

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 15 January 2013

**Public Authority:** City of Bradford Metropolitan District Council

**Address:** Bradford City Hall  
Centenary Square  
Bradford  
BD1 1HY

#### Decision (including any steps ordered)

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1. The complainant requested information relating to Bradford Adult Protection Unit. The council provided the information that was held.
2. The Commissioner's decision is that the council dealt with the request in accordance with the Freedom of Information Act 2000 ("the FOIA").
3. The Commissioner does not require any steps to be taken.

#### Request and response

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4. On 4 January 2012, the complainant requested information from the council in the following terms:

*"Could you please provide me with full details of the policies and procedures of the Bradford Adult Protection unit which would preclude immediate contact with the victim of abuse of a vulnerable adult, which has been reported by several concerned citizens and friends of the victim?"*

*Could you please provide me with full details of the policies and procedures of the Bradford Adult Protection unit, where it specifies that correspondence is to be ignored when a crime against an [sic] vulnerable adult is reported.*

*Could you please provide me with details of the policies and procedures of the Bradford Adult Protection unit, where it specifies that reports of abuse of a vulnerable adult should be ignored and that no requests for*

*information should be acknowledged, from either the third party or the victim himself/herself.*

*Could you please provide me with full details of the policies and procedures of the Bradford Adult Protection unit, where it specifies the length of time that should elapse before contact is made with the victim of abuse of a vulnerable adult, in order to ensure his/her future safety and verify the facts of the matter.*

*Could you please advise the name and position of the head of the Bradford Adult Protection unit, and who they report to. Please supply details of that person's job description, including that person's area of scope of responsibility and accountability".*

5. The council responded to the request on 17 January 2012. It said that it had attached information that it believed answered the request.
6. The complainant responded on the same day. She said that she did not agree that the council had provided all the information requested and she asked it to reconsider its response. In particular, the complainant referred to policies operated by the council.
7. The council sent a further reply the next day and said that it does not have a policy pertaining to the specific requests made. It highlighted that it had already sent a flow chart showing the general procedures that are followed resulting from an alert or suspicion of abuse from the public and the time scales involved. The council also provided a link to information on its website which it said related to various guidelines and procedures connected to adult safeguarding.
8. The complainant wrote to the council again on 2 February 2012 asking it to explain why there was no operational policy and procedure manual. When no response was received, the complainant wrote again on 8 May 2012 and specifically asked the council to complete an internal review.
9. The council completed its internal review on 1 June 2012. It reiterated that the information relating to the first three paragraphs of the request was not held, having regard to the specific requests that had been made. In relation to the last two paragraphs, it said that it had provided the information that was held.

## **Scope of the case**

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10. On 24 August 2012, the complainant contacted the Commissioner to complain about the way her request for information had been handled following the council's internal review. Although the council had

responded and provided the information that was held, she said that she remained dissatisfied with the time it had taken to do so.

## **Reasons for decision**

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### **Procedural issues**

11. Section 1(1) of the FOIA provides a general right of access to recorded information that is held by public authorities. Public authorities are obliged to state whether or not the information is held and provide any information that is held unless there is a valid reason for not doing so under the FOIA. In accordance with section 10(1), public authorities should comply with section 1(1) within 20 working days.
12. The council responded to the request on 17 January 2012, which is within the statutory deadline. It did not at that time state that some of the information was not held, however the Commissioner notes that this was clarified in a further reply sent to the complainant the next day which was still within the statutory time frame for compliance. Therefore, the Commissioner does not consider that any breaches of the legislation arose.

### **Other Matters**

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#### **Internal review**

13. There is currently no statutory time frame for completing internal reviews and therefore no breach of the legislation can arise in relation to this. However, the Code of Practice under section 45 of the FOIA states that internal reviews should be undertaken promptly. The Commissioner's guidance is that internal reviews should not generally take longer than 20 working days. The Commissioner notes that the council took longer than 20 working days on this occasion to complete its internal review. The Commissioner trusts that the council will make improvements in the future.

## Right of appeal

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14. 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)

15. 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.
16. 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 .....**

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