

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 21 March 2023

Public Authority: The Governing Body of Bridgwater & Taunton College

Address: Bath Road
Bridgwater
Somerset
TA6 4PZ

Decision (including any steps ordered)

1. The complainant requested information about the distance learning department. The above public authority ("the public authority") initially withheld some information but disclosed it during the course of the investigation.
2. The Commissioner's decision is that the public authority provided some non-exempt information outside of the 20 day timeframe and therefore breached section 10 of FOIA.
3. The Commissioner does not require further steps to be taken.

Request and response

4. On 16 November 2022, the complainant wrote to the public authority and made a four part request for information about its distance learning department.
5. The public authority provided information in respect of one of the four parts.

Scope of the case

6. At the outset of the investigation the public authority issued a further response to the request and provided the information it held within the scope of two further parts of the request, but continued to withhold the information relevant to the further part: the number and names of internal quality assessors during a given period.
7. The complainant indicated that he was happy to receive only the number of internal quality assessors during the period in question and not the names of the assessors. The public authority subsequently disclosed those numbers.
8. The Commissioner invited the complainant to withdraw the complaint, but he (the complainant) declined to do so, saying:

“the issues I had with them on the matter is unforgivable and I believe they should get wrong for this [sic]. I won't withstand [sic] complaint.”
9. As the complainant has not taken issue with the small amount of information still being withheld, the Commissioner has looked only at the procedural handling of the request.

Reasons for decision

10. Section 10 of FOIA requires a public authority to confirm whether it holds any information within the scope of a request and to provide any information not otherwise exempt, within 20 working days.
11. The public authority provided some information outside of this 20 working day timeframe and therefore breached section 10 of FOIA in dealing with this request.

Right of appeal

12. 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

13. 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.
14. 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

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