

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 8 April 2015

Public Authority: Cabinet Office
Address: 70 Whitehall
London
SW1A 2AS

Decision (including any steps ordered)

1. The complainant has requested information relating to the Cabinet Office's work with the Behavioural Insights Team.
2. The Cabinet Office (CO) failed to respond to this request for information and the Commissioner's decision is that in doing so the CO breached sections 1(1) and 10(1) of the FOIA.
3. The Commissioner requires the CO to take the following steps to ensure compliance with the legislation.
 - Respond to the request.
4. The CO must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the FOIA and may be dealt with as a contempt of court.

Request and response

5. On 29 October 2014, the complainant wrote to the CO and requested information in the following terms:

"Please let me have the following information in relation to your work with the Behavioural Insights Team (BIT) -

- a list of contracts awarded to the BIT showing the nature of the services provided
- the approximate value of each contract
- payments in each financial year to date under each contract
- total payments to the BIT each year if different to the sum of the amounts above
- information on how each contract was awarded including where it was advertised

Please also let me know -

- how many BIT staff currently have passes giving them access to Cabinet Office offices
- details of any current secondment or staff loan arrangements between BIT and Cabinet Office

Thank you."

6. At the time of writing the CO had failed to respond substantively to the request.

Scope of the case

7. The complainant contacted the Commissioner on 22 December 2014 to complain about the failure of the CO to respond to his request.

Reasons for decision

8. Section 1(1) of the FOIA states that an individual who asks for information is entitled to be informed whether the information is held and, if the information is held, to have that information communicated to them.
9. 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".
10. In this case the CO has breached sections 1(1) and 10(1) by failing to respond to the request within 20 working days.

Right of appeal

11. 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

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

12. 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.
13. 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

Rachael Cragg
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