

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 14 June 2021

Public Authority: The Spring Partnership Trust

Address: Room 1, The Warren
Croydon Road
Hayes
Bromley
BR2 7AL

Decision (including any steps ordered)

1. The complainant submitted a request to The Spring Partnership Trust ('the Trust') for a copy of their disciplinary policy. The Trust provided this more than 20 working days after receipt of the request.
2. The Commissioner's decision is that the Trust failed to respond to the request within 20 working days and has therefore breached section 10 of the FOIA.
3. As a response has been issued, the Commissioner does not require the Trust to take any further steps.

Request and response

4. On 23 January 2021, the complainant wrote to the Trust and requested information in the following terms:

"Please provide me with a copy of your disciplinary policy."
5. The Trust responded to the request, providing the complainant with the requested information on 18 May 2021.

Scope of the case

6. The complainant contacted the Commissioner on 25 March 2021 to complain about the failure, by the Trust, to respond to the request.
7. In line with her usual practice, the Commissioner contacted the Trust on 5 May 2021 to highlight the outstanding response. She requested that the Trust respond to the request within 10 working days. As stated above, the Trust provided their response on 18 May 2021.
8. On 27 May 2021 the complainant confirmed that he wished for a decision notice to be issued.
9. Therefore the scope of this notice and the following analysis is to consider whether the Trust has complied with section 10 of the FOIA.

Reasons for decision

10. Section 1(1) of the FOIA states that:

Any person making a request for information to a public authority is entitled –

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and*
- (b) if that is the case, to have that information communicated to him.*

11. Section 10 of the FOIA states that responses to requests made under the Act must be provided "*promptly and in any event not later than the twentieth working day following the date of receipt.*"
12. From the evidence presented to the Commissioner in this case, it is clear that, in failing to issue a response to the request within 20 working days, the Trust has breached section 10 of the FOIA.

Right of appeal

13. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

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

14. 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.
15. 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

Susan Duffy
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF