

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 19 June 2014

Public Authority: Department for Business Innovation & Skills
Address: 1 Victoria Street
London
SW1H 0ET

Decision (including any steps ordered)

1. The complainant has requested a copy of a report produced by the Department for Business, Innovation and Skills (DBIS) about Thomas Cook, as well as any correspondence around this report. DBIS confirmed that the information was held but was being withheld on the basis of section 43(2) of the FOIA. It later also applied the section 36(2)(b) and 41(1) exemptions to withhold information in a report and advice note.
2. The Commissioner's decision is that DBIS incorrectly applied the section 36(2)(b) and 43(2) exemptions but that the section 41(1) exemption does provide a basis for withholding information from the report and advice note that has been identified as being provided in confidence.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
 - Disclose all information in the report and advice note that has not been identified by DBIS as being information provided in confidence.
4. 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

5. On 2 August 2013 the complainant wrote to the Department for Business Innovation and Skills ("DBIS") and requested information in the following terms:

"Under the Freedom of Information Act 2000, I would like to access a report written by the Department for Business Innovation and Skills for the Office of the Prime Minister concerning Thomas Cook in the months of either November 2011 or December 2011.

- *The Prime Minister was quoted by the news agency Reuters as saying: "I have obviously asked the Business Department to give me a report on what is happening in terms of Thomas Cook, because I think it is important to make sure that this business is in a healthy state."*
- *Therefore I would like to see a copy of this report and any further correspondence between the two departments."*

6. DBIS responded on 30 August 2013. It confirmed that it did hold information within the scope of the request but considered it exempt on the basis of section 43 of the FOIA.
7. Following an internal review DBIS wrote to the complainant on 18 September 2013. It reiterated its view that the information was commercially sensitive and disclosure would prejudice the commercial interests of Thomas Cook.
8. During the course of the Commissioner's investigation, DBIS determined that some information could be released. This was a draft reply to an MP following a Parliamentary Question on Thomas Cook. DBIS also informed the complainant it was now relying on additional exemptions to withhold the remaining information; section 36(2)(b) and section 41.

Scope of the case

9. The complainant contacted the Commissioner on 24 October 2013 to complain about the way his request for information had been handled.
10. The Commissioner considers the scope of his investigation to be to determine if the exemptions applied by DBIS are engaged and if so, whether the information has been correctly withheld.

Reasons for decision

11. DBIS has explained that it now considers that section 36(2)(b)(i) and (ii) applies and provides a basis for withholding all of the remaining withheld information. It considers section 43(2) and 41 to apply to parts of the documents. As such the Commissioner has firstly considered the application of the section 36(2) exemption to the remaining withheld information which has been identified as the Thomas Cook report and an advice note between DBIS and the DfT.

Section 36(2)(b) – inhibition to the free and frank provision of advice and exchange of views for the purposes of deliberation

12. Section 36(2) of the FOIA states that:

"Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information –

(b) would, or would be likely to, inhibit –

(i) the free and frank provision of advice, or

(ii) the free and frank exchange of views for the purposes of deliberation, or

(c) would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs."

13. The exemptions listed in section 36(2) are qualified exemptions so are subject to public interest tests. However, before considering the public interest the Commissioner must first consider whether any of the exemptions are engaged.
14. For any of the exemptions listed as section 36(2) to apply the qualified person for the public authority must give their reasonable opinion that the exemption is engaged. The qualified person for DBIS is the Minister Michael Fallon MP. DBIS has provided the Commissioner with evidence to demonstrate that the opinion has been sought and provided. The Commissioner has next gone on to consider whether the opinion of the qualified person was a reasonable one.
15. The Commissioner has issued guidance on section 36 of the FOIA. It states the following: *"The most relevant definition of 'reasonable' in the Shorter Oxford English Dictionary is 'In accordance with reason: not irrational or absurd'. If the opinion is in accordance with reason and not*

irrational or absurd – in short, if it is an opinion that a reasonable person could hold – then it is reasonable.”¹

16. In order to determine whether any of the subsections of 36(2) is engaged the Commissioner will consider:
 - whether the prejudice claimed relates to the specific subsection of section 36(2) that DBIS is relying on;
 - the nature of the information and the timing of the request; and
 - the qualified person’s knowledge of or involvement in the issue.
17. DBIS has identified two outstanding documents containing information within the scope of the request: a short briefing note called “Report for No. 10” (referred to in this Notice as the Thomas Cook Report); and an advice note to the Prime Minister.
18. This report and advice note contain information on the position of Thomas Cook and, in the case of the report, were intended to provide the office of the Prime Minister with a full update on an issue with the potential to impact a large number of UK consumers. DBIS has argued that the disclosure of this information would be likely to inhibit the free and frank provision of advice (36(2)(b)(i) and exchange of views between Ministers and officials for the purpose of deliberation (36(2)(b)(ii)).
19. On a general note, DBIS has argued that reports and advice notes on the subject should be frank and open to allow officials to support ministers in developing and implementing policies and in delivering public services. Disclosure could therefore interfere with the openness with which ministers and officials communicate with each other and the candour with which they share information.
20. DBIS has explained that the Prime Minister was being briefed on the commercial position of Thomas Cook at a time when it was experiencing financial difficulties. It acknowledges that the report was mainly concerned with commercial matters but DBIS considers that there was a

¹ Information Commissioner’s section 36 FOIA guidance, http://www.ico.gov.uk/for_organisations/guidance_index/~media/documents/library/Freedom_of_Information/Detailed_specialist_guides/section_36_prejudice_to_effective_conduct_of_public_affairs.ashx, November 2011, page 6.

need for officials to be able to engage in discussions and debates and to communicate openly without fear of undue scrutiny. DBIS therefore considers there is a risk of a 'chilling effect' on the exchange of views on the subject of the potential outcomes of the situation with Thomas Cook, with the consequence being the likely inhibition on the free and frank provision of advice and exchange of views for the purposes of deliberation.

21. DBIS has further stressed this point by explaining that due to the sensitive nature of the comments and exchanges in the withheld information, should this be disclosed at a time when the information could still be considered sensitive, this would lead to a chilling effect on future exchanges.
22. DBIS has also stated that there is a great deal of importance in the Prime Minister being provided with information when required and requested. It is important for this information to be free and frank and based on all the relevant facts and analysis as this is part of the process of good government. Any inhibition to the frankness and candour of these exchanges may damage the quality of advice and deliberation and affect the quality of the decisions which are made.
23. DBIS has provided sufficient evidence to illustrate that the qualified person was provided with information to form a reasonable opinion in relation to the application of the section 36(2)(b)(i) and (ii) of the FOIA to the information withheld by DBIS in this case. It is clear having reviewed this information that the qualified person formed the opinion that the disclosure of the withheld information would be likely to inhibit the free and frank provision of advice and exchange of views for the purposes of deliberation.
24. Having considered the points outlined above the Commissioner is satisfied that the opinion of the qualified person is a reasonable one. Therefore he considers that sections 36(2)(b)(i) and (ii) are engaged. He will now go on to consider whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Public interest arguments in favour of disclosure

25. DBIS acknowledged the public interest in disclosure of information which ensures transparency in the way in which government works, leading to better informed citizens and accountability of decisions.
26. The complainant has argued that the financial situation facing Thomas Cook in 2011 affected many people, which was the primary reason the Prime Minister asked for the report to be produced. As such the

complainant argues that the disclosure of the report is in the public interest as the situation one of the UKs biggest travel companies faced had the potential to impact on a large number of people. The Commissioner accepts that this could be a significant issue of interest to the public, as consumers, and also as employees, noting that Thomas Cook was a major employer.

27. In addition to this, the complainant also considers the fact that one of Thomas Cook's biggest lenders at the time was the Royal Bank of Scotland (RBS) to be important. He argues that as the government is a majority shareholder of RBS there was an increased public interest in disclosure of the report into the financial situation at Thomas Cook as it involved taxpayer money.

Public interest arguments in favour of maintaining the exemption

28. When making a judgement about the weight of the public authority's arguments under section 36(2), the Commissioner will consider the severity, extent and frequency of prejudice to the effective conduct of public affairs.
29. The complainant has also stated that as the incident occurred nearly two years before the date of the request and the situation with Thomas Cook had changed significantly since then, any sensitivity around the disclosure of the information would have lessened over time.
30. DBIS has argued that the nature of the advice note and report, both of which were shared with bodies outside of DBIS, contribute to the likely inhibition to the free and frank exchange of views and provision of advice as they contain advice on a sensitive issue at the time that was used for briefing the Prime Minister.
31. As well as the argument that the likely inhibition on the free and frank provision of advice between officials and ministers would not be in the public interest as it may impact on the quality of decision making; DBIS has also argued that disclosure of the withheld information in this case may have an inhibitory effect on the advice and deliberations it has with parties outside of government. The report and advice note in this case contain details which are commercial in nature and are were not common knowledge. Disclosure of this information may have the effect of making commercial organisations less likely to engage with DBIS or other government departments in the future.
32. Disclosure of this information would be likely to inhibit the free and frank provision of advice if commercial organisations and external bodies felt that information given with no expectation of disclosure for the purpose of deliberations could be made public. This could then lead to less candid

input and more tailored information being provided with public consumption in mind.

Balance of the public interest arguments

33. The Commissioner notes that DBIS mentioned the need to maintain a 'safe space' in its submissions to the minister (although not referred to as a 'safe space' in its arguments) and he generally accepts that these arguments are applicable where there is a need to debate issues and make decisions away from public scrutiny. The Commissioner is not clear from the submissions from DBIS why this safe space was required at the time of the request. The information itself was used to provide the Prime Minister with an overview of the situation with Thomas Cook. It has not been demonstrated by DBIS that a safe space was needed, at the time of the request, away from public scrutiny, for free and frank discussions about the Thomas Cook situation. DBIS have not provided convincing arguments as to the live nature of the issues at the time of the request.
34. DBIS has explained that a lot of the information which was contained in the report was provided by the Civil Aviation Authority (CAA). The Commissioner notes that much of the information in the report was information obtained from another source and was used to inform rather than debate the issue. This weakens DBIS's arguments about any impact of disclosure caused by the discursive nature of the information.
35. At the time of the request the situation with Thomas Cook was more settled than at the time the report was requested. When the report was requested and the advice note created it was well publicised that Thomas Cook was experiencing financial difficulties². By the time of the request, the media had reported on the upturn in Thomas Cook's financial situation³. The public nature of the issues facing Thomas Cook also weakens the argument that disclosure would have an inhibitory

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<http://www.telegraph.co.uk/finance/newsbysector/retailandconsumer/leisure/8917676/Thomas-Cook-to-repay-debt-within-the-year.html>

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<http://www.telegraph.co.uk/finance/newsbysector/retailandconsumer/leisure/10215648/Thomas-Cook-swings-back-into-profit-as-tour-operator-recovers-under-Harriet-Green.html>

<http://www.telegraph.co.uk/finance/newsbysector/epic/tcg/10192874/Thomas-Cook-takes-big-step-to-recovery.html>

effect on the free and frank provision of advice as much of the withheld information was already publicly known, albeit in less detail.

36. The complainant has argued that there is a strong public interest in disclosure due to the potential for a large number of individuals to be affected if Thomas Cook ceased trading. Additionally, as one of the main lenders was RBS, of which the government are a major shareholder, there was an increased public interest in disclosure of information which shows how the government was informed of the financial situation at Thomas Cook as this information may have led to a decision being made on whether RBS would become a lender to Thomas Cook.
37. The Commissioner recognises there is a strong public interest argument in favour of disclosure as Thomas Cook is one of the UK's most recognisable travel companies and serves a large number of UK consumers. There was a strong public interest argument in favour of disclosing information which enables the public and consumers to understand the briefing provided to Prime Minister on a significant consumer issue. The Commissioner also notes that Thomas Cook is a major employer. There were also relevant questions about potential exposure of costs to the taxpayer.
38. With regards to the 'chilling effect' argued by DBIS, the Commissioner would generally give some weight to the argument that disclosing information used to inform or influence decisions could affect the frankness and candour with which relevant parties would continue to contribute and provide advice for further discussions on the issue. The weight that can be given is stronger when the public authority can demonstrate that the information clearly relates to a matter which is still effectively "live" and can show that the information in question has been, or could be, used to influence decisions and debates on an issue or policy.
39. DBIS has argued that the content of withheld information goes beyond the purely factual and contains commentary and advice. The Commissioner has taken this into account alongside the general argument presented by DBIS that disclosure of the withheld information would be likely to inhibit the free and frank provision of advice and exchange of views for deliberations; he is not minded to accept there is strong weight to this argument and the potential 'chilling effect' on future communications. This is because the information in question appears to provide an update on the current position to the Prime Minister. Whilst the document does contain some analysis the information does not appear to have been provided in the context of informing any specific actions or policy decision. The Commissioner accepts that the focus must not be purely on the content of the

information, the focus must be on the effects of disclosure, but the content is a relevant consideration when assessing the effect.

40. As such the Commissioner is not minded to give strong weight to the arguments about the chilling effect on future advice or exchanges, especially taking into account the timing of the request. The Commissioner acknowledges there may have been some commercial sensitivity around the disclosure of this information at the time of the request but Thomas Cook's financial situation was publicly documented and at the time of the request had changed significantly from that as outlined in the report and advice note. The Commissioner therefore considers that any public interest in maintaining the exemption has diminished significantly over time.
41. DBIS has not expanded on its fairly general arguments that disclosure would be likely to affect the free and frank provision of advice and exchange of views. The Commissioner does not consider there to be weight to the 'chilling effect' arguments in this case beyond accepting there would still be some sensitivity about disclosing a briefing note to the Prime Minister, on a commercial issue, relating a major UK company, two years on. The content of the information and timing of the request are crucial factors in attributing weight. There is no convincing evidence to suggest a severe impact on the future provision of advice or exchange of views related to Thomas Cook, or a more general impact.
42. DBIS have not specifically explained why disclosing the level of detail in the withheld information would be likely to cause a chilling effect. Whilst the Commissioner can accept there may be some validity to the general argument that disclosure of the information may impact on the level of detail included in these types of communications in the future he does not accept there would be any inhibition to the process of providing advice notes and reports to the Prime Minister when requested. He also considers this would be more applicable if the issue were still 'live'. The Commissioner therefore only gives limited weight to this argument to maintaining the exemption.
43. The Commissioner recognises there are some valid arguments in favour of maintaining the exemption and he accepts that there may be general sensitivity around disclosing briefing information prepared for the Prime Minister and his office, on a significant commercial issue. This does provide weight to maintaining the exemption. However, timing of the request has diminished many of the chilling effect arguments in favour of maintaining the exemptions. The content of the information is also relevant. He has concluded that the public interest in disclosure is stronger than the public interest in maintaining the exemptions - the disclosure of this information will provide important insight into how the

Prime Minister was briefed on an issue that had the potential to affect a great deal of UK consumers and the employees of Thomas Cook.

44. The public interest in maintaining the section 36(2)(b)(i) and (ii) exemptions does not outweigh the public interest in disclosure
45. As the Commissioner has concluded that the balance of the public interest with regard to the section 36(2)(b) exemptions favours disclosure he has now gone on to consider the application of the other exemptions – section 43 and section 41 of the FOIA.

Section 43 – prejudice to commercial interests

46. Section 43(2) of the FOIA states that information is exempt if its disclosure would, or would be likely to prejudice the commercial interests of any person holding it.
47. Initially DBIS applied section 43(2) to all of the withheld information. However, in its submissions to the Commissioner it indicated it was in fact applying section 43(2) only to parts of the information within the report and advice note. Its arguments for the use of this exemption were that the information is commercially sensitive and disclosure would be likely to prejudice the commercial interests of Thomas Cook. It expanded on this by stating that the information contained discussions and analysis about Thomas Cook's financial position and as it operated in a competitive industry, release of this information could damage its reputation and the confidence its customers have in it. DBIS did not explain any further as to why it considered consumer confidence may be lost when the financial difficulties facing Thomas Cook were publicly known.
48. The Commissioner notes that DBIS is relying on section 43(2) on the basis that disclosure of the requested information would prejudice the company's commercial interests. The Commissioner would normally expect a public authority to obtain arguments from the third parties themselves. Arguments from a public authority that assume the position of the third party may be regarded as purely speculative, unless the public authority can explain their foundation e.g. based on a long standing working relationship.
49. DBIS has stated it did not consult with Thomas Cook regarding disclosure as it did not obtain information directly from it but rather the withheld information contains some information provided by Thomas Cook to the Civil Aviation Authority.
50. DBIS has argued that it is aware of the importance Thomas Cook places on the confidentiality of the information it provides due to other examples of times when information has been provided to it. In these

cases where commercially sensitive information was included it provided two copies of documents – one for the public and one confidential version.

51. DBIS has acknowledged that since 2011 Thomas Cook has undergone a major transformation with a commercial restructuring and is now financially improved. However, DBIS considers that some information in the report is still relevant now and if it were to be disclosed it could undermine consumer confidence in the company and lead customers to choose other providers.
52. DBIS has not fully explained its specific arguments to support its view that the information, should it be disclosed, would or would be likely to prejudice Thomas Cook's commercial interests. Nevertheless the Commissioner has considered the central question in this case to be whether the release of the withheld information would be likely to be prejudicial to Thomas Cook's commercial interests as it would affect consumer confidence in the company.
53. He has considered the arguments put forward by DBIS, that information discussing Thomas Cook's financial difficulties would damage its reputation and consumer confidence, and has taken into account the limited arguments to support this position and to demonstrate any causal link between disclosure of the information and the prejudice that may occur to Thomas Cook.
54. The Commissioner can accept that disclosure of the information withheld under section 43 would have been likely to prejudice Thomas Cook's commercial interests at the time it was created but DBIS have not convincingly argued how disclosure of the information would have been likely to prejudice in the context of the improved financial position of Thomas Cook at the time of the request, nearly two years on. The Commissioner is not minded to accept that disclosure would have a prejudicial effect on Thomas Cook as the much of the information withheld under section 43 dates back to a point when Thomas Cook's financial difficulties were well documented and the situation has changed significantly since then. It is not clear exactly how consumer confidence in the company would be damaged by the information which is detailing an essentially historical position.
55. DBIS have specifically highlighted two pieces of information as still having relevance at the time of the request; whilst the Commissioner can accept their relevance at the time of the request he does not accept that DBIS have provided enough evidence to demonstrate that it would have been likely to affect consumer or market confidence, in light of the improved position of the company and passage of time.

56. The Commissioner has concluded that DBIS has failed to explain the causal link between the implied commercial prejudice and the disclosure of the information. He therefore does not consider it has been sufficiently demonstrated that there would be any prejudice to Thomas Cook's commercial interests.
57. As he has concluded the section 43(2) exemption is not engaged he has next gone on to consider the application of section 41 to some of the withheld information.

Section 41 – information provided in confidence

58. DBIS has applied section 41(1) to withhold some information from the advice note that contains discussions and advice about the financial position of Thomas Cook.
59. Section 41(1) provides that information is exempt if it was obtained by the public authority from any other person and disclosure would constitute an actionable breach of confidence. This exemption is absolute and therefore not subject to a public interest test.

Was the information obtained from another person?

60. The information which has been withheld has either been received from the CAA, who in turn obtained it from Thomas Cook, or is advice based on the information obtained from the CAA. The Commissioner therefore accepts the information was obtained from another person and the first limb of section 41 is met.

Would disclosure constitute an actionable breach of confidence?

61. In considering whether disclosure of information constitutes an actionable breach of confidence the Commissioner will consider the following:
 - Whether the information has the necessary quality of confidence;
 - Whether the information was imparted in circumstances importing an obligation of confidence and
 - Whether disclosure would be an unauthorised use of the information to the detriment of the confider.
62. The Commissioner finds that information will have the necessary quality of confidence if it is not otherwise accessible, and if it is more than trivial.
63. DBIS has stated that Thomas Cook provided the information to the CAA on a confidential basis on the understanding that it would not be

disclosed. The CAA does not put information on the handling of this type of situation with companies, in the context of their regulatory role, in the public domain. The information was then passed from the CAA to DBIS on a confidential basis to assist in briefing the Prime Minister and responding to a PMQ.

64. Based on the above and having considered the content of the information which is being withheld under section 41, the Commissioner accepts that the information could not be said to be publicly available and as such it cannot be considered to be otherwise accessible. He also does not consider it to be trivial as it is information not in the public domain about the CAA's likely involvement in regulating the situation and some more detailed information on Thomas Cook's financial issues unlikely to have been more widely published at the time. The Commissioner is therefore satisfied that the information has the necessary quality of confidence.
65. The Commissioner has gone on to consider whether the information was imparted in circumstances importing an obligation of confidence. Information provided by the CAA that it had obtained from Thomas Cook was provided on the basis that it was required to assist in briefing and advising the Prime Minister on the situation. The information provided by Thomas Cook to the CAA was provided as part of the CAA's regulatory work in monitoring the solvency of approximately 180 tour operators in the UK.
66. The Commissioner recognises that government departments such as DBIS will receive information from various other bodies in order to produce reports and to provide advice and assistance to the Government. He accepts that there is likely to be an implied obligation of confidence on the part of DBIS when it receives information to assist in this process. He also acknowledges in this case the information has not only been received by DBIS in circumstances importing an obligation of confidence but the CAA would also have been likely to have received the information from Thomas Cook in circumstances importing an obligation of confidence.
67. The third element of the test of confidence involves the likely detriment to the confider if the confidence is breached. The test under section 41 is whether disclosure would constitute a breach of confidence actionable by the person who provided the information or any other person. The Commissioner considers that the disclosure of the information which has been withheld on the basis of section 41 could cause detriment to the CAA by potentially damaging its ability to voluntarily obtain information from tour operators it is regulating.

Would a public interest defence be available?

68. As section 41(1) is an absolute exemption there is no public interest. However, case law suggests that a breach of confidence will not be actionable in circumstances where a public authority can rely on a public interest defence. The duty of confidence public interest test assumes that the information should be withheld unless the public interest in disclosure exceeds the public interest in maintaining the confidence. The Commissioner has therefore gone on to consider whether there would be a defence to a claim for breach of confidence.
69. The complainant has argued that the situation in 2011 affected many people and therefore the disclosure of any information which informed the Government's position and that can shed light on how one of the largest and most recognisable travel companies in the UK ended up in such a precarious financial position is in the public interest.
70. As well as this the complainant has also stated that as RBS was involved in lending money to Thomas Cook and the government is a majority shareholder in RBS, there is a public interest in disclosure of information which informed the Prime Minister so the public can see that he was properly briefed and had sufficient information to consider all potential scenarios should the government be required to step in.
71. The Commissioner recognises the public interest in the disclosure of information held by public authorities to bring about more accountability and transparency and the strength of the arguments in favour of disclosure detailed above. However, the Commissioner has to be mindful of the wider public interest in preserving the principle of confidentiality. It is in the public interest that the duty of confidentiality between confiders and confidants is preserved.
72. DBIS has argued that disclosure of the information would be damaging to effective public administration and would affect the continued supply of information from companies and organisations in the future. DBIS considers that as the CAA are continually monitoring the risk of insolvency of many tour operators; disclosure of the information could lead to reputational damage if other companies are aware that information provided by Thomas Cook on a confidential basis has been disclosed.
73. The Commissioner has followed this argument through and can recognise that if this information was disclosed it may result in the perception that the CAA does not treat information provided to it by third parties in confidence and it may make them more reluctant to voluntarily provide information in the future. This would not be in the

public interest as it may make the CAA's ability to efficiently carry out its regulatory activities more difficult.

74. Taking into account all the arguments and the nature of the relationships between the parties and the content of the withheld information the Commissioner considers DBIS would not have a public interest defence for breaching its duty of confidence in relation to the information it received from the CAA and the analysis it conducted based on the information from the CAA. The Commissioner cannot conclude that there is a strong enough public interest argument to disclose this information.
75. Therefore the Commissioner finds that the information withheld from the advice note and report identified by DBIS as being exempt on the basis of section 41(1) of the FOIA has been correctly withheld.
76. However, as the Commissioner did not find the section 36(2) or 43(2) exemptions to provide a valid basis for withholding the remaining information he now requires DBIS to disclose all information in the report and advice note that has not been identified as confidential information subject to the section 41(1) exemption.

Right of appeal

77. 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: GRC@hmcts.gsi.gov.uk

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

78. 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.
79. 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

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