

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 12 March 2018

**Public Authority:** University of West London  
**Address:** St Mary's Road  
London W5 5RF

#### Decision (including any steps ordered)

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1. The complainant requested information about students who have accessed counselling services. The University of West London ('the University') provided a response to the request but did so outside of the 20 working days required by the FOIA.
2. The Commissioner's decision is that the University breached section 10(1) of the FOIA because it did not comply with section 1(1) within 20 working days.
3. The University has now complied with section 1 of the FOIA with regards to the complainant's request and the Commissioner does not require the University to take any steps.

#### Request and response

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4. On 8 November 2017 the complainant wrote to the University and requested information in the following terms:

*"Under the Freedom of Information Act, please could you provide me with the number of students who have accessed counselling services*

*provided by the university for each of the past three academic years (2014/15, 2015/16 and 2016/17).*

*If possible, please provide a breakdown by the type of issue the students are seeking help for."*

5. The University acknowledged the request on 1 December 2017.
6. The Commissioner wrote to the University on 12 February 2018 and requested that it provide a response to the complainant's request within 10 working days. On 23 February 2018 the complainant advised the Commissioner that she had still not received a response. The Commissioner wrote to the University again and, on 26 February 2018, the complainant confirmed that she had now received a response.

### **Scope of the case**

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7. The complainant first contacted the Commissioner on 2 February 2018 to complain that she had not received a response to her request.
8. The Commissioner has considered whether the University complied with its duty under section 10(1) of the FOIA.

### **Reasons for decision**

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9. Section 1(1) of the FOIA says that anyone who requests information from a public authority is entitled a) to be told whether the authority holds the information and b) to have the information communicated to him or her if it is held.
10. Section 10(1) of the FOIA says that a public authority must comply with section 1(1) as soon as possible and within 20 working days following the date of receipt.
11. In this case, the complainant submitted her request to the University on 8 November 2017 and did not receive a response for more than three months. This was a clear breach of section 10(1).

## Right of appeal

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12. 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)

13. 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.
14. 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 .....**

**Pamela Clements**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**