

FREEDOM OF INFORMATION ACT 2000 (SECTION 50)

DECISION NOTICE

Dated 8 December 2005

Name of Public Authority: University of Ulster

Address of Public Authority: Cromore Road
Coleraine
BT52 1SA

Nature of Complaint

The Information Commissioner (the "Commissioner") has received a complaint stating that on 30 May 2005, the Complainant requested the following information from the University of Ulster (the "University") under section 1 of the Freedom of Information Act 2000 (the "Act"):

"a detailed financial breakdown of expenditure on the swimming, diving and hydrotherapy pools, for a five year period prior to their closure in September".

It is alleged that the University failed to respond to the complainant's request within the statutory, twenty working day, time period.

The Commissioner's Decision

Under section 50(1) of the Act, except where a complainant has failed to exhaust a local complaints procedure, or where the complaint is frivolous or vexatious, subject to undue delay, or has been withdrawn, the Commissioner is under a duty to consider whether the request for information has been dealt with in accordance with the requirements of Part I of the Act and to issue a Decision Notice to both the Complainant and the Public Authority.

The Commissioner's decision is as follows:

The University did not provide the information requested until 7 November 2005. The Commissioner is satisfied that, in this case, the University did not deal with the Complainant's request in accordance with the requirements of Part I of the Act in that it has failed to comply with section 10(1).

Section 10(1) of the Act states –

"... 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".

Action Required

In view of the fact that the complainant received all the information requested on 7 November 2005, the Commissioner hereby gives notice that in exercise of his powers under section 50 of the Act he does not require any remedial steps to be taken by the University of Ulster.

Reference: FS50093281

Right of Appeal

Either party has the right to appeal against this Decision Notice to the Information Tribunal (the "Tribunal"). Information about the appeals process can be obtained from:

Information Tribunal	Tel: 0845 6000 877
Arnhem House Support Centre	Fax: 0116 249 4253
PO Box 6987	Email: informationtribunal@dca.gsi.gov.uk
Leicester	
LE1 6ZX	

Any Notice of Appeal should be served on the Tribunal within 28 days of the date on which this Decision Notice is served.

Dated the 8th day of December 2005

Signed:

Graham Smith
Deputy Commissioner
Information Commissioner' Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF