

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 11 October 2017

**Public Authority:** Chief Constable of West Mercia Police

**Address:** PO Box 55  
Hindlip  
Worcester  
WR3 8SP

#### Decision (including any steps ordered)

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1. The complainant has requested searches held in a search register.
2. The Commissioner's decision is that West Mercia Police has applied section 14(1) (vexatious requests) of FOIA appropriately. However, the Commissioner considers that West Mercia Police has breached section 10(1) (time for compliance) of FOIA.
3. The Commissioner does not require West Mercia Police to take any steps as a result of this decision.

#### Request and response

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4. On 12 August 2016 the complainant wrote to West Mercia Police (WMP) and requested information in the following terms:

*"This new request therefore asks for the same information for the next 25 searches held in that search register. Specifically:*

*In relation to each Search Register as defined in request RFI 7489, please provide the following information in relation to the first thirty records held within the register relating to the said period of 1 January to 30 June 2016 but excluding the first 5 for which information has already been provided:*

*A: the "time" of each search recorded (under paragraph 8.1 (ii) of the PACE code) in relation to each search but not the date or the duration.*

*B: the number of searches (being a number between 0 and 25 given the selection is being restricted to twenty five search records) for which no list has been provided or referred to in accordance with paragraph 8.1 (vii) of the PACE code i.e. the number of searches which resulted in no items being found."*

5. WMP responded on 16 August 2016. It explained that it not going to respond to the request citing section 14(2)(repeated request) of FOIA and that there had not been a reasonable interval between the compliance with a previous request submitted by the complainant and the submitting of the present request. WMP also explained that it considered that 60 days was a reasonable interval.
6. Following an internal review WMP wrote to the complainant on 23 August 2016, upholding its original decision.

### **Scope of the case**

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7. The complainant contacted the Commissioner on 22 November 2016 to complain about the way his request for information had been handled. He referred to alleged abuse of power by WMP. However, the Commissioner considers that these concerns are not within her legal remit to address.
8. The complainant also complained that WMP had not:
  - assigned a reference to his request.
  - failed to address or even acknowledge the issues raised in his request which explained why WMP should provide the information rather than refuse as threatened in its decision dated 29 July 2016. The complainant also stated that WMP had dishonestly pretended that he had totally ignored what it said to him in a response of 29 July 2016. The complainant explained that this was wholly unacceptable conduct on WMP's part and appeared to be deliberately designed to be offensive and inflammatory.
9. The Commissioner notes that the complainant informed WMP that the issues he had raised in his request for an internal review were in regard to a different request, quoting WMP's reference number for that request.
10. During the Commissioner's investigation, WMP explained that it was no longer relying on section 14(2) but was relying on section 14(1)

(vexatious requests) of FOIA instead. Given that WMP is no longer relying on section 14(2), the Commissioner will not consider its application any further.

11. The complainant also alleged that the wording used by WMP in its response to him

*"came across as extremely hostile, malicious, offensive and aggressive. To be frank it inflamed my symptoms such as feelings that I might as well give up and commit suicide. I am tired of being subjected to malicious abuse of this nature."*

12. The Commissioner also notes the complainant has complained that WMP did not assign a reference number to his request. It is not within the Commissioner's legal remit to comment on whether public authorities should assign reference numbers to requests it receives, therefore she will not consider this point any further.

13. In addition, the complainant has also complained about WMP's approach to a related request and has made reference to its response to him regarding this. However, the Commissioner will be considering how WMP deal with his present request of 12 August 2016.

14. The Commissioner will therefore consider WMP's application of section 14(1) and the way in which it dealt with the request.

## Reasons for decision

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15. Section 14(1) of FOIA states that section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious.

16. The term "vexatious" is not defined in the FOIA. The Upper Tribunal (UT) considered vexatious requests in the *Information Commissioner v Devon CC & Dransfield* (UKUT 440 (AAC), 28 January 2013). It commented that "vexatious" could be defined as the

*"manifestly unjustified, inappropriate or improper use of a formal procedure".*

17. The UT's definition clearly establishes that the concepts of proportionality and justification are relevant to any consideration of whether a request is vexatious.

18. The UT also considered four broad issues: (1) the burden imposed by the request (on the public authority and its staff), (2) the motive of the

requester, (3) the value or serious purpose of the request and (4) harassment or distress of and to staff. It explained that these considerations were not meant to be exhaustive and also the importance of:

*" ... adopting a holistic and broad approach to the determination of whether a request is vexatious or not, emphasising the attributes of manifest unreasonableness, irresponsibility and, especially where there is a previous course of dealings, the lack of proportionality that typically characterise vexatious requests" (paragraph 45).*

19. The Commissioner has published guidance on dealing with vexatious requests,<sup>1</sup> which includes indicators that may apply in the case of a vexatious request. However, even if a request contains one or more of these indicators it will not necessarily mean that it is vexatious.
20. When considering the application of section 14, the relevant consideration is whether the request itself is vexatious rather than the individual submitting it. A public authority can consider the context of the request and the history of its relationship with the requester, as the guidance explains:

*"The context and history in which a request is made will often be a major factor in determining whether the request is vexatious, and the public authority will need to consider the wider circumstances surrounding the request before making a decision as to whether section 14(1) applies".*

21. In some cases it will be obvious when a request is vexatious but in others it may not. The Commissioner's guidance states:

*"In cases where the issue is not clear-cut, the key question to ask is whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress".*

### **Evidence from the parties**

22. The complainant argued that his request was not vexatious.
23. He explained that he was pursuing a wholly legitimate and well-founded concern. He argued that it was wholly inappropriate for WMP to subject him to abuse for doing so, accusing him of being vexatious (and with such a poisonous and intimidating undercurrent to all communications in full knowledge of his health condition) was highly abusive and offensive

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<sup>1</sup> <https://ico.org.uk/media/for-organisations/documents/1198/dealing-with-vexatious-requests.pdf>

and was deliberately designed and intended to inflame his stress/ anxiety related health condition.

24. The complainant explained that he was well aware of both the letter and the spirit of the FOI regulations. He argued that he had clearly been wholly reasonable in framing his requests so as to be *"both specific and modest in the amount of information requested."* He also explained that, for avoidance of any doubt, he fully accepted that subject to a satisfactory response to this new request, it would not be appropriate for him to make any further FOIA requests for information relating to searches of premises prior to 12 October 2016. He also pointed out that a helpful response to this current request may well avoid the need for a further request at any time. The complainant also pointed out that he had restricted his requests because of WMP's unhelpful and obstructive approach to FOIA requests and the need to avoid it refusing to answer on the grounds of cost limits.
25. The complainant also explained to WMP that he would make these points to the Commissioner if WMP made good its *"threat"* to refuse to respond. Furthermore, the complainant explained to WMP that the Commissioner has a substantial workload and that he was sure she did not *"appreciate being burdened with complaints arising from Police Authorities being unhelpful, obstructive and flouting both the letter and spirit of the FOI regulations."*
26. The complainant also explained that initially WMP had applied section 14(2) (repeated requests) of FOIA to his request and this meant that it could not change its mind and claim his request was vexatious.
27. Furthermore, the complainant also explained that WMP had contacted him to explain that it was applying section 14(1) to his request. He argued that it was a particular member of staff's conduct that was vexatious as she knew there were no reasonable grounds for her claim. He alleged that her intention was to cause him stress and distress and to inflame suicidal feelings she knew he was experiencing. Furthermore, the complainant alleged it was aggressive conduct of a particularly unpleasant nature which was demonstrated by her sarcastic comment that she hoped this was of assistance to him.
28. The complainant also complained that WMP had failed to explain why it had decided to rely on section 14(1) and that it was *"just naked, in your face, aggression."*
29. WMP explained that it considered that the request was vexatious for the purposes of section 14(1) for the following reasons:

- The request would create a burden in terms of distraction
  - The request is designed to cause disruption or annoyance;
  - The request has the effect of harassing the public authority or its staff;
  - The request can fairly be characterised as obsessive
30. It provided evidence regarding the wider history and context of the request to support this. WMP also provided information regarding the applicant's past (and recent) behaviour .

### **The request would create a burden in terms of distraction**

31. WMP explained that the complainant submitted 12 requests in the 7 months of May 2016 - November 2016, 3 of which were submitted within 3 ½ hours of each other on the same day. The complainant requested internal reviews of 5 the requests and complained to the Commissioner about 6 of the requests, and also took the Commissioner to tribunal regarding one of the requests. This is despite the assertion on behalf of the applicant that corresponding with WMP poorly affects his health.
32. WMP also explained that its Information Compliance Unit (ICU) does not initiate contact with the applicant. It pointed out that its ICU only responded to communications submitted to it by the complainant; if there was no communications submitted to it by the complainant then there would be no contact between them.
33. WMP pointed to a request it had received from the complainant in May 2016. It explained it had received 11 pieces of correspondence from the complainant regarding this request. WMP also explained that the request was accusatory in tone and content regarding a warrant that it had executed at an individual's address. WMP also explained that the request referred to the applicant as being "*deeply shocked by the evident complete lack of concern on the part of West Mercia Police and Supt [name redacted] in particular in response to the home of an innocent single lady being invaded by armed Police Officers, battering down her door in the process*". WMP explained that in that request the complainant referred to beliefs that he attributed to Superintendent [name redacted] that had no basis, in addition to making a negative comment about the police in general "*the Police will have a 'couldn't give a damn attitude.*" WMP explained that that request appeared to have been submitted to gain information in relation to another individual's perceived grievance and to elicit information that would prove wrong doing by it.

34. Furthermore, WMP argued that the complainant was misusing and abusing FOIA by submitting requests which are disruptive and which have a disproportionate impact on the public authority. It pointed out that the applicant made reference to how he will use FOIA to submit further FOI requests should he be dissatisfied with information provided to him. WMP pointed to the complainant's reference to the intention to submit requests should the authority not publish information that he believes it should published.
35. WMP explained that the amount of time spent reviewing the applicant's correspondence, complaints and requests for internal review, together with corresponding with the Commissioner regarding the complaints subsequently submitted by him, meant that limited resources were taken up with the needs of one applicant instead of providing a service to the wider public.

**The request is designed to cause disruption or annoyance;**

36. WMP also explained that the complainant had submitted a second request on 13th June 2016, 1½ hours after it had sent him its reply to his first request of May 2016. WMP had explained that it had been unable to provide all the information requested in the May 2016 request. The follow up request of June 2016 reduced the information requested by force area and timeframe. In that submission the applicant advised that in his view WMP's response to his May 2016 request was *"deliberately unhelpful."*
37. In response to the June 2016 request, WMP explained that it did not hold the requested information. The complainant had responded stating:  
  
*"Given that West Mercia Police appear to be intent on being as obstructive and unhelpful as possible, it appears I need to submit further requests in order to eventually obtain the information I am seeking. I will submit these tomorrow but will take into account any further reply you send to me by 12 noon tomorrow."*
38. WMP explained that the complainant had submitted eleven pieces of correspondence regarding the June 2016 response and the appeals process. He stated that he would use FOIA to submit further requests to further his campaign
39. In addition, WMP explained that the complainant also made the following comments: *"My understanding is that reviews are conducted by appeal panels. Please could you therefore clarify this point. I would prefer to avoid making a further FOI request to obtain information about your appeals process but if you refuse to respond to this email or*

*continue with your wholly unhelpful, obstructive and offensive approach then I will clearly need to submit such a further request."*

40. In addition, WMP also argued that section 14(1) was designed to protect public authorities by allowing them to refuse any requests which have the potential to cause a disproportionate or unjustified level of disruption. It explained that dealing with the applicant's requests and the unreasonable amount and type of correspondence that accompanies them, places a strain on its resources and gets in the way of delivering mainstream services and answering legitimate requests. It also explained that this was evidenced by the abusive and aggressive tone, language and unfounded allegations included within much of the applicant's correspondence.

**The request has the effect of harassing the public authority or its staff**

41. WMP also explained that the complainant had made the following comments about a named member of staff:

*"You effectively stick two fingers in the air at me in a most offensive manner and tell me to complain to the Information Commissioner. Madam, your conduct is vile in the extreme and clearly intended by you to be deeply offensive in the full knowledge of the detrimental impact such conduct will have on my health."*

42. In addition, WMP explained that the complainant had made personal and defamatory comments about its ICU members and provided the following examples:

*"In the circumstances, I am disregarding your wholly unhelpful email received today and await the response to my actual review application dated 26 July. I trust that response will acknowledge and deal with the actual points raised" and "I also wish to give you notice that I continue to find your conduct towards me deeply offensive and malicious. I feel harassed by your conduct which you continue to pursue despite being aware of my health condition. This is wholly unacceptable. Please arrange for someone to acknowledge my complaint about your personal conduct towards me and to confirm how they intend to deal with it."*

43. WMP also pointed to the correspondence in relation to his May 2016 request where the complainant made personal and defamatory comments about ICU members:

*"In the circumstances, I am disregarding your wholly unhelpful email received today and await the response to my actual review application dated 26 July. I trust that response will acknowledge and deal with*



*the actual points raised" and "I also wish to give you notice that I continue to find your conduct towards me deeply offensive and malicious. I feel harassed by your conduct which you continue to pursue despite being aware of my health condition. This is wholly unacceptable. Please arrange for someone to acknowledge my complaint about your personal conduct towards me and to confirm how they intend to deal with it."*

44. The applicant submitted his 4th request on 22nd July 2016 regarding police searches of premises as evidenced by media reporting both within Worcestershire and nationally. The applicant advised that he:

*"should not need to make FOI requests in order to obtain information about West Mercia Police searches or the way in which West Mercia Police involve the media when conducting searches. Such information should be readily available on the West Mercia website albeit in a suitably summarised and redacted form."*

45. WMP also explained that the applicant submitted his 5th request on 12th August 2016 in response to its response to his July 2016 request and included the following comment:

*"...they assert the right to show callous indifference to the fear and distress caused by such conduct."*

46. In relation to the present request, the complainant included the following allegation against the ICU:

*"I am pursuing a wholly legitimate and well founded concern. It is wholly inappropriate for you to subject me to abuse for doing so. Accusing me of being vexatious (and with such a poisonous and intimidating undercurrent to all communications in full knowledge of my health condition) is highly abusive and offensive and is deliberately designed and intended to inflame my stress/anxiety related health condition."*

47. WMP also noted that the tone and content of some the complaint's submissions to it were provocative and accusatory. The complainant repeatedly made unfounded allegations against members of the ICU and more commonly and more maliciously, against a particular member of staff. He claimed that ICU members were deliberately being unhelpful and obstructive to him, had personal animosity towards him and sought to inflame his health symptoms. WMP explained that these claims were false and unsubstantiated, in addition to being personal, defamatory and spiteful, they (the present request) had the effect of harassing the public authority and its staff.

48. WMP explained that it had refused to comply with that request, (the present request) initially citing section 14(2). The complainant contacted it about this refusal and in his correspondence included:

*"The issues regarding the Police abusing their search powers (by your own admission 4 out of 5 searches resulted in nothing being found are profoundly disturbing as are apparent abuse of use of Tasers resulting in the extremely sad death of Dalian Atkinson. Dismissing such concerns as serving no purpose and vexatious is deeply offensive and inflames concerns about abuse of police powers".*

49. The applicant also submitted 2 requests on 12 August 2016. WMP explained that one of the requests contained the following:

*"With respect, Mrs [name redacted] is clearly ignoring the actual request that I made. Mrs [name redacted] normally details the enquiry when responding to requests. She has not done so on this occasion as she knows she is deliberately ignoring the question. I am making a simple and reasonable request and your continued conduct and attitude towards me in response continues to be offensive and wholly unreasonable`.*

50. In addition, WMP explained that the second request contained questions that referred directly to a named member of staff, including defamatory personal comments:

*"Of those 'complaints' how many were handled by Mrs [name redacted] personally and how many by your appeals panel? Please provide copies of all West Mercia Police policies and procedures you follow and observe when processing 'complaints' as defined in question 2. These should include the provisions Mrs [name redacted] relies on when a) handling reviews herself rather than allowing them to be considered by your appeal panel; b) when wholly ignoring the issues raised in the complaint and c) when refusing to even look at the content of the complaint letter."*

51. The applicant went on to submit another 4 requests between August 2016 and November 2016 relating to the force searches, a previous request, and for a copy of Mrs [name redacted] job role profile. He also stated:

*"Until such time as West Mercia Police choose to publish information on a voluntary basis via its website, I wish to raise FOI requests every 3 months (so in excess of 60 working days) relating to the three calendar months prior to the request."*

52. In addition, WMP explained that the complainant's first request of May 2016 included the following comment about a member of staff conducting internal reviews:

*"I am sure you understand that Mrs [name redacted] has no authority to conduct reviews or to hold herself out as an appeals panel unless she has been suitably authorised to do so. I would anticipate that authority would be included within her job description by including the conduct of appeals within her list of duties for which she is employed."*

53. WMP argued that the information above provided evidence that the present request forms a series of connected and overlapping requests, and it was vexatious for the purposes of section 14(1).
54. WMP also argued that the present request, which forms a series of connected and overlapping requests, together with the tone and content of the complainant's correspondence, has the effect of harassing WMP staff.
55. In addition, WMP also argued that the tone and personal accusations included in the complainant's correspondence went beyond the level of criticism that a public authority or its employees should reasonably expect to receive, including comments that intimate personal grudges. It pointed out that the complainant had targeted his correspondence towards particular employees against whom he appeared have some personal enmity.
56. WMP also explained that the complainant made unfounded accusations, including unsubstantiated accusations against specific employees. It pointed out that it appeared that the complainant's requests were trying to elicit information to challenge WMP for alleged wrongdoing without any cogent basis for doing so.

### **The request can fairly be characterised as obsessive**

57. WMP also argued that the request could fairly be characterised as obsessive as it was submitted as part of a series of requests. It also pointed out that the present request was submitted whilst (and in addition to) another request being processed. Additionally, it pointed out that in his correspondence with it in relation to his June 2016 request, the complainant had stated that as WMP appeared to be intent on being obstructive and unhelpful, he would need to submit further requests in order to obtain the information he was seeking.
58. In addition, WMP also explained that the complainant had included unfounded and derogatory comments to other departments and outside agencies about it. In correspondence of 16 September 2016 to the Commissioner he stated:

*" ... instead implying that I am stupid by highlighting the link to the ICO guidance for 'ease and convenience' is deeply offensive and inflammatory. I am sure they are well aware of what they are doing and this impact on me is wholly intentional".*

59. Additionally, in correspondence with the Independent Police Complaints Commission he stated:

*"It is wholly unacceptable for Supt [name redacted] to allow or instruct his team to lie to you in this way and he should be held to account for it. The conduct of his team has caused me to experience severe suicidal feelings. The harassment I am being subjected to is continuing and on-going. The latest example is an email I received this morning from [name redacted] ... I have again experienced quite severe suicidal feelings ... inflamed by this email."*

### **The Commissioner's view**

60. The Commissioner acknowledges that there are many different reasons why a request may be vexatious, as reflected in her guidance. There are no prescriptive 'rules', although there are generally typical characteristics and circumstances that assist in making a judgement about whether a request is vexatious. A request does not necessarily have to be about the same issue as previous correspondence to be classed as vexatious, but equally, the request may be connected to others by a broad or narrow theme that relates them. A commonly identified feature of vexatious requests is that they can emanate from some sense of grievance or alleged wrong-doing on the part of the authority.

61. As the UT in *Dransfield* observed:

*"There is...no magic formula – all the circumstances need to be considered in reaching what is ultimately a value judgement as to whether the request in issue is vexatious in the sense of being a disproportionate, manifestly unjustified, inappropriate or improper use of FOIA".*

62. In her guidance, the Commissioner recognises that the FOIA was designed to give individuals a greater right of access to official information with the intention of making public bodies more transparent and accountable.
63. While most people exercise this right responsibly, she acknowledges that a few may misuse or abuse the FOIA by submitting requests which are intended to be annoying or disruptive or which have a disproportionate impact on a public authority.

64. The Commissioner also recognises that dealing with unreasonable requests can place a strain on public authorities' resources and get in the way of delivering mainstream services or answering legitimate requests. Furthermore, these requests can also damage the reputation of the legislation itself.

### **Was the request vexatious?**

65. The Commissioner has considered both the WMP's and complainant's arguments regarding the information request.
66. From the correspondence provided to the Commissioner, it is clear that the complainant is not satisfied with WMP and how it conducts itself.
67. The Commissioner considers that the context and history of a request is not the only factor to consider when determining whether a request is vexatious. She will also consider the purpose and value of the request and the detrimental impact on the public authority concerned.
68. The Commissioner notes that the complainant states that he has a stress related condition and that he has made references to "suicidal feelings" . She has balanced this against the wider context, tone and language used on occasions by him. The Commissioner also notes WMP's explanation that it only contacts the complainant in response to contact from him.
69. The Commissioner recognises that public authorities must keep in mind that meeting their underlying commitment to transparency and openness may involve absorbing a certain level of disruption and annoyance.
70. The Commissioner considers that the burden on WMP in this case arises from the resources and staff time that it has spent dealing with the complainant's requests.
71. The Commissioner also considers that the background and history of the request are particularly relevant in this case. She considers that the pattern of behaviour, including the number, tone and frequency of connected requests submitted to WMP by the complainant cannot be overlooked.
72. The Commissioner considers that, given the wider context in which this request was made and the complainant's clear grievance with WMP, it is reasonable to conclude that he will continue to submit requests regardless of any response provided by WMP.
73. The FOIA provides fundamental rights to the public regarding access to recorded information. However, it should not be used to vent

dissatisfaction with matters which have already been or are still in the process of being, dealt with.

74. In the present case, the Commissioner considers that the complainant's request is unreasonably persistent. She further considers that the effect of the request is to cause a disproportionate or unjustified level of distraction, disruption, harassment or distress to WMP.
75. The Commissioner therefore considers that the request of 12 August 2016 is vexatious. She therefore finds that WMP has applied section 14(1) appropriately.

### **Procedural issues**

76. The complainant submitted his request on 12 August 2016 but during the Commissioner's investigation WMP explained to the complainant that it was relying on section 14(1) rather than 14(2).

### **Section 10 - time for compliance**

77. Section 10(1) of FOIA states that a public authority must comply with section 1(1) <sup>2</sup> promptly and no later than 20 working days following receipt of the request.
78. The Commissioner notes that WMP initially relied on section 14(2) but during her investigation, it confirmed that it was no longer relying on it. Instead it confirmed it was relying on section 14(1). Therefore, she considers that WMP has breached section 10(1).

### **Other matters**

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79. The complainant also complained about the way in which WMP carried out internal reviews. He explained that WMP does not have a process or procedure for reviewing its decisions in breach of the requirement imposed by the FOIA. He explained that although the FOIA may not specify the details of the procedure to be followed, it does require there to be a procedure. He argued that the person who had carried out the internal review had no authority to conduct such reviews and therefore
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<sup>2</sup> Section 1(1) states that: ' Any person making a request for information to a public authority is entitled (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and (b) if that is the case, to have the information communicated to him.'

it could not be right for her to be able to just make the rules up as she saw fit without even committing such "rules" and procedure made up by her in written form. He argued that it was dishonest on the part of both the member of staff involved and WMP generally for her to hold herself out as an appeals panel when in reality it was just her. He argued that this appeared to be designed to deliberately mislead the public.

80. The complainant also stated that an internal review should be carried out by a senior member of staff.
81. The Commissioner also notes that the complainant has stated that FOIA requires there to be an internal review. This is not a statutory obligation under the FOIA. However, the section 45 Code of Practice (the code) deals with this issue.
82. The code makes it good practice for a public authority to have a procedure in place for dealing with complaints about its handling of requests for information. The Commissioner notes that WMP does carry out internal reviews.
83. The code states the following:

*"Where the complaint concerns a request for information under the general rights of access, the review should be undertaken by someone senior to the person who took the original decision, where this is reasonably practicable. The public authority should in any event undertake a full re-evaluation of the case, taking into account the matters raised by the investigation of the complaint".*

84. The Commissioner notes that the code does not state how many people have to be present to carry out an internal review. Furthermore, the code states that where practicable, the person who carries out an internal review should be senior to the original decision-maker. The Commissioner is satisfied that this cannot always be the case and notes that the person who carried out the internal review was not the same person who responded to the complainant's request initially.
85. The Commissioner notes that the complainant has stated that WMP could not change its mind and decide that his request was "vexatious".
86. However, the Commissioner considers that a public authority can change its mind regarding what section of the FOIA is it is going to apply. In this case, she notes that it informed the appliance of this. She also notes that complaint's assertion that this was "*just naked, in your face, aggression*". However, the Commissioner has not been provided with any evidence to support this allegation.

## Right of appeal

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87. 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)

88. 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.

89. 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** .....

**Jon Manners**  
**Group Managerc**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**