

# Government ordered to disclose details of free school applicants

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A tribunal has ruled that the Department for Education (DfE) must publish the names, location and religious affiliation, if any, of all organisations that apply to open free schools.

The Information Tribunal dismissed an appeal by the DfE to a ruling by the Information Commissioner's office that the DfE must publish a list of all proposals to establish Free Schools. Freedom of information requests for the information were made in June 2011 by the *Guardian* newspaper, the Association of Colleges and the British Humanist Association (BHA).

The Government had argued that revealing the identity of unsuccessful applicants could put them off from re-applying or could deter interest from other groups. The Information Tribunal however rejected the Government's argument, which was partly supported by a survey of free school applicants which was described by the tribunal as "fundamentally flawed".

Ruling in favour of the Information Commissioner, the tribunal stated:

*"The Free School programme involves substantial public funds and significant changes to the way the education service is controlled, managed and delivered. It is a matter of considerable public importance and the transparency of the process and its openness to public debate and consideration are of concern to communities across England."*

Stephen Evans, Campaigns Manager at the National Secular Society, said: "We very much welcome this ruling. The free schools programme takes the control of state funded schools out of the hands of the local authority, and in many cases into the hands of churches and religious organisations. It is therefore essential that applications can be scrutinised and their merits debated openly and freely."

The Department for Education is now considering whether to submit a further appeal to the Upper Tribunal.

[Read the Information tribunal's ruling in full](#) (pdf)

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