

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 13 April 2018

Public Authority: University of Southampton
Address: Highfield
Southampton
SO17 1BJ

Decision (including any steps ordered)

1. The complainant has requested information from the University of Southampton relating to various externally funded research projects. At the date of this notice, the University of Southampton has not provided a response to the request. The Commissioner's decision is that the University of Southampton has breached sections 1(1) and 10(1) of the FOIA as it has not provided a response to the request within 20 working days.
 2. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation:
 - provide a response to the complainant's request of 6 November 2017 or issue a valid refusal notice as set out in section 17 of the FOIA.
 3. 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 FOIA and may be dealt with as a contempt of court.
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Request and response

4. On 6 November 2017, the complainant sent the University of Southampton an email and requested information in the following terms:

"I should be grateful if you would provide me a list of all research projects funded by:

- *The Ministry of Defence, including the Defence Science and Technology Laboratory (DSTL);*
- *BAE Systems plc;*
- *Thales Group;*
- *and / or Qinetiq Group plc*

conducted at the University of Southampton over the period 1 January 2015 to the present day in the following research groups:

- *Autonomous Systems University Strategic Research Group*

For each project, please provide the project title, the total research budget for the programme, and project objectives."

5. The request was not acknowledged by the University of Southampton.
6. On 3 January 2018 the complainant chased a response, which was also unacknowledged. He chased up his information request again on 24 January 2018, at which time he asked the University of Southampton to complete an internal review of its handling of the request.

Scope of the case

7. The complainant contacted the Commissioner on 7 February 2018 to complain about the lack of response to his information request.
8. The Commissioner contacted the University of Southampton on 15 February 2018 to query the non-response, asking for it to respond within 10 working days.
9. No substantive response to the request had been provided by the date of this notice.

Reasons for decision

Section 1 – general right of access

Section 10 - time for compliance

10. Section 1(1) of the FOIA states that an individual who asks for information is entitled to be informed whether the information is held and, if the information is held, to have that information communicated to them.
11. Section 10(1) of the FOIA states that on receipt of a request for information a public authority should respond to the applicant within 20 working days.
12. From the information provided to the Commissioner in this case it is evident that the University of Southampton did not deal with the request for information in accordance with the FOIA. In this case the University of Southampton has breached sections 1(1) and 10(1) by failing to respond to the request within 20 working days. The University of Southampton is now required to respond to the request of 6 November 2017 in accordance with the FOIA.

Right of appeal

13. 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

14. 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.
15. 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
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Wilmslow
Cheshire
SK9 5AF**