

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 7 July 2022

Public Authority: The governing body of City, University of London
Address: Northampton Square
London
EC1V 0HB

Decision (including any steps ordered)

1. The complainant made a request for information relating to a video event featuring a particular speaker on 21 March 2022. The request was made on 24 March 2022 and City, University of London (CUL) has failed to provide a response.
2. The Commissioner considers that CUL has breached section 10 FOIA in the handling of this request.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
 - Provide a response to the request in compliance with 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 pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Request and response

5. On 24 March 2022 the complainant made the following request for information under the FOIA for:

“We refer to a video event featuring the speaker Mohamed el Kurd on 21 March 2022 in which the City Friends of Palestine participated. Please provide the following information and documents in relation to this event in accordance with the Freedom of Information Act:

1. Was any risk assessment carried out by the University?

2. Was any assessment in accordance with Prevent duty guidance carried out?
 3. Please provide copies of all assessments as mentioned in 1 and 2, and all documents produced in the course of carrying out these assessments.”
6. CUL has failed to provide a response to this request.

Scope of the case

7. The complainant contacted the Commissioner on 4 June 2022 and asked him to investigate whether the Trust had complied with section 10 FOIA in the handling of this request.
8. The Commissioner has considered whether CUL complied with section 10 FOIA in this case.

Reasons for decision

Section 10

9. Section 10(1) provides that:

“Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt.”
10. Section 1(1) provides 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 that information communicated to him.”
11. The request was made on 24 March 2022 and CUL has failed to respond to the request. This is despite the Commissioner contacting CUL on 11 June 2022 to remind it of its obligations under FOIA to respond to the request. The Commissioner therefore finds that CUL breached section 10(1) FOIA in failing to provide a response to this request.

Right of appeal

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@Justice.gov.uk
Website: 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.....

Gemma Garvey
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF