

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 30 August 2018

**Public Authority:** Schools Company Trust  
**Address:** Shiners Bridge  
Dartington  
Totnes  
Devon TQ9 6JD

#### **Decision (including any steps ordered)**

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1. The complainant has requested information from the Schools Company Trust about particular meeting minutes and visit notes. At the date of this notice, the Schools Company Trust has not provided a response to the request.
2. The Commissioner's decision is as follows:
  - The Schools Company Trust has breached section 10(1) of the FOIA as it has not provided a response to the request within 20 working days.
3. The Commissioner requires the public authority to take the following step to ensure compliance with the legislation:
  - Provide a response to the complainant's request of 5 June 2018.
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

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5. On 5 June 2018, the complainant wrote to the Schools Company Trust and requested information in the following terms:

*"A copy of any and all meeting minutes and visit notes relating to Stuart Heron and South and West Devon Academy held by Schools Company Trust and ACE MAT under the SLA.*

*Please can you ensure that any and all of the specific meeting notes that ACE MAT shared with OFSTED are included - these are the notes in which disparaging comments about [Complainant] were formally recorded.*

*Please can you ensure that the visit notes from [Named Individual] visits to South and West Devon Academy on 29/3/18 and 18/4/18 are included."*

6. The Schools Company Trust wrote to the complainant on 22 June 2018 to advise him that it had received the request – its reference JWB/129127/8. The complainant did not go on to receive a substantive response and contacted the Commissioner.
7. The Commissioner wrote to the Schools Company Trust on 20 July 2018 and asked it to provide a response to the request within 10 working days. On 20 August 2018 the complainant advised the Commissioner that he still had not received a response.

## Scope of the case

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8. The complainant first contacted the Commissioner on 9 July 2018 to complain about the way his request for information had been handled.
9. The Commissioner's investigation has focussed on the School Company Trust's obligation under section 10(1) of the FOIA.

## Reasons for decision

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### Section 10 – time for compliance

10. 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 it communicated to him or her if it is held.

11. Section 10(1) 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 of the request.
12. The complainant submitted his request to the Schools Company Trust on 5 June 2018 and to date has not received a response. The Schools Company Trust has therefore breached section 10(1) with regards to this request.

## **Right of appeal**

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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](mailto:GRC@hmcts.gsi.gov.uk)  
Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://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**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**