that releasing the exact figure by year and by type of school, taking into account other information already in the

public domain (such as information known by other teachers, pupils or parents involved with those schools, or information released through previous information requests and published on our website), may enable the identity of the individuals involved to be revealed. As we have received no express consent from the individuals involved, we must also consider whether they would expect us to publish information which may lead to identification of them

ACC is unable to provide you with information on **the exact number of assaults where the number is greater than 0 but less or equal to 5** as it is exempt from disclosure. In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing this part of your request under the terms of Section 38(1)(b) in conjunction with Section 38(2A)(a) – Personal Information - of the FOISA.

ACC is of the opinion that Section 38(1)(b) applies to the information specified above as the information in question is personal information relating to living individuals, of which the applicant is not the data subject.

ACC is of the opinion that Section 38(2A)(a) applies, as we consider that disclosure of this information would be a breach of the ‘lawfulness, fairness and transparency’ principle. Disclosing the exact number into the public domain could be used by other people, together with any other information already available (for example knowledge that an incident has occurred at the particular school), to enable the identity of the individuals involved to be revealed. These individuals have not consented to the disclosure of information that could allow them to be identified, and ACC does not consider that they would expect ACC to release this information about them into the public domain under the FOISA.

and to request (for each of these three years) in how many of the cases police were called.

There is an option on the reporting form to indicate whether or not the police were informed in relation to an incident. This does not necessarily mean the police were physically called to an incident, but at some point, during or after, they have been informed.

YEAR	Police Informed		
	Primary	Secondary	Special
2016-17	0	8	0
2017-18	**	**	0
2018-19	N/A	N/A	N/A

Please note that if the number is greater than 0 but less or equal to 5 then such numbers have been replaced by asterisks (**) because they could lead to identification of individuals. Although the table does not itself reveal the identity of an individual there could be a risk that someone with a specific interest in this topic, could follow up private sources of information to locate the individuals and discover more details. There could also be a risk of disclosure from combining or linking this table with other information that is publicly available or has been obtained elsewhere. As we have received no express consent from the individuals involved, we must also consider whether they would expect us to publish information which may lead to identification of them

ACC is unable to provide you with information on **in how many of the cases police were called where that number is greater than 0 but less than or equal to 5** as it is exempt from disclosure. In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing this part of your request under the terms of Section 38(1)(b) in conjunction with Section 38(2A)(a) – Personal Information - of the FOISA.

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'lawfulness, fairness and transparency' principle. Disclosing the exact number into the public domain could be used by other people, together with any other information already available (for example knowledge that an incident has occurred at the particular school), to enable the identity of the individuals involved to be revealed. These individuals have not consented to the disclosure of information that could allow them to be identified, and ACC does not consider that they would expect ACC to release this information about them into the public domain under the FOISA.

What happens next?

If you are not satisfied with the outcome of your request for an internal review, you can apply directly to the Office of the Scottish Information Commissioner (OSIC) for a decision. Generally, OSIC cannot make a decision unless you have been through the ACC's review procedure. To make an application to OSIC, please write or email OSIC at:

The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

www.itspublicknowledge.info

An application to OSIC must be made in writing within six months of receipt of ACC's Review Decision Notice. When applying to OSIC for a decision you should give your name and address for correspondence. Please note that OSIC will not be able to investigate if you have not used your real name to make your information request. You must also specify:

- which request for information your requirement for review relates to
- the reason that you asked ACC to carry out a review of your request
- the reason why you are not satisfied with ACC's review outcome decision

The Commissioner will contact ACC and invite its comments on your application. Thereafter (if no settlement has meantime been reached), the Commissioner must reach a decision within 4 months of receiving your application, or within such other period as is reasonable. You will receive written notice of the outcome of the Commissioner's decision.

Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of the decision has been issued.

Yours sincerely,

Grant Webster
On behalf of Review Panel Clerk

Grant Webster | Access to Information Officer

Aberdeen City Council | Access to Information Team | Customer Feedback | Customer
Marischal College | Business Hub 17, 3rd Floor | Broad Street | Aberdeen | AB10 1AQ

Dial: 01224 522166

www.aberdeencity.gov.uk | Twitter: @AberdeenCC | Facebook.com/AberdeenCC

From: Foi Enquiries
Sent: 21 December 2018 10:46
To: [REDACTED]
Subject: FOI-18-1782 - Teacher Assaults
Attachments: V2 - Further Information - Right to Review & Appeal.pdf

Dear [REDACTED]

Thank you for your information request of 28 November 2018. Aberdeen City Council (ACC) has completed the necessary search for the information requested. Our response is now detailed below.

Please supply the figure broken down by primary school, secondary school and special school.

To request the number of assaults by pupils on teachers so far this year (2018-2019)

Data for the 2018-19 session has not yet been analysed so information cannot be provided.

ACC is unable to provide you with information on **the number of assaults by pupils on teachers so far this year (2018-2019)** as it is not held by ACC. In order to comply with its obligations under the terms of Section 17 of the FOISA, ACC hereby gives notice that this information is not held by it.

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YEAR	Police Informed		
	Primary	Secondary	Special
2016-17	0	8	0
2017-18	**	**	0
2018-19	N/A	N/A	N/A

Please note that if the number is greater than 0 but less or equal to 5 then such numbers have been replaced by asterisks (**) because they could be misleading or lead to identification of individuals.

ACC is unable to provide you with information on **the exact number of cases when police were called (where the number is greater than 0 but less or equal to 5)** as it is exempt from disclosure. In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing this part of your request under the terms of Section 38(1)(b) in conjunction with Section 38(2A)(a) – Personal Information - of the FOISA.

ACC is of the opinion that Section 38(1)(b) applies to the information specified above as the information in question is personal information relating to living individuals, of which the applicant is not the data subject.

ACC is of the opinion that Section 38(2A)(a) applies, as we consider that disclosure of this information would be a breach of the ‘lawfulness, fairness and transparency’ principle. Disclosing the exact number into the public domain could be used by other people, together with any other information already available (for example knowledge that an incident has occurred at the particular school), to enable the identity of the individuals involved to be revealed. These individuals have not consented to the disclosure of information that could allow them to be identified, and ACC does not consider that they would expect ACC to release this information about them into the public domain under the FOISA.

We hope this helps with your request.

Yours sincerely,

Access to Information Team

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

ACC handled your request for information in accordance with the provisions of the Freedom of Information (Scotland) Act 2002. Please refer to the attached PDF for more information about your rights under FOISA.



Anna Buchan | Access to Information Officer

Aberdeen City Council | Access to Information Team | Customer Feedback | Customer
Marischal College | 3rd Floor | Broad Street | Aberdeen | AB10 1AQ

Dial: 01224 522166

www.aberdeencity.gov.uk | Twitter: @AberdeenCC | Facebook.com/AberdeenCC