

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 10 February 2015

**Public Authority:** Oxford City Council  
**Address:** St Aldates Chambers  
St Aldates  
Oxford  
OX1 1DS

#### Decision (including any steps ordered)

---

1. The complainant has requested information relating to a complaint made by a councillor.
2. Oxford City Council (OCC) failed to respond within the 20 working day limit thereby breaching section 10 of the FOIA.
3. As OCC has now responded, the Commissioner requires no further steps to be taken.

#### Request and response

---

4. On 9 October 2014, the complainant wrote to OCC and requested information in the following terms:

*"As I have not had a reply or receipt of who made the complaint and over a month has passed which I think is maladministration delay under an FOI I am now asking*

*a) for details of who made the complaint re my neighbour's roof garden but in my building a copy of it please*

*b) copies of the original and subsequent complaint made by the councillor (I am told it was a councillor) who made the original complaint re pontoon*

*c) copies all responses made you the LPA to the councillor*

*d) all correspondence from third parties regarding the pontoon complaint other than myself and [name redacted]"*

5. OCC responded to the request on 12 January 2015.

### **Scope of the case**

---

6. The complainant contacted the Commissioner on 17 November 2014 to complain about the failure at that time of OCC to respond to his request.

### **Reasons for decision**

---

7. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and "no later than the twentieth working day following the date of receipt".
8. The Commissioner's decision is that OCC did not deal with the request for information in accordance with the FOIA. It breached section 10(1) of FOIA by failing to provide a substantive response to the request within the statutory timeframe of 20 working days.

## Right of appeal

---

9. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

Website: <http://www.justice.gov.uk/tribunals/general-regulatory-chamber>

10. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
11. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Jon Manners**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**