

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 10 January 2017

**Public Authority:** Transport for London  
**Address:** Windsor House  
42 – 50 Victoria Street  
London  
SW1H 0TL

### Decision (including any steps ordered)

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1. The complainant made a request to Transport for London (TfL) for information about travelcards. TfL failed to respond to the request.
2. The Commissioner's decision is that TfL has breached section 10(1) of FOIA by failing to respond to the complainant's request within 20 working days.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
  - TfL must provide the complainant with a response to this request in accordance with its obligations under FOIA.
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 (or the Court of Session in Scotland) 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 12 July 2016 the complainant made a request to TfL for information about travelcards. The request read as follows:

*"could you please provide a list of the number of people in 2015 who bought a: 7day, monthly, 3month, 6month and annual travelcard. Could you state the number of these that travelled on TfL only, National Rail only, or both. Could you also state how many people benefited from a daily cap in 2015: once, 10 times, 30 times, 50 times and 100 or more times. Could you provide a breakdown of the number of people who use contactless/oyster on national rail, tfl services or both, in 2015, with a further breakdown according to on how many days they traveled."*

6. TfL acknowledged the request on the same day and said that it aimed to respond by 10 August 2016.
7. On 10 August 2016 TfL contacted the complainant again to say that it had not been possible to respond to his request within the timescale it had originally advised because it had taken longer than expected to locate and collate all of the information. It said that it would respond as soon as possible.
8. The complainant contacted TfL again on 20 October and 14 November 2016 to check on the status of the request but received no response.

### **Scope of the case**

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9. On 18 November 2016 the complainant contacted the Commissioner to complain about TfL's failure to respond to his request.
10. Following receipt of the complaint the Commissioner contacted TfL to remind them of their responsibilities and to ask that it respond to the request within 10 working days.
11. Neither the Commissioner nor the complainant heard anything further from TfL.

### **Reasons for decision**

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#### **Section 10(1) – time for compliance**

12. Section 10(1) of FOIA provides that a public authority must respond to a request promptly and in any event within 20 working days.
13. The complainant made his request for information on 12 July 2016 and TfL has yet to respond. TfL has clearly exceeded the 20 working day

Reference: FS50656060



limit and therefore the Commissioner has found that it breached section 10(1) in its handling of the request.

## Right of appeal

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14. 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)

15. 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.
16. 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** .....

**Paul Warbrick**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**