

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 26 March 2014

Public Authority: University of Oxford
Address: University Offices
Wellington Square
Oxford
OX21 2JD

Decision (including any steps ordered)

1. The complainant has requested funding applications from the University of Oxford for the establishment and running of the Migration Observatory at the University. The University informed the complainant that information was held but was being withheld under sections 43(2), 21, 22, 41 and 40(2). The University provided the requested information to the complainant during the Commissioner's investigation and the University therefore withdrew its application of all of these exemptions except section 40(2).
2. The Commissioner's decision is that the University breached section 10(1) of the FOIA as it did not provide this information within the statutory time for compliance. The Commissioner requires no steps to be taken.

Request and response

3. On 4 June 2013 the complainant wrote to the University of Oxford ("the University") and requested information in the following terms:

"To request a copy of application(s) for funding made by the University of Oxford to (a) Barrow Cadbury Trust, (b) The Diana, Princess of Wales Memorial Fund and (c) Unbound Philanthropy, for the establishment and running of the Migration Observatory at the University of Oxford."

4. The University responded on 28 June 2013. It stated that it held one document, the funding application, submitted to all three of the funding bodies but it considered it exempt from disclosure on the basis of section 43(2) of the FOIA. The University also considered some information within the application to be exempt under section 21, 22, 41 and 40(2) of the FOIA.
5. The complainant requested an internal review of the decision to withhold this information and following an internal review the University wrote to the complainant on 24 September 2013 and upheld its original decision.
6. During the Commissioner's investigation the University provided the complainant with the withheld information which consisted of a funding application form. The University continued to redact some information which it considered to be personal data from the application under section 40(2) which the complainant was satisfied with. The University therefore no longer wished to apply the exemptions previously stated to withhold this information with the exception of section 40(2).

Scope of the case

7. The Commissioner has considered whether the University complied with its obligations under the FOIA when dealing with this request.
8. As the information has now been provided to the complainant the Commissioner will not however consider whether the exemptions were applicable at the time of the request.

Reasons for decision

9. Section 10(1) states that:

"Subject to subsections (2) and (3), 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".
10. During the course of the Commissioner's investigation the University provided the complainant with information within the scope of his request, which was the funding application. As this information was not provided within the statutory time for compliance, the Commissioner considers that the University breached section 10(1) in its handling of this request.

Right of appeal

11. 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

12. 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.
13. 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

Pamela Clements
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF