

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: **17 October 2017**

Public Authority: **City of York Council**
Address: **West Offices**
Station Rise
York
YO1 6GA

Decision (including any steps ordered)

1. The complainant has requested a report written by PriceWaterhouseCoopers for the council. The council said that it does not hold a copy of the final copy of the report, but said that it had found a draft copy of the presentation/report. Its initial argument was that this information had not been requested by the complainant, but in the event that the Commissioner disagreed with this it argued that section 36(2) would be applicable.
2. The Commissioner's decision is that council was correct to apply section 36 to the information however the public interest in the exemption being maintained does not outweigh that in the information being disclosed.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
 - To disclose the withheld information to the complainant
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 June 2016 the complainant wrote to the council and requested information in the following terms:

"Under the FOI Act

Please provide me with

1. the Terms of Reference for the PWC review of the Council's Central Services - Ian Floyd'd [sic] Directorate and the CEO Office

2 who wrote the Tor and who initiated the work, on whose authority!

3. Please provide me with a copy of the final report which was sent to the Council in 2015 (what date was it received?) How many drafts were there?

4. Would you please confirm how much was paid for the consultancy work.

5. Can you also name and confirm which members were sent the report

6. Can you confirm which committees saw the report and its findings.

7. Can you confirm which chief officers saw the final report?

8. Can you provide the implementation plan of what recommendations were implemented from this significant expenditure?"

6. The council responded on 30 June 2016. It provided information, or answered the questions asked in respect of parts 1, 2, 3, 7, 8 and 11. As regards parts 5, 6, 9, 10 and 12, it said that the information was not held.
7. The complainant then requested an internal review of the council's decision on 1 August 2016. She said:

"I am writing to request an internal review of City of York Council's handling of my FOI request 'Mysterious PWC report on Ian Floyd and Kersten England's Directorate (2015)'.

I am informed that a report has been written for this £18k and would you request a review. The fact that the interim CX didn't like the work should [sic] not deny us the information.

So it seems top staffers are gain spending vast sums of money with 'no record'

Please supply the report and invoices."

8. Following an internal review the council wrote to the complainant on 26 August 2016. It confirmed that it did not hold a copy of the final report. It said however that it had found a copy of a PowerPoint presentation regarding the draft report. It said that the information was however exempt under sections 36(2)(b)(ii) and 36(2)(c).

Scope of the case

9. The complainant contacted the Commissioner on 6 November 2016 to complain about the way her request for information had been handled. Her central complaint is that a copy of the final report should be held, however she also considers that the council should have provided her with a copy of the draft report if that was not the case. She also argues that she has heard from other sources that the draft copy is in fact a full copy of the final report.
10. When contacted by the Commissioner at the beginning of her investigation the council confirmed the searches which had been carried out for the full copy of the report. This is considered further below.
11. However the Commissioner also asked about the draft copy of the report and the council's application of section 36 to this. Although this was not stipulated to the complainant at the time, the council argued that the draft copy of the report had not been requested by the complainant. It said that the manager who had responded to the internal review had however felt it helpful to let the complainant know that the draft copy would be exempt if the complainant were to make a subsequent request for it and had therefore provided details of the application of section 36 to the report.
12. The Commissioner pointed out that the complainant had merely requested a copy of the report and had not stipulated that she did not want a copy of the draft report. In the Commissioner's view, given that no copy of the full report was held the council was correct to consider the draft copy, albeit that it may then have decided that that was in fact exempt information.

13. The Commissioner therefore considers that the complaint is whether the council holds a copy of the final report, and if not whether it was correct to apply Regulation 36(2) to the draft report.

Reasons for decision

Is a copy of the final report held?

14. Section 1(1)(b) of the FOI Act states that, subject to section 2 (i.e. the application of an exemption), a public authority that holds information shall communicate it to the applicant .
15. In cases where a dispute arises over the extent of the recorded information that was held by a public authority at the time of a request, the Commissioner will consider the complainant's evidence and arguments. She will also consider the actions taken by the authority to check that the information is not held and any other reasons offered by the public authority to explain why the information is not held. She will also consider any reason why it is inherently likely or unlikely that information is not held. For clarity, the Commissioner is not expected to prove categorically whether the information is held, she is only required to make a judgement on whether the information is held on the civil standard of a balance of probabilities.
16. Where there is some dispute between the amount of information identified by a public authority and the amount of information that a complainant believes may be held, the Commissioner, following the lead of a number of First-tier Tribunal decisions must decide whether, on the civil standard of balance of probabilities, the public authority holds any information within the scope of the request (or was held at the time of the request).
17. The council described the searches it had carried out for the information. It said that the final report was not taken forward, was not acted upon and so was not shared more widely within the council. It says that as it was not taken forward it believes that all copies of the final report, must have been deleted. One copy of the draft presentation was found in the file system of an individual who had left the council. For the avoidance of doubt, the PowerPoint Presentation which is held by the council appears to be a full copy of the draft report in PowerPoint form. The council has not been able to find a copy of the final, full report.
18. It said that the review had been completed more than a year before the request for information had been received, and 11 months after the chief executive had left the council. However due to the potential for

information in her IT account to still be needed by the council this had been retained. The assistant director had left the council around 3 months before the request was received. Both of their accounts had been searched. Further to this it said that:

"The Support Assistant's account had been deleted in line with council policy after an officer leaves the council, as it is considered that information will not be held on an officer of that level's personal account and will be held in central files, if still required by the council.

The Procurement Manager also searched her accounts and concluded that she also did not hold the information.

Therefore these searches would have been likely to retrieve any information held by the council relevant to the request, because they were the people who were managing the review, the Director for the service area being reviewed and the procurement manager.

Further to this the Director of the service area being reviewed and the Procurement Manager both advised they did not recall ever being provided with a copy of the final report."

19. It confirmed that the report was sent to it by email and that it had carried out searches electronically. The council clarified that searches were undertaken on networked drives and email accounts/folders for the relevant officers. It provided the Commissioner with a copy of the search terms it had used and the Commissioner is satisfied that these were relevant and should have pinpointed the requested report if it were held electronically within the files searched.
20. It said that it had held a final copy of the report at one point as PriceWaterhouseCoopers confirmed that they had sent one to the council. It therefore assumed that all copies had been deleted after the decision not to take the project forward. No record is held of the documents destruction however.
21. The council confirmed that there is no formal records management policy about information of this type, however advice to all staff and managers is that information should not be held for longer than is needed.
22. Finally it said that it is possible that a copy of the report might still be held by PriceWaterhouseCoopers, however it concluded that this information is not 'held' by the council and therefore it was reasonable and appropriate to respond to the request by stating that the information not held as that is in fact the case. It also confirmed that there was no business purpose or statutory requirements for the

information to be retained by the council as the work was not being taken forward.

23. The complainant suggested that there was a rumour that the draft report was in fact a copy of the full report. Whilst the council was unable to demonstrate what changes were made to the report before it was finalised the Commissioner notes that the presentation is clearly marked as a draft report, and the council understands that there are some errors within the document. The Commissioner therefore concludes that the complainant is not correct in her view that the draft report is in fact a copy of the final report.

The Commissioner's conclusion as to whether the information is held

24. Following the description above the Commissioner's decision is that on a balance of probabilities the information is not held by the council. The searches carried out by the council were appropriate, and the reasons provided as to why the information may not be held are reasonable. The information was no longer required by the council as the interim chief executive had made a decision that the work was not to be taken forward.

Section 36(2)

25. The Commissioner notes that the council has applied sections 36(2)(b)(i) and (ii) to the withheld report.

26. Sections 36(2)(b)(i) and (ii) of FOIA state that:

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

(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.

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

27. Sections 36(2)(b)(i) and (ii) can only be engaged if, in the reasonable opinion of the qualified person, disclosure would, or would be likely to result in any of the effects set out.

28. The council clarified that the qualified person did not consider the information until the point of the internal review. As stated above, the officer dealing with the complaint considered it helpful to consider whether the draft report might be disclosed to the complainant were she to make a request for it, and so at that point he submitted a request to the qualified person to consider whether section 36 applied on 19 August 2016. The qualified person had then provided the opinion on 25 August 2016.
29. The qualified person at the council is the Assistant Director, Governance Legal & ICT, at the council. He clarified that he is the council's qualified person in respect of section 36 opinions under section 36(5)(o) – *"any officer or employee of the public authority who is authorised for the purposes of this section by a Minister of the Crown."*

Is section 36 engaged?

30. When considering whether section 36 is engaged, the Commissioner must determine whether the qualified person's opinion is a reasonable one. When making her determination, the Commissioner considers that of the opinion is in accordance with reason and not irrational or absurd – that is, if it is an opinion that a reasonable person could hold – then it is reasonable.
31. However, this is not the same as saying that it is the only reasonable opinion that could be held on the subject. The qualified person's opinion will not be deemed unreasonable simply because other people may have come to a different (and equally reasonable) conclusion. It would only be deemed unreasonable if it is an opinion that no reasonable person in the qualified person's position could hold. Therefore, the qualified person's opinion does not have to be the most reasonable opinion that could be held; it only has to be a reasonable opinion.
32. The Commissioner has considered the relevant factors including:
 - Whether the prejudice relates to the specific subsections of section 36(2) that are being claimed. If the prejudice or inhibition is not related to the specific subsections, the opinion is unlikely to be reasonable.
 - The nature of the information and the timing of the request, for example, whether the request concerns an important ongoing issue on which there needs to be a free and frank exchange of views or provision of advice.
 - The qualified person's knowledge of, or involvement in, the issue

33. In the qualified person's opinion, the disclosure 'would be likely to' inhibit the matters set out in sections 36(2)(b) (ii). He argued that *"Disclosure would be likely to inhibit the ability of public authority staff and others to express themselves openly, honestly and completely, or to explore extreme options, when providing advice or giving their views. In this case there is force in the "safe space" argument. Discussion on draft documents provide a useful opportunity for evidence and views to be offered for testing. If untested information is to be placed in the public domain this is likely to inhibit the production of such drafts.*
34. The qualified person also considered that subsection 36(2)(c) applied because *"The document contains information which is said to be inaccurate. The placing of this information in the public domain is likely to lead to the Authority having to expend unnecessary resources dealing with public or media queries"*.
35. The qualified person can only apply the exemption on the basis that the inhibition to the free and frank provision of advice and the exchange of views either 'would' occur or would only be 'likely' to occur. The term 'likely' to inhibit is interpreted as meaning that the chance of any inhibition should be more than a hypothetical possibility; there must be a real and significant risk. The alternative limb of 'would' inhibit is interpreted as meaning that the qualified person considers it is more likely than not that the inhibition would occur. The qualified person confirmed that in his view the prejudice envisaged 'would be likely' to occur.
36. The Commissioner would emphasise that section 36 is concerned with the processes that may be inhibited by disclosure of information, rather than what is in the information itself. In this case, the issue is whether disclosure of the withheld information would be likely to inhibit the processes of providing advice or exchanging views.

36(b)(i) & (ii)

37. The qualified person considers that the council needs to be able to provide and receive advice and deliberate sensitive issues in a 'safe space', away from the glare of publicity. He considered that if each and every step of these processes is put into the public domain then council officials and members are likely to be inhibited from providing open and honest advice and exchanging free and frank views for the purposes of deliberation in the future. This in turn would affect the ability of the council to make effective and fully informed decisions in the future in relation to its core function of providing public services.

38. The exemption makes provision for the need for public authorities to be able to deliberate and provide advice in a 'safe space' in relation to issues such as those involved in the particular facts and circumstances of this case. The review was managed by the Chief Executive, her Support Assistant and an Assistant Director. It had not been disclosed widely amongst the council.
39. The report is a provision of advice to the council by PriceWaterhouseCoopers. The Commissioner notes however that the withheld information does not include any record of 'discussions or deliberations' either internally at the council or between PriceWaterhouseCoopers and the council. The request was simply for a copy of the report, not the surrounding correspondence, and so if any of this is still held it has not been considered for disclosure.
40. It is however clear that a degree of information had been passed to PriceWaterhouseCoopers by the council regarding their plans in order to inform the review leading up to the production of the report. Clearly discussions in the council had been ongoing at that time and the report was intended to inform the continuation of that discussion. A disclosure of the information would identify the nature of the discussions and the options which were intended to be considered by the council once the report was concluded.
41. Whilst the report was not taken forward, and the information was over 11 months old by the time that the request was made, the information within the report was still relevant and also still sensitive to a certain degree. It provides a snapshot of the directorate at the time of the review, and the information retains a degree of relevance if the council leadership were to make a decision to reconsider any of the options provided in the review (albeit that it is clear that it does not intend to do so using this report as background).
42. The Commissioner therefore considers that the qualified person's opinion is reasonable. The report details PWC's findings and signposts future actions which the council could still consider taking. The withheld information is 'advice' for the purposes of the application of section 36(2)(b) (i). Furthermore it is labelled, and intended, as being 'for discussion'. Again therefore it falls within the scope of 36(2)(b)(ii). The report therefore does fall within the scope of the exemption and the Commissioner considers that the qualified persons opinion is reasonable.
36(2)(c)
43. The council said that there were errors in the draft report but that it does not know what changes were made to the draft copy prior to the final report being provided to the council. It added that there is now no

one left working for the council who is able to provide details of the changes between the two versions. The qualified person argues that a disclosure of the draft report, complete with these errors, may require the council to respond to questions for the public or media which it would not otherwise have to do.

44. Given the nature of the information the Commissioner accepts that the qualified person's decision to apply the exception was reasonable under the circumstances of the case.
45. Where the exemption is engaged section 2 of the Act requires that a public interest test is carried out in order to determine whether the information should be disclosed in spite of the exemption being engaged. The test is whether, in all the circumstances of the case, the public interest in the exemption being maintained outweighs that in the information being disclosed.

The public interest test

46. When considering complaints about the application of section 36, where the Commissioner finds that the qualified person's opinion is reasonable, she will take into consideration the weight of that opinion in applying the public interest test.

The public interest in the information being disclosed

47. The complainant argues that the report cost the council £18 000 and that that money has been spent with 'no record' of what has been achieved from that spending. The Commissioner understands her point to be that the money spent on the report is public money, and that the report was discarded once it was completed without a record being retained of neither its findings, nor the reasons for the council deciding not to take the work forward.
48. The complainant speculated that the report was critical of the department and that it was in fact 'buried' to avoid criticisms about specific departments being revealed.
49. There is a public interest in transparency, particularly where public spending is concerned, and as part of that there is a public interest in the council demonstrating why the money was spent, what was received in respect of that money, and how this benefited the council or the community as a whole.
50. If the money spent does not achieve any of these there is also a public interest in the council explaining why the money was spent but the report was not taken forward. In failing to disclose the information the

public are effectively left without knowledge of how, and why a significant amount of public money was spent by the council with apparently nothing being delivered for that cost.

51. There is therefore a public interest in creating greater transparency and openness about the content of the report – the existence of the report is known about and in the public domain. Maintenance of the exemption has, or may raise suspicions about the motivation for not releasing the report. The complainant has raised the prospect that the report may have been critical about parts of the council and that this is why it was deleted. The council argues however that the management team at that time changed and that the new interim chief executive did not take forward the work outlined the review. Nevertheless because the report was not available publically this has given rise to suspicions that the report was 'buried' because of its content, rather than being sidelined after a strategic decision was taken by the new interim chief executive. A disclosure of the report would end speculation as to its content both at the time of the request and in the future.
52. As the report contained a large amount of analysis it would further public understanding of the council's position, and the options which it had initially been considering prior to the change in leadership. It would also shed light on the effectiveness of departments within the council at the time that the review took place to a certain degree. The Commissioner notes however that at the time of the request the review was over a year old.
53. The Commissioner finds that the severity of the prejudice would be limited insofar as its effect on PriceWaterhouseCoopers. They are a professional external organisation tasked with providing a detailed analysis of council departments. As professional organisation it would not feel inhibited in writing the report as it is an external body with no vested interest in the impact of the findings insofar as it highlighted any issues with council departments. It would simply carry out its work to the best of its ability and report the information it had found together with its advice in the most professional manner it was able to. If it did not do this, the production of a substandard report would bring into question its professionalism and potentially damage its reputation if the report were to subsequently be published and found to be wanting due to any inhibition on its part.
54. Nevertheless the Commissioner notes that PriceWaterhouseCoopers did not write the report in isolation, and information must have been provided to it by the senior leadership at the council (in directing the content of the review to be carried out), and from the information provided by various departments and individuals within the council.

55. The Commissioner accepts therefore that the thinking space arguments are applicable in these circumstances, and additionally the potential for a chilling effect to may be relevant if individuals or departments felt inhibited from providing any information to the PriceWaterhouseCoopers in case that information was subsequently disclosed more widely.
56. The Commissioner has issued guidance on section 36, which is available from [https://ico.org.uk/media/for-organisations/documents/1175/section_36_prejudice_to_effective conduct_of_public_affairs.pdf](https://ico.org.uk/media/for-organisations/documents/1175/section_36_prejudice_to_effective_conduct_of_public_affairs.pdf)). In this guidance the Commissioner has addressed the use of both chilling effect arguments as well as the safe space arguments used by the qualified person in this case.
57. As regards the safe space arguments, para 61 of the guidance states:
- "This need for a safe space will be strongest when the issue is still live. Once the public authority has made a decision, a safe space for deliberation will no longer be required. If it was a major decision, there might still be a need for a safe space in order to properly promote, explain and defend its key points without getting unduly sidetracked. However, this can only last for a short time and the public authority would have to explain clearly why it was still required at the time of the request on the facts of each case. The timing of the request will therefore be an important factor."*
58. As regards chilling effect arguments, Para 49 states:
- "Chilling effect arguments operate at various levels. If the issue in question is still live, arguments about a chilling effect on those ongoing discussions are likely to be most convincing. Arguments about the effect on closely related live issues may also be relevant. However, once the decision in question is finalised, chilling effect arguments become more and more speculative as time passes. It will be more difficult to make reasonable arguments about a generalised chilling effect on all future discussions.*
- Whether it is reasonable to think that a chilling effect would occur will depend on the circumstances of each case, including the timing of the request, whether the issue is still live, and the actual content and sensitivity of the information in question."*
59. The Commissioner has therefore considered the timing of the request. At the time when the request was made the council had already made a decision not to take forward the work which the review addresses. The final versions of the document had been deleted from council systems. It is clear therefore that there was no intention or possibility that this work

would be picked up again and taken forward using the information provided in this report at any point in the future.

60. In the Commissioner's view this therefore significantly weakens the public interest in the exemption being maintained in this case.
61. Similar arguments can be made for the chilling effect arguments.

The public interest in the exemption being maintained

62. The qualified person's opinion affects the weight of the public interest arguments for withholding the information. If the qualified person has decided that disclosure 'would' prejudice or inhibit, this will carry a greater weight than if they said disclosure 'would be likely' to prejudice or inhibit. In this case the qualified person expressed the opinion that disclosing the information 'would be likely' to prejudice.
63. The Commissioner accepts that a reasonable opinion has been expressed that prejudice or inhibition would be likely to occur, but she must then consider the severity, extent and frequency of that prejudice or inhibition in forming her own assessment of whether the public interest test dictates disclosure.
64. The Commissioner has noted that as the report was not implemented it may seem difficult to accept that any severe and widespread inhibitory effects would have ensued from its release in response to the request for information. The fact that the final report has been deleted and the council has decided not to take the work forward does weaken the public interest arguments in favour of disclosure to an extent – no direct work will result on the basis of the report. She accepts however that if the report highlighted issues with the council at that time there would potentially be more pressure put onto the council to explain the content of the report and explain why the work was not taken forward.
65. The Commissioner considers that there is also a consequent public interest in the information being disclosed in order to demonstrate options or work which the new leadership chose not to take forward. In this case the Commissioner considers that, given the nature of the report, this is fairly strong in this instance. There is a public interest in the public being able to identify any issues with the council at that time in order to be able to better understand whether, and how these have been addressed by the council given that the report was not acted upon.
66. The report essentially provides the advice from PriceWaterhouseCoopers to the council, and there is therefore no actual discussion or deliberation per se included within it. However the contents do relate to high level planning at the council and they would provide an indication of the

council's considerations at the time that the report was sanctioned. The council may have provided PriceWaterhouseCoopers with an outline of the potential strategic decisions which were open to it and asked it to consider the repercussions of the various ways forward, how each might be achieved, and potentially any issues which might arise in doing so.

67. There is a public interest in protecting this sort of information from being disclosed as it may highlight controversial strategies which have been under consideration, or at the least, highlight issues where further information has been sought in order to potentially discard some of the options available.
68. The Commissioner notes that in this sense it is possible that a disclosure of the information may generally inhibit the council from discussing controversial or conflicting ideas or ways forward in the future, even in scenarios where it is seeking information in order to disprove or discard ideas. The Commissioner does accept that the information was sensitive at the time that it was first provided to the council. A disclosure of such information has the potential to cause media pressure on the council in that the council may be asked for further information about the plans or the content of the report. The Commissioner has noted other reasons why the information may be considered sensitive, although she is not able elaborate upon these in this decision notice without specific reference to the withheld information directly.
69. The Commissioner therefore notes that a disclosure of this information during the course of its discussions may well have caused pressure on the council to explain its actions further, and may still do so to a limited extent. The Council may, for instance, be asked to comment as to why it chose not to take the work forward.
70. However as the report is not to be taken forward this sensitivity has waned to an extent. Whilst the Commissioner does recognise that a degree of sensitivity may still remain, but overall, given the timing of the request, the sensitivity of the contents of the report would have diminished significantly.
71. Any chilling effect which might have occurred should the report have been disclosed whilst discussions were still live has therefore diminished. Additionally the senior management team who initiated the discussions and the review had, by that time, left the council. The Commissioner considers that the public interest in withholding the information has therefore reduced significantly. As noted above, the Commissioner has also not been persuaded that PriceWaterhouseCoopers would feel inhibited in producing the report even if there was a strong possibility that the information might subsequently be disclosed.

72. Finally the Commissioner notes that the council argues that some of the information in the report was reported to be inaccurate, although it admits that there is no one left working for the council who knows what information was amended for the final report. The qualified person has argued that disclosing this information would be likely to lead to further inquiries made of it regarding the information, and time would be spent responding to inquiries on inaccurate information which could be better spent on other activities.
73. The Commissioner notes this argument however she considers that the council could, when disclosing the information, highlight that some figures were noted to be inaccurate and that it is not now aware of what those inaccuracies were. She does not therefore consider this to be an overriding consideration when balanced against the public interest in the information being disclosed.

The Commissioner's conclusions

74. The Commissioner has considered the above. Realistically there is always the potential that work started by one chief executive will be discarded by another after a change in leadership. Clearly each person will have their own mind, their own preferred ways of working and their own ways of achieving their goals. It is not therefore that surprising that the work taken forward by PriceWaterhouseCoopers may not have been taken forward following the change of leadership at the council occurring. This does not however mean that there is no public interest in creating transparency over the plans as they stood under the previous leadership, particularly as public money was spent with a potential view of implementing the work.
75. The qualified person has argued that under section 36(b)(i) & (ii) a safe space was needed in order to make the deliberations required to reach decisions on the way forward. The council had this period, and with the introduction of the new management the leadership made a decision which meant that the report was no longer relevant. The qualified person however did not provide strong arguments to back up his view on why the sensitivity of the information remained at the time that the request was received. He provided the central reason given for the exemption in the first instance, that deliberation would be inhibited and that a safe space was required for deliberation and discussion. He did not then go on to explain specifically why that would be the case with this information, nor why the exemption was still applicable at the time of the request. This is partially evident from the content of the withheld information itself however.

76. After considering the councils position, given the timing of the request, that the report was effectively side-lined and the work not taken forward by the new leadership the Commissioner considers that the likelihood, frequency and level of prejudice likely from the disclosure of the report would be limited.
77. The Commissioner therefore considers that a disclosure of the information would not greatly prejudice the conduct of public affairs if it had been disclosed at the time of the request. Eleven months had passed since the former chief executive had left, the report was clearly not going to be taken forward and it had been deleted on that basis.
78. The Commissioner's decision is therefore that the public interest in the exemption being maintained is outweighed by the public interest in disclosure in this instance.

Right of appeal

79. 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

80. 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.

81. 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
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