

FIRST TIER TRIBUNAL
(GENERAL REGULATORY CHAMBER)
INFORMATION RIGHTS

Appeal Reference: EA.2021.0215

B E T W E E N:

NASUWT (The Teacher Union)

Appellant

-v-

INFORMATION COMMISSIONER

First Respondent

-and-

DEPARTMENT FOR EDUCATION

Second Respondent

CONSENT ORDER

UPON:

- (i) the Appellant having made a request of the Second Respondent dated 22 June 2020 under the Freedom of Information Act (FOIA) 2000 for the disclosure of Equality Impact Assessments (EIAs), relating to the return of more pupils to schools in the circumstances of Covid-19;
- (ii) the Second Respondent deciding to withhold the EIAs on 3 August 2020 and 4 September 2020, in reliance on section 35(1)(a) FOIA 2000;
- (iii) the Appellant having complained about the non-disclosure to the First Respondent on 14 September 2020;
- (iv) the First Respondent, on 14 July 2021, deciding in favour of the Second Respondent, confirming that it was to correct to withhold the EIAs in reliance on section 35(1)(a) FOIA 2000;
- (v) the Appellant, by these proceedings, appealing that decision to the Tribunal pursuant to s57 FOIA 2000;

- (vi) the Second Respondent, deciding to disclose the EIAs to the Appellant, in light of other information that has entered the public domain since the time the FOIA request was made;
- (vii) the Second Respondent agreeing to disclose the EIAs to the Appellant by 4pm on 11 March 2022; and
- (viii) the parties agreeing that the appeal is no longer necessary as it is now academic.

IT IS ORDERED THAT:

1. These proceedings are withdrawn pursuant to Rule 37 of The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009.
2. No order for costs.

Dated this 25th day of February 2022

We the parties consent to the order being made in these terms.

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Appellant

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First Respondent

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Second Respondent