

Freedom of Information Act 2000 (FOIA)
Environmental Information Regulations 2004 (EIR)
Decision notice

Date: 8 March 2018

Public Authority: Office of Rail and Road
Address: 1 Kemble Street
London
WC2B 4AN

Decision (including any steps ordered)

1. The complainant has requested information from the Office of Rail and Road relating to the obligation on stations/train operators to provide information about accessibility of intermodal connections.
2. The Commissioner's decision is that the Office of Rail and Road has breached section 10(1) of the FOIA in that it failed to provide a valid response to the request within 20 working days of receipt.
3. As a response has now been provided, the Commissioner does not require the Office of Rail and Road to take any steps.

Request and response

4. On 14 September 2017, the complainant wrote to Office of Rail and Road and requested information in the following terms:

"If possible, please could you: tell me what you would expect a station/train operator to do in order to comply with the obligation to provide information on accessibility of intermodal connections"

5. The Office of Rail and Road provided its substantive response to the request on 17 November 2017.

Scope of the case

6. The complainant contacted the Commissioner on 3 November 2017 to complain about the way his request for information had been handled.
7. The Office of Rail and Road did provide a response to the complainant following the receipt of the complaint by the Commissioner.

The Commissioner has however been asked to consider whether the Office of Rail and Road has handled the request in accordance with section 10 of the FOIA.

Reasons for decision

Section 10 of the FOIA - time for compliance

8. Section 10(1) of the FOIA requires a public authority to respond to an information request, either providing the information or issuing a valid refusal, within 20 working days following receipt of the request.
 9. From the information provided to the Commissioner in this case it is evident that the Office of Rail and Road did not deal with the request for information in accordance with the FOIA. In this case the Office of Rail and Road has breached section 10(1) by failing to respond to the request within 20 working days.
 10. As the response has now been received by the complainant, the Commissioner does not require the Office of Rail and Road to take any steps in respect of this notice.
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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

Alun Johnson
Team Manager
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Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF