

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

### **Decision notice**

**Date:** 1 June 2015

**Public Authority:** Durham University  
**Address:** The Palatine Centre  
Stockton Road  
Durham  
DH1 3LE

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

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1. The complainant has requested the university to disclose information relating to a pilot 11+ test carried out with schools in Buckinghamshire. The university released some information but felt the majority of information is exempt from disclosure under sections 40 and 43 of the FOIA.
2. The Commissioner has reviewed the withheld information. He is satisfied that sections 40 and 43 of the FOIA apply to all remaining withheld information except columns F and G of the spreadsheet containing all scores across the entire test (the withheld information relevant to question one of the information request).
3. The Commissioner therefore requires the university to take the following steps to ensure compliance with the legislation:
  - disclose columns F and G detailing the school and venue, contained in the spreadsheet it provided in relation to question one of the complainant's information request.
4. The university 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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5. On 9 May 2014, the complainant wrote to the university and requested information in the following terms:  
  
"1) the results (data) of the pilot testing conducted on the new 11+ test commissioned by Bucks Grammar Schools Heads  
2) the analysis of the pilot testing, including any analysis of equalities implications  
3) any communications between you and Bucks Grammar Schools Heads on the results and analysis of the pilot testing"
6. The university responded on 9 June 2014. In relation to question one, the university refused to disclose the requested information under section 43(2) of the FOIA. Regarding question two, the university released some information but withheld other information under sections 40 and 43(2) of the FOIA. In respect of question three, the university confirmed that it does not hold any recorded information falling within the scope of this element of the complainant's request.
7. The complainant requested an internal review on 11 June 2014.
8. The university carried out an internal review and notified the complainant of its findings on 9 July 2014. In response to question one, the university now felt that it could release some data to the complainant and proceeded to do so. In relation to question three, the university confirmed that it had now identified one email communication. It proceeded to disclose this email to the complainant but withheld one of its attachments under section 43(2) of the FOIA. For all remaining elements of the request, the university upheld its initial decision.
9. The complainant contacted the university again on 10 July 2014 to ask some further questions.
10. The university responded on 15 July 2014. At this point it was identified that a further three emails were held by the university in relation to question three of the request. The university disclosed all the information in these three emails, which fell within the scope of the complainant's request. The only information it did not disclose was some personal data and it informed the complainant that it considered this information was exempt from disclosure under section 40 of the FOIA.

## Scope of the case

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11. The complainant contacted the Commissioner on 5 September 2014 to complain about the way her request for information had been handled. Specifically, the complainant was unhappy that the university had withheld information under sections 40 and 43 of the FOIA. In relation to question one, the complainant also raised concerns regarding the format of the information that was disclosed to her following the university's internal review of 9 July 2014. She stated that the information held had been redacted to such a degree that what remained was meaningless and therefore the university had failed to disclose information in a usable format. She stated that the information was supplied in 21 pictorial files, which do not allow for the extraction of data. The complainant argued that for information to be usable it should have been released to her in an excel format or text format to allow data analysis and interpretation. In relation of question three, the complainant also raised concerns that she believed further recorded information must be held by the university.
12. In relation to question three of the information request, during the Commissioner's investigation, all information the university holds was disclosed to the complainant with the exception of the following:
  - (a) the skype name of a particular member of staff within the CEM centre, which is mentioned in one of the emails identified; and
  - (b) three pages of a report headed CEM Entrance Assessments (September 2013), which was an attachment to one of the emails disclosed to the complainant.
13. The Commissioner will first consider the form and format issue the complainant has raised. He will then consider each element of the request in turn (commencing with question one first) addressing the remaining withheld information and the applications of section 43 and 40 where applicable.
14. If both exemptions have been applied to some of the information, the Commissioner will consider the application of one exemption at a time. He will only go on to consider the second exemption, if he finds that the first does not apply to some or all of this information.

## Reasons for decision

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### Section 11 – means by which communication is to be made

15. Section 11 states that where, on making a request for information, the applicant expresses a preference for communication by any one or more of the following means, namely –

- (a) the provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant,
- (b) the provision to the applicant of a reasonable opportunity to inspect a record containing the information, and
- (c) the provision to the applicant of a digest or summary of the information in permanent form or in another form acceptable to the applicant,

the public authority shall so far as reasonably practicable give effect to that preference.

16. It is the Commissioner's view that any preference for communication must be made at the time the request was made. It is evident from the wording of the complainant's request, as outlined in paragraph 5 above, that no preference of communication, including the preference to have any disclosed information presented in an excel or text format, was made at the time the information request was submitted.

17. In the Commissioner's opinion a public authority does not have a duty to comply with a preference if the applicant expresses it later, either after the public authority has started to deal with the request or after it has provided the information. If no preference was expressed at the time the request was made, it also follows that no complaint made to the Commissioner about the way the information was presented could be upheld.

18. If the Commissioner found that an applicant had expressed a preference at the time of the request and there was no evidence to suggest that a public authority had given this preference due consideration, the Commissioner could find the public authority concerned in breach in section 11 of the FOIA. He could then order the public authority concerned steps to rectify this.

19. However, in this case, because no preference was expressed at the time the request was made, the university was under no obligation to consider the way it was going to present the disclosed information to the complainant or consider whether a particular form or format was more

suitable for her. As such no breach of section 11 of the FOIA can be recorded in this case and the Commissioner therefore requires no further action to be taken in respect of this element of the complaint.

## **Background**

20. The university explained that this request relates to tests developed by its CEM (Centre for Evaluation and Monitoring) centre as part of the Buckinghamshire 11+ pupil selection process, the pilot tests conducted and the analysis undertaken of the results of these pilot tests in terms of equality implications.
21. The university confirmed that 11+ entrance tests are provided as a commercial service for grammar schools where the age-adjusted overall marks of entrants (and optionally the Pass/Fail status results) are returned in confidence to the contracting school or local authority and the age-adjusted results of individual entrants is communicated to the parents of entrants.
22. It confirmed that there are two key providers in this market and use of the CEM 11+ entry test has grown rapidly over the last three to four years. The university confirmed that it is now used by about 40% of all grammar schools in England and is therefore a sizeable commercial interest with a revenue of £1m per annum.

## **Question one**

23. Question one of the complainant's request asked for the results of the pilot testing that was conducted. Some limited information was released to the complainant but the majority of the data was withheld by the university under sections 43 and 40 of the FOIA. The spreadsheet contains personal information relating to each pupil (columns A to E) and the name of school and venue (columns F and G). All other columns provide the individual pupil's score question by question.
24. The Commissioner will first consider section 43 of the FOIA to the individual scores given to each pupil question by question (the majority of the data). He will consider columns A to E and F and G later in this notice.
25. Section 43 of the FOIA states that information is exempt from disclosure if its disclosure would or would be likely to prejudice the commercial interests of the university, a third party or both. In this case the university has argued that disclosure would be likely to prejudice the commercial interests of its CEM centre and therefore overall the interests of the university.

26. The university explained that this information contains the item code for every question. These item codes are a means of logging questions in CEM centre's item bank of test questions. The codes reveal information about the development of the test questions (year of development, number of versions of the question, test developer), an indication of whether they have appeared in other tests and the name of the test section. It confirmed that the data also includes information about the structure of the test; the number of questions per section, number of sections in the test and the total number of questions available.
27. The university confirmed that the information also includes information about the difficulty of the test; the difficulty at item level, section level and the relative difficulty of the various sections and information that is used for the development and improvement of the overall testing process.
28. The university argued that if this data set alongside other data sets from its tests were released into the public domain it would enable people to better understand how the test questions are put together and track the use and re-use of individual questions. This would then enable people to predict when and where questions will be re-used in new tests. Because questions are re-used, 'question spotting' could confer a significant advantage to pupils who are given this information and this would in turn have a significant negative impact on the selection process for schools. The information could also be used by tutors to gain advantage by teaching their pupils to the test and lead to tutors teaching pupils strategies to achieve the minimum marks required.
29. The university explained that the spreadsheet contains the scores for each question – 0 meaning the pupil got the question wrong, 1 representing a right answer and 9 meaning that the question was not attempted therefore a score is missing. By counting the occurrence of each value for each question it is possible to calculate the difficulty level of individual questions (percentage of children answering the question correctly). This would also apply to identifying the difficulty of each subsection (identified by item codes) and therefore an understanding of which sections are easiest and contribute the most to achieving a qualifying score. A tutor could then use this information to teach examination techniques that would confer a clear advantage to tutored children.
30. Furthermore, the university advised that it does publish the pass mark for the test in advance of the test itself. Disclosure of the information would be likely to enable tutors to identify how many questions need to be answered correctly in order to pass the test. By looking at the relative ease or difficulty of particular sections, tutors could teach their pupils advantageous examination techniques and this would encourage

a different test-taking mentality with potential serious implications for schools and pupils.

31. The university explained that it is one of two key providers for the 11+ in the market place and what sells their tests over their competitor is CEM's non-formulaic approach to tests and its promotion of a fair examination system. It explained that its only competitor sells practice material unlike CEM and school's purchase tests from CEM rather than its competitor because these schools particularly like the fact that no past or practice materials are available. Revealing information to the public from which test structures and format can be identified would be likely to damage its business ethic and be likely to deter schools who are particularly drawn to CEM for this very reason from using their future tests. The university has explained how its 11+ testing system has grown over recent years and the significant revenue it produces for the university. Disclosure of this information would be likely to damage its competitive edge in an already niche market and this would in turn damage the university's commercial interests.
32. The Commissioner has given this information careful consideration and the arguments the university has submitted in support of its application of section 43 of the FOIA.
33. The university has confirmed that it publishes the past mark required prior to the test. It has also explained that there is no set structure to their test in terms of which sections will be tested on, no compulsory sections and no set number of questions in each. The structure purposefully varies from test to test to try and ensure optimum fairness is maintained. The university advised that the raw scores from each section are age-standardised separately. These age-standardised scores are then weighted to produce an overall weighted score known as the Secondary Transfer Test Score (STTS).
34. The university advised that the weightings may vary from test to test. It stated that often certain weightings for each section are used but on occasions some tests have an even weighting per section and others have different weightings per section. Although the overall pass score required is disclosed beforehand, the individual weightings are not and there is not minimum score required for each section in order to pass the test. It is the overall mark achieved across the entire test that is used to determine a pupil's STTS.
35. In terms of question spotting, the university has explained that the item code for each question is an internal reference only known to those working in the CEM centre. It is not known to the outside and it is not possible to identify the question itself from this reference. The reference simply confirms the section, the date the question was originally set and

the initials of the employee who constructed the question. The Commissioner accepts that the reference may provide tutors with an indication of whether this is a new question or one that has appeared before and may suggest which employee originally composed the question. But it remains the case that these item codes are internal references only known to only those that work for the CEM centre. The university has stated itself that it is not possible to identify the question itself from this reference. The Commissioner is therefore of the view in this case that it would not be possible for tutors to 'question spot' from the disclosure of this information or similar and tailor their teaching accordingly. He therefore rejects this argument.

36. However, the Commissioner does accept that the requested information being considered here would enable anyone with access to certain functions in Excel (AVERAGE and STDEV functions) to produce detailed analysis of the raw scores achieved by the pupils concerned per question and per section. The item codes do reveal the section of the test (COMP standing for comprehension, NVR standing for Non Verbal Reasoning) and the scores attained can be used to work out where pupils tended to score more highly to others. This information can then be used to work out which sections tend to be more difficult to others and enable tutors to tailor their teaching and coaching accordingly. The overall pass score is published beforehand and because it is the overall score across the test that it used and there is not minimum score require per section, such information would be likely to enable tutors to coach pupils particular examination techniques and to concentrate their efforts on certain sections of the test in order to achieve the pass mark required. It is for these reasons that the Commissioner consider section 43 of the FOIA applies.
37. Disclosure of information which would enable tutors to increase their coaching and tailor their teaching to the specifics of the test would be likely to prejudice the commercial interests of the university. The university has explained that it is its non-formulaic approach and the very fact that its tests cannot be second-guessed which attracts its existing customers to use the CEM centre's testing rather than one of its competitors. If these qualities were to be prejudiced it is likely that existing customers and potential others may be deterred from using the CEM centre as opposed to its rivals.
38. Section 43 of the FOIA is subject to the public interest test. The Commissioner will however consider the public interest later in this notice, as the university has applied this exemption to question two of the complainant's request.

**The personal data of the each pupil that participated (columns A to E) and the name of their school including venue (columns F and G)**



39. Dealing with the schools concerned and the venue, the university has not explained in sufficient detail why this information is exempt from disclosure under the FOIA. The only exemptions that have been applied in this case are sections 40 and 43 and no arguments have been presented to the Commissioner to explain why these or any other exemption under the FOIA may apply despite the Commissioner giving the university several opportunities to put the relevant submissions to him.
40. The only argument the Commissioner has received from the university is that the schools do not wish for their names to be disclosed. But the Commissioner considers this is not a valid reason to withhold this information under the FOIA.
41. As the information is clearly not personal data relating to a living individual and no arguments have been submitted to suggest that disclosure would or would be likely to prejudice the commercial interests of the university or a third party, the Commissioner can only conclude that this information is not exempt from disclosure under the FOIA and therefore should be released.
42. In relation to columns A to E, these columns contain the name, surname, date of birth and gender of each pupil that sat the test. The university has applied section 40 of the FOIA to this information.
43. Section 40(2) of the Act states that information is exempt from disclosure if it constitutes the personal data of a third party and its disclosure under the Act would breach any of the data protection principles or section 10 of the Data Protection Act 1998.
44. Firstly, the Commissioner must consider whether the requested information is personal data. Personal data is defined in Section 1 of the DPA as follows:

“personal data” means data which relate to a living individual who can be identified -

  - (a) from those data, or
  - (b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller,

and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.”
45. The Commissioner considers the name and surname of a living individual is quite obviously personal data. An individual's data of birth

and gender is also considered to be personal data, as it is information from which a living individual can be identified whether on its own or in conjunction with other information that may otherwise be available.

46. It is therefore now necessary for the Commissioner to establish whether disclosure of that data would breach any of the data protection principles under the DPA. The Commissioner understands that the university considers disclosure of this information would breach the first data protection principle outlined in the DPA.
47. The first data protection principle states that:

"Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless -

  - (a) at least one of the conditions in schedule 2 is met, and
  - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met."
48. The Commissioner considers the disclosure of the names, dates of birth and gender of each pupil who sat the test in question would be unfair of the pupils concerned. The pupils in question and their respective parents would have no expectation that their personal data or the personal data of their children could be released into the public domain. To the contrary, they would expect privacy and for the information to remain confidential. They would expect the scores per section and the overall STTS to be relayed back to them and the school they attend. They may also accept that the data may be used by the CEM centre itself for internal analysis. However, the pupils and their parents would have no expectation that this information could be disclosed to the world at large under the FOIA.
49. The Commissioner considers disclosure would be an unwarranted intrusion into the private lives of the pupils concerned and would cause the pupils and their parents distress and upset. The Commissioner may accept that there is a legitimate public interest in the disclosure of information which enables members of the public to understand more clearly how the 11+ testing is designed. He may also accept that there is a public interest in the disclosure of information which enables members of the public to assess more clearly and accurately the overall fairness of such designed tests and any potential inequality implications. However, in this case, the Commissioner does not consider such legitimate interests outweigh the potential distress and intrusion that disclosure of this information would cause to the pupils and prospective parents concerned.

50. For the above reasons, the Commissioner is satisfied that disclosure of this information would be unfair and therefore in breach of the first data protection principle outlined in the DPA. The Commissioner has therefore concluded that section 40 of the FOIA applies.

### **Question two**

51. This element of the complainant's request is for the university's analysis of the pilot testing conducted. The university holds a 22 page report detailing its analysis of the pilot testing and the university released a heavily redacted version of this report to the complainant. Information has been withheld under sections 40 and 43 of the FOIA.
52. The Commissioner will first consider section 40 of the FOIA. The university has confirmed that section 40 of the FOIA has been applied to pages 16, 17 and 18 of the report.
53. The university has argued that it is possible to use the information on these pages to build up a picture of the personal data of many individuals. It stated that this information could be used in conjunction with the requested information under question one above and explained that you can analyse the charts on these pages and how the data has been plotted to establish the gender, month of birth, school, area and so on of the participating pupils. As a result, the university considers this information constitutes personal data.
54. Firstly, the Commissioner has already considered the withheld information under question one above. He has concluded that the names, dates of birth and gender of each pupil constitutes personal data and that this information should not be disclosed under the FOIA. He has also concluded that section 43 of the FOIA applies to all remaining withheld information (with the exception of columns F and G). The information withheld in relation to question one of the information request cannot therefore be used in conjunction with the withheld information under question two to identify pupils.
55. The Commissioner has reviewed pages 16, 17 and 18 of this report and he does not consider this information constitutes personal data, as defined in the DPA (and quoted in paragraph 43 above). From the submissions he has received from the university, the Commissioner does not agree that it is possible to identify particular individuals from the analysis charts on these pages and because he does not consider specific individual pupils can be identified from this information the Commissioner does not consider the information constitutes personal data.

56. The university informed the Commissioner that over 1000 pupils took part in the pilot testing. The three pages concerned contain charts of the performance of these pupils in certain subgroups. The Commissioner cannot see how an individual pupil from a potential 1000 could be accurately identified from these charts. As a result he does not agree this information is personal data and therefore he does not agree that the university has sufficiently demonstrated that section 40 of the FOIA applies.
57. It is however noted that the university has also applied section 43 of the FOIA to this information and the remainder of the report. The Commissioner will now go on to consider the application of section 43 to all sections of this report.
58. The university has argued that section 43 of the FOIA applies to the report for the same reasons outlined above for question one of the complainant's information request. The university has explained that the report contains the university's analysis of the raw data contained in the spreadsheet withheld in relation to question one of this information request. From the report itself it is possible for anyone interested in this information to establish how this particular test was structured and how the pupils that participated performed per section. The analysis reveals average scores and the number of questions in each section for this particular test. It also provides detailed analysis in relation to a variety of subsections. The Commissioner considers this information should be treated the same as the withheld information addressed above in relation to question one of the complainant's request. For the same reasoning given above, the Commissioner is satisfied that section 43 of the FOIA applies to this information.

### **Public interest test**

59. As the Commissioner is satisfied that section 43 of the FOIA does apply to the remaining withheld information, he now needs to go on to consider the public interest test.
60. The university stated that it understood there is a public interest in transparency and accountability. It confirmed that it also understood that there is a public interest in disclosing information which would enable individuals to better understand the 11+ test and the findings of the pilot it undertook. However, it considers the public interest rests in maintaining the application of section 43 of the FOIA.
61. The university explained that given the limited way in which a child's developed ability can be assessed by written test disclosure of structural information about the test such as the number of questions it contains as well as the maximum raw scores attainable would allow elements of it

to be reverse engineered. In addition, the university confirmed that disclosure of raw data and standardised scores would reveal business sensitive information about the difficulty level of the test and the number of questions that would need to be answered correctly in order to gain a qualifying score. Again, these elements could allow aspects of the test to be reverse engineered and modelled by a competitor. This would then undermine the CEM centre's position in a specialist and competitive market. Disclosure of the structural elements of the test would also be likely to lead to question spotting and tutoring to the test, which would create an unfair testing system for pupils.

62. The university stated that it is not in the public interest to prejudice its commercial interests and to destroy the benefit of having a fairer test for all pupils that is resistant to intensive exam coaching.
63. The Commissioner has given the arguments for and against disclosure detailed consideration. He accepts that there is a public interest in overall transparency and accountability and that education and testing such as the 11+ attract significant public interest and debate. The Commissioner agrees with the university that there is a public interest in disclosing information that enables members of the public to understand more clearly why certain tests are used and how they are constructed to ensure that the testing system is as fair as possible for all pupils.
64. However, in this case the Commissioner has agreed that some of the withheld information would be likely to damage the commercial interests of the university's CEM centre if it is disclosed. He has accepted that the information would reveal details relating to the structure of the test and the difficulty of certain sections and this information could be used by tutors to specifically coach pupils how to pass the test using specific techniques and strategies. It has been established that the STTS equates to the overall score across the entire test and there is no requirement to complete or attain a minimum score per section. Knowing how the test is structured and how difficult certain sections have been found to be would enable tutors to tailor their teaching specifically to increase the chances of those pupils participating achieving the pass score required. This would create an unfair system which would not be equal to all pupils and this is not in the public interest.
65. The Commissioner considers there is a strong public interest in maintaining the fairness and equality of the university's current testing system to ensure that all pupils sitting the tests have equal opportunities. The results and the allocation of grammar school places are then based on true academic ability rather than being influenced by coaching and testing strategies.

66. The Commissioner also considers that it is not in the public interest to release information which would be likely to damage the university's commercial interests. It is apparent that it has invested significant resources into developing its testing systems and it is an important source of revenue for the university. If the university's commercial interests were to be hindered as a result of disclosure this would have a negative impact of the university as a whole and its ability to meet its core functions and again such consequences are not in the public interest.
67. For the above reasons, it is the Commissioner's decision in this case that the public interest in favour of disclosure is outweighed by the public interest in maintaining this exemption.

### **Question three**

68. This element of the complainant's information request asked for copies of any communications between the university and the Heads of Buckinghamshire Grammar Schools relating to the results and analysis of the pilot testing. Initially the university stated that it did not hold any recorded information falling within the scope of this element of the complainant's request. However, on further challenge and investigation the university identified two emails and an email chain dated 5 December 2013.
69. The Commissioner is satisfied that on the balance of probabilities all recorded information falling within the scope of this element of the complainant's request has now been identified. As stated above, the complainant challenged this issue with the university itself and the Commissioner made enquiries to ensure that all relevant sources of recorded information had been searched and checked. The university explained the searches undertaken and assured the Commissioner that all recorded information has now been identified.
70. The complainant did state that she was aware of correspondence between one particular named individual and the CEM centre but the university searched all relevant email accounts and paper correspondence again and could not find any record of such correspondence.
71. Turning now to the remaining withheld information relevant to this element of the complainant's information request, the university has argued that the skype name removed from one email constituted personal data and it considered disclosure of this information would breach the first data protection principle.

72. The university explained that it considered it was unfair on the employee concerned if this information was disclosed to the world at large. It advised that the individual's skype name is only disclosed in the course of business not routinely to anyone who may request it and certainly not to the general public as a whole.
73. The Commissioner has reviewed this information and he is satisfied that the requested information is personal data. It contains the name of the employee concerned and so the data subject can quite obviously be easily identified from this information.
74. The Commissioner also agrees that disclosure in this case would be unfair and in breach of the first data protection principle. He acknowledges that this information is only disclosed to certain individuals when there is a business need to provide it. It is not routinely disclosed and made available to the general public.
75. The university has explained that its skype system is continuously 'logged in' and it would be possible for the employee concerned to receive unwanted emails and marketing correspondence via this skype name if it were disclosed to the world at large. The Commissioner is not aware of how the university sets up its internal systems but has accepted this point and as a result accepts that disclosure would be unfair and an unwarranted intrusion into the private life of the employee concerned. Emails and marketing are currently channelled through appropriate processes. If the employee was to receive such correspondence via skype it would cause that employee distress and upset and result in resources being unnecessarily directed to dealing with such correspondence when the resources should be used to carry out the university's core functions.
76. The Commissioner does not consider there is any legitimate interest in the disclosure of this information. The disclosure of this information would not enable the complainant or members of the public to understand more clearly how the 11+ tests have been constructed and how they operate.
77. Turning now to the three page attachment to one of the emails in question, this attachment again contains tables of analysis undertaken by the university into the results of its 11+ test. The Commissioner has reviewed this information and he considers it contains information on the structure of the tests and the scores attained and should therefore be treated the same as the information withheld in relation to questions one and two of the complainant's information request. He has already decided that section 43 of the FOIA applies to this information and so it follows for the same reasons explained above that these three pages are also exempt from disclosure under section 43 of the FOIA.

## Right of appeal

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78. 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: 0870 739 5836

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

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

79. 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.

80. 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**