

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 4 August 2016

Public Authority: Royal Borough of Greenwich
Address: Town Hall
Wellington Street
Woolwich
London
SE18 6PW

Decision (including any steps ordered)

1. The complainant has requested information from the Royal Borough of Greenwich ("the Council") regarding petitions.
2. The Commissioner's decision is that the Council did not deal with the request for information in accordance with section 10 of the FOIA in the following way:
 - It failed to provide a response to the request within the statutory time frame of 20 working days.
3. Since the requested information has now been provided to the complainant, the Commissioner requires no steps to be taken.

Request and response

4. On 14 March 2016, the complainant wrote to the Council and requested information in the following terms:

"Therefore, under the provisions of the Freedom of Information Act I would like to see all records held by the Council in any medium, pertaining to this constitutional review and its progress, with particular

emphasis on the council wide policy on the treatment of petitions. Three years on from its inception, it is not unreasonable to expect there to be written records on the progress of this matter.”

5. The Council acknowledged the complainant’s request and stated that it needed more time to recover information which was located off-site. This was on 19 April 2016 and the complainant, having heard nothing further from the Council since that date, complained to the Commissioner.
6. Following the Commissioner’s intervention, the Council then wrote to the complainant on 20 May 2016 providing some of the requested information. However, the complainant had to seek the remaining information by way of a number of e-mails to the Council, who provided a full response on 30 June 2016, with which the complainant was satisfied.

Scope of the case

7. The complainant contacted the Commissioner on 17 April 2016 to complain about the way her request for information had been handled.
8. Since that date, following the Commissioner’s and the complainant’s correspondence to the Council, the complainant has received a full response. The Commissioner has considered the Council’s handling of the complainant’s request.

Reasons for decision

9. Section 10 of the FOIA states that a public authority must respond to a request promptly and “no later than the twentieth working day following the date of receipt”.
10. From the information provided the Commissioner in this case, it is evident that the Council did not respond to the request within the statutory time frame of 20 working days. The Council has therefore breached section 10 of the FOIA.

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: 0870 739 5836
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

Deirdre Collins
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF