

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 28 April 2015

Public Authority: The Information Commissioner's Office
Address: Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Decision (including any steps ordered)

1. The complainant has requested reports and papers presented at various management board meetings. The Information Commissioner's Office responded to the complainant but it did not respond fully within the statutory time for compliance.
2. The Commissioner's decision is that the ICO has breached section 10 FOIA in the handling of this request.
3. The Commissioner requires no steps to be taken.

Request and response

4. On 6 January 2015 the complainant requested information of the following description:

"Please provide me with a copy of the following information:

1) Papers presented at the Management Board meeting of 22 July 2013 under items 5 and 6 of the agenda (Future funding models for the ICO and Immediate funding pressures respectively)

2) The Information rights reports that were presented at the Management Board meetings of 28 July 2014 (agenda item 10), 28

April 2014 (agenda item 8) and 27 January 2014 (agenda item 11).

- 3) The Information rights report, corporate affairs report, and the report on registration service transformation that were presented at the Management Board meeting of 20 October 2014 (agenda item 10)."
5. On 29 January 2015 the ICO responded. It provided the complainant with some of the information she requested. It said it was taking longer to process the request for the information rights reports. On 6 March 2015 the ICO provided the complainant with the information rights reports but made redactions under section 27, 31 and 36 FOIA.
 6. The complainant requested an internal review as she was dissatisfied with the length of time it took the ICO to fully respond to her request. The ICO sent the outcome of its internal review on 18 March 2015. It conceded that the request was not dealt with fully within the statutory time for compliance.

Scope of the case

7. The complainant contacted the Commissioner on 2 April 2015 to make a complaint about the length of time it took the ICO to fully respond to her request.
8. The Commissioner has considered whether the ICO has complied with section 10 FOIA in its handling of this request.

Reasons for decision

9. Section 10 of FOIA states that, "Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."
10. In this case the complainant submitted her request on 6 January 2015 and the ICO did not respond fully until 6 March 2015. The ICO did not therefore respond within 20 working days. As it did not respond within the statutory time for compliance it breached section 10(1) FOIA in relation to its handling of this request.

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: 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

Pamela Clements
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