

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 12 December 2012

**Public Authority:** The Governing Body of Huntingdon Primary School

**Address:** Ambury Road  
Huntingdon  
Cambridgeshire  
PE29 1AD

#### **Decision (including any steps ordered)**

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1. The complainant has requested information relating to the Pupil Premium<sup>1</sup> that was allocated to Huntingdon Primary School (Huntingdon). A response to the request was not provided by Huntingdon. It therefore breached section 10(1) of FOIA by failing to issue a response within the 20 working day timeframe specified by the legislation. The Commissioner requires Huntingdon to comply with section 1 of FOIA or otherwise issue a refusal notice in accordance with section 17 of FOIA.
2. The public authority must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

#### **Request and response**

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3. On 14 February 2012 the complainant wrote to Huntingdon and requested information in the following terms:  

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<sup>1</sup> <http://www.education.gov.uk/schools/pupilsupport/premium/b0076063/pp>

"[...] According to the Department of Education's web site, in the current financial year, your school will receive £50,752 of Pupil Premium. [We] wish to be advised as to how:

- *your school plans to spend this money;*
- *this will improve the education of the pupils attracting the money;*
- *the effectiveness of these plans will be measured."*

4. At the date of this notice the complainant had not received a response from Huntingdon.

### **Scope of the case**

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5. The complainant contacted the Commissioner on 14 September 2012 to complain that he had not received a response to his information request. This was despite an earlier prompting of Huntingdon by the Commissioner.

### **Reasons for decision**

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6. Section 10(1) of FOIA states that on receipt of a request for information a public authority should respond to the applicant within 20 working days.
7. It has come to the attention of the Commissioner that Huntingdon has not responded to the request and thus he has found that it breached section 10(1) of FOIA.

## Right of appeal

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8. 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: 0116 249 4253

Email: [informationtribunal@hmcts.gsi.gov.uk](mailto:informationtribunal@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm](http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm)

9. 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.
10. 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 .....**

**Rachael Cragg**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**