

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 20 January 2023

Public Authority: British Museum
Address: Great Russell Street
London
WC1B 3DG

Decision (including any steps ordered)

1. The complainant has requested from the British Museum (the Museum) information relating to discussions between BP and staff at the Museum on specified dates. The Museum provided some information but withheld other information under sections 40(2) and 43(2) of the FOIA. The Museum later provided some limited further information.
2. The Commissioner's decision is that the Museum has correctly applied section 43(2) to the withheld information and that the public interest favours maintaining the exemption. He also finds that the Museum correctly applied section 40(2) to some of the information withheld on that basis. However, some of the personal data has been inappropriately withheld. The Museum also breached sections 1 and 10 of FOIA by releasing information beyond the time for compliance.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
 - Disclose the names and job roles of the senior BP employees contained in the withheld information but not their contact details or any other personal data.
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 10 January 2022 the complainant made the following request for information under the FOIA:

"...I request that you disclose the following information. Details and copies of recorded information held by the Museum relating to the following three events, involving discussions between BP and staff at the British Museum:

- i) a telephone call held between two members of staff from BP, Dr Fischer and the Director of Development on 28 June 2021;
- ii) a meeting between one member of staff from BP, Dr Fischer and the Director of Development on 29 September 2021; and
- iii) a meeting between one member of staff from BP, Dr Fischer and the Director of Development on 14 October 2021.

'Recorded information' should follow the ICO's broad definition as set out on the following web page: <https://ico.org.uk/for-organisations/the-right-to-recorded-information-and-requests-for-documents/> In the case of this request, this will likely include copies of meeting agendas and/or notes, and also correspondence arising from the events specified above, both with BP and internally between Dr Fischer and the Director of Development. Recorded information within the scope of this request may also include any notes taken by Dr Fischer or the Director of Development, in addition to any formal minutes taken. As the ICO notes in its guidance, if the British Museum considers the application of exemptions:

'You cannot withhold the entire contents of a document because it contains some information that is exempt.

You still have a duty to communicate all the disclosable information in the document to the requester.'

And, also that:

'You must communicate all the information in the document. You can't just provide the requester with a summary or digest of the contents unless they have specifically requested this...'"

6. On 8 February 2022 the Museum responded and provided some information, explained that it had redacted some of this information because it was either exempt due to section 43(2) FOIA or section 40(2) FOIA or because it was outside the scope of the request.
7. The complainant made an internal review request on 7 March 2022.
8. The Museum provided its internal review on 5 April 2022 where it maintained its position but released some further information.

Scope of the case

9. The complainant contacted the Commissioner on 6 April 2022 to complain about the way their request for information had been handled.
10. After the Commissioner began his investigation, the Museum released some further information to the complainant on 13 January 2023.
11. The Commissioner considers the scope of this case to be the Museum's citing of sections 40(2)(personal information) and 43(2)(commercial interests) of the FOIA. He will also consider any procedural matters that may have occurred.

Reasons for decision

Section 40 personal information

12. Section 40(2) of the FOIA provides that information is exempt from disclosure if it is the personal data of an individual other than the requester and where one of the conditions listed in section 40(3A)(3B) or 40(4A) is satisfied.
13. In this case the relevant condition is contained in section 40(3A)(a)¹. This applies where the disclosure of the information to any member of the public would contravene any of the principles relating to the processing of personal data ('the DP principles'), as set out in Article 5 of the UK General Data Protection Regulation ('UK GDPR').
14. The first step for the Commissioner is to determine whether the withheld information constitutes personal data as defined by the Data Protection

¹ As amended by Schedule 19 Paragraph 58(3) DPA.

Act 2018 ('DPA'). If it is not personal data then section 40 of the FOIA cannot apply.

15. Secondly, and only if the Commissioner is satisfied that the requested information is personal data, he must establish whether disclosure of that data would breach any of the DP principles.

Is the information personal data?

16. Section 3(2) of the DPA defines personal data as:

“any information relating to an identified or identifiable living individual”.

17. The two main elements of personal data are that the information must relate to a living person and that the person must be identifiable.
18. An identifiable living individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.
19. Information will relate to a person if it is about them, linked to them, has biographical significance for them, is used to inform decisions affecting them or has them as its main focus.
20. The Museum explained that the withheld information was the personal data of two groups:
 - Employees below the level of Deputy Director of the Museum.
 - Third parties, including employees of BP.
21. In the circumstances of this case, having considered the withheld information, the Commissioner is satisfied that the information relates to the groups of individuals bullet pointed above. Their names and contact details clearly identify them. He is satisfied that this information both relates to and identifies the individuals concerned. This information therefore falls within the definition of 'personal data' in section 3(2) of the DPA.
22. The fact that information constitutes the personal data of an identifiable living individual does not automatically exclude it from disclosure under the FOIA. The second element of the test is to determine whether disclosure would contravene any of the DP principles.
23. The most relevant DP principle in this case is principle (a).

Would disclosure contravene principle (a)?

24. Article 5(1)(a) of the UK GDPR states that:

“Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject”.

25. In the case of an FOIA request, the personal data is processed when it is disclosed in response to the request. This means that the information can only be disclosed if to do so would be lawful, fair and transparent.

26. In order to be lawful, one of the lawful bases listed in Article 6(1) of the UK GDPR must apply to the processing. It must also be generally lawful.

Lawful processing: Article 6(1)(f) of the UK GDPR

27. Article 6(1) of the UK GDPR specifies the requirements for lawful processing by providing that “processing shall be lawful only if and to the extent that at least one of the” lawful bases for processing listed in the Article applies.

28. The Commissioner considers that the lawful basis most applicable is basis 6(1)(f) which states:

“processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child”².

² Article 6(1) goes on to state that:-

“Point (f) of the first subparagraph shall not apply to processing carried out by public authorities in the performance of their tasks”.

However, section 40(8) FOIA (as amended by Schedule 19 Paragraph 58(8) DPA and by Schedule 3, Part 2, paragraph 20 the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019) provides that:-

“In determining for the purposes of this section whether the lawfulness principle in Article 5(1)(a) of the UK GDPR would be contravened by the disclosure of information, Article 6(1) of the UK GDPR (lawfulness) is to be read as if the second sub-paragraph (dis-applying the legitimate interests gateway in relation to public authorities) were omitted”.

29. In considering the application of Article 6(1)(f) of the UK GDPR in the context of a request for information under the FOIA, it is necessary to consider the following three-part test:-
- i) **Legitimate interest test:** Whether a legitimate interest is being pursued in the request for information;
 - ii) **Necessity test:** Whether disclosure of the information is necessary to meet the legitimate interest in question;
 - iii) **Balancing test:** Whether the above interests override the legitimate interest(s) or fundamental rights and freedoms of the data subject.
30. The Commissioner considers that the test of 'necessity' under stage (ii) must be met before the balancing test under stage (iii) is applied.

Legitimate interests

31. In considering any legitimate interest(s) in the disclosure of the requested information under FOIA, the Commissioner recognises that a wide range of interests may be legitimate interests. They can be the requester's own interests or the interests of third parties, and commercial interests as well as wider societal benefits. These interest(s) can include broad general principles of accountability and transparency for their own sakes, as well as case-specific interests. However, if the requester is pursuing a purely private concern unrelated to any broader public interest, unrestricted disclosure to the general public is unlikely to be proportionate. They may be compelling or trivial, but trivial interests may be more easily overridden in the balancing test.
32. The Museum states that it reviewed whether it had a legitimate basis to disclose the personal data that has been withheld. It acknowledges that it has a legitimate interest to operate transparently as a public body and be held accountable for decisions made. The Museum also needs to ensure that it is being administered in accordance with the standards expected of public authorities that receive public and/or charitable funding.

Is disclosure necessary?

33. 'Necessary' means more than desirable but less than indispensable or absolute necessity. Accordingly, the test is one of reasonable necessity and involves consideration of alternative measures which may make disclosure of the requested information unnecessary. Disclosure under the FOIA must therefore be the least intrusive means of achieving the legitimate aim in question.

34. The Museum had considered the necessity of disclosure regarding four separate categories of data subjects – employees of the Museum below Deputy Director; employees of the Museum, Deputy Director level and above; administrative staff of BP; and, senior members of BP. The Museum acknowledged to the Commissioner that it needs to be transparent and ensure its accountability. However, it does not consider it necessary to disclose information below the level of Deputy Director as under its “management structure, major decisions affecting the Museum and its funding are made at a Deputy Director level or above, thus disclosure of this information will not enhance public insight into the operations of the Museum”. It does not believe that disclosure would add anything of significant value or hold the Museum to account. Its view is that it can operate transparently by disclosing the personal data of senior levels of management and the disclosure of non-personal data related to meetings. The Museum also does not consider that it is necessary to disclose the information of administrative staff or senior management of BP as it adds nothing of significant value to the information it has provided or aid public understanding of the meetings which took place, as BP is a corporate entity.

35. The complainant expresses the view that the Museum has

“reached an incorrect outcome in balancing the relevant arguments. As the British Museum notes in its response, there is a legitimate interest in disclosing the names of the senior members of BP referred to in the documents as part of the Museum’s commitment to promoting transparency in public life...names of senior staff from BP involved in the relevant calls and meetings significantly adds to the information disclosed and the public’s understanding of these interactions. The relative seniority of figures from BP involved in the meetings provides an important insight into BP’s perception of its relationship with the British Museum. In many cases, senior figures at BP have different backgrounds and stances which will likely inform their interactions with the British Museum. Crucially, BP is a private company which is external to the British Museum and it should reasonably expect that in order for the Museum to be accountable to the public, its interactions with the Museum will be subject to this degree of transparency. It would not be reasonable for senior members of BP staff to engage in sponsorship negotiations with the British Museum – a national, publicly-funded Museum – knowing that they can, in effect, act with anonymity.”

Balance between legitimate interests and the data subject’s interests or fundamental rights and freedoms

36. It is necessary to balance the legitimate interests in disclosure against the data subject's interests or fundamental rights and freedoms. In doing so, it is necessary to consider the impact of disclosure. For example, if the data subject would not reasonably expect that the information would be disclosed to the public under the FOIA in response to the request, or if such disclosure would cause unjustified harm, their interests or rights are likely to override legitimate interests in disclosure.
37. In considering this balancing test, the Commissioner has taken into account the following factors:
- the potential harm or distress that disclosure may cause;
 - whether the information is already in the public domain;
 - whether the information is already known to some individuals;
 - whether the individual expressed concern to the disclosure; and
 - the reasonable expectations of the individual.
38. In the Commissioner's view, a key issue is whether the individuals concerned have a reasonable expectation that their information will not be disclosed. These expectations can be shaped by factors such as an individual's general expectation of privacy, whether the information relates to an employee in their professional role or to them as individuals, and the purpose for which they provided their personal data.
39. It is also important to consider whether disclosure would be likely to result in unwarranted damage or distress to that individual.
40. In considering the balance between legitimate interests and the data subject's interests or fundamental rights and freedoms of the four identified groups of individuals, the Museum considered:
- "a. Employees of the British Museum below Deputy Director
 - b. Employees of the British Museum, Deputy Director level and above
 - c. Administrative staff of BP
 - d. Senior Members of BP"

The Commissioner does not propose to look at b. as this information was disclosed to the complainant.

41. The requested information relates to the individuals' public/professional life as they are employees of the Museum or BP. The Museum maintains that employees below the level of Deputy Director would not have it within their reasonable expectation that their personal data would be shared outside the Museum. It argues that these employees would expect it to make "all reasonable efforts to allow them to carry out their role without undue disruption and hindrance". Above that level, it

maintains that having their information made publicly available would be within their reasonable expectations. Regarding BP staff that communicate with their counterparts at the Museum to arrange meetings for more senior staff, they would also not have it within their reasonable expectations that their personal data would be shared with third parties outside the Museum in the light of its privacy notice. Although some limited information about senior staff at BP is disclosed on their website, there is no reasonable expectation from the Museum's privacy notice that their personal data will be made public.

42. None of the individuals concerned have been asked for consent but the Museum has disclosed information by relying on the lawful basis at regulation 6(1)(f) – legitimate interests regarding its own employees above a certain level. The Museum describes the consequences of the disclosure of the personal data it has withheld within context. The Museum has been the focus of campaigns from pressure groups. Some of these protests have been physical both on and off site. It makes its decisions as to the release of personal data within this context. It avoids undue disruption and hindrance to employees below Deputy Director by routing enquiries through its “publicised service channels”. Otherwise “unsolicited enquiries...could potentially cause disruption, negatively impact staff time, and interrupt the delivery of the Museum’s core functions”.
43. As regards the staff of BP, it points out that BP is not subject to the FOIA and that it is not obliged to release information about junior employees. The Museum is also unaware of the individual circumstances of BP employees and considers it excessive to collect information in order to understand what harm might be caused by disclosure and it would breach the Data Protection Act 2018 regarding data minimisation by so doing. These individuals have a right to privacy and could be placed at risk for the reasons given in paragraph 42 from the same source, if their anonymity is lost. The Museum contends that placing an individual in harm’s way or where they could be distressed is unnecessary for it to be held accountable.
44. Some of the same arguments apply to senior BP staff. The Museum holds more information about senior individuals at BP than junior employees but the relationship is with the company and not a specific individual. The Museum had argued in its refusal notice that disclosure of the names of BP staff would not add significantly to what had been disclosed. They have a right to privacy and it suggests that BP has previously indicated this. It argues the same potential harm and distress that could occur from campaigners and pressure groups in order to hold the Museum accountable. Having carried out the legitimate interest test, the Museum considers that the balance of interests falls in favour of

disclosure for the personal data of individuals apart from employees of the Museum, Deputy Director level and above.

45. The Museum also considers that release of the withheld personal data would also be unlawful because it "has a corporate supporter agreement in place with BP. Under the terms of this agreement, there is an expectation that BP information will be processed in confidence." It acknowledges that the agreement sets out its legal obligations as regards the FOIA but considers that BP and its employees would expect that the duty of confidence would apply to their personal data. The Museum contends that disclosure would both breach the common law of confidentiality and Article 8 (individuals right to privacy) of the ECHR.
46. Based on the above factors, the Commissioner has determined that there is insufficient legitimate interest regarding junior BP and Museum staff to outweigh the data subjects' fundamental rights and freedoms. The Commissioner therefore considers that there is no Article 6 basis for processing and so the disclosure of the information would not be lawful.
47. Given the above conclusion that disclosure would be unlawful regarding junior Museum and BP staff, the Commissioner has decided that he does not need to go on to consider separately whether disclosure would be fair or transparent.
48. The Commissioner considers, however, that there is sufficient legitimate interest regarding the senior staff of BP to outweigh the data subjects' fundamental rights and freedoms. Firstly, they will be aware that the Museum is subject to the FOIA. The Commissioner has not been able to identify any specific harm or distress that disclosure may cause. The senior BP staff named in the withheld information are clearly in the public domain and under public scrutiny as BP decision-makers with responsible roles. It is unlikely that they will have been shielded in their role from campaigners and pressure groups. The Commissioner therefore considers that there is an Article 6 basis for processing and so the disclosure of the information would be lawful. He therefore needs to consider if it would be fair or transparent.

Fairness and transparency

49. Even though it has been demonstrated that disclosure of the requested information under the FOIA would be lawful regarding senior members of BP staff, it is still necessary to show that disclosure would be fair and transparent under the principle (a).
50. In relation to fairness, the Commissioner considers that if the disclosure passes the legitimate interest test for lawful processing, it is highly likely that disclosure will be fair for the same reasons.

51. The requirement for transparency is met because as a public authority, the Museum is subject to the FOIA.

The Commissioner's view

52. Regarding junior staff members of the Museum and BP, the Commissioner has decided that the Museum was entitled to withhold the information under section 40(2), by way of section 40(3A)(a).
53. Regarding senior members of BP, the Commissioner has decided that the Museum has failed to demonstrate that the exemption at section 40(2) is engaged.

Section 43(2) – commercial interests

54. Section 43(2) of the FOIA states that information is exempt if its disclosure would, or would be likely to, prejudice the commercial interests of any person, including the public authority holding it.
55. The Commissioner has defined the meaning of the term "commercial interests" in his guidance on the application of section 43 as follows:
- "...a commercial interest relates to a person's ability to participate competitively in a commercial activity".³
56. Although most commercial activity relates to the purchase and sale of goods, it also extends to other fields such as services.
57. The Commissioner's guidance says that there are many circumstances in which a public authority might hold information with the potential to prejudice commercial interests.
58. The exemption is subject to the public interest test which means that, even if it is engaged, the Commissioner also needs to assess whether it is in the public interest to release the information.
59. Section 43 is a prejudice based exemption. The public authority needs to demonstrate a clear link between disclosure and the commercial interests of the party. There must also be a significant risk of the

³ <https://ico.org.uk/media/for-organisations/documents/1178/commercial-interests-section-43-foia-guidance.pdf>

prejudice to commercial interests occurring and the prejudice must be real actual or of substance for it to be successfully engaged.

60. The Museum explained that it relied on section 43(2) to withhold all the information that would prejudice its commercial interests. Most of its arguments are set out below but there is some argument that cannot be included here due to confidentiality.

61. The Museum explains that all its "potential corporate supporters",

"enter a cultivation and negotiation stage with the Museum prior to any new supporter agreement being signed...both parties work together to tailor make a unique supporter package, with both sides making commercially sensitive requests around funding and benefits".

It argues that briefing documents are internal, provide context to the Director and that disclosure would affect its commercial edge. The disclosure of the information would undermine the Museum's ability to negotiate with corporate sponsors.

62. Disclosure would affect the Museum's "first impression" with new stakeholders'. These type of meetings are, "part of an ongoing relationship and a premature disclosure could result in a negative perception of the Museum and in the wider corporate support market". The Museum argues that disclosure would affect its finances and its future donations. It relies on external supporters in order "to deliver its core functions and to help fulfil its public task". The Museum has to try and obtain its best offer and stresses the decline in its finances during the Covid crisis with the loss of visitors, donations and trade. Its charitable income is therefore particularly important whilst it recovers. The Museum maintains,

"that premature disclosure of the information would impact how we approach negotiations with other companies. By disclosing information about individual arrangements, we consider that it is likely that companies would be deterred from working with the Museum if we cannot handle their information sensitively. We also consider that it is likely to affect our ability to negotiate competitively in the future with other third parties".

63. Disclosure would affect the Museum's ongoing relationship with supporters. It maintains strong relationships with its corporate supporters and works closely with them in order to get best value for money in order to help its exhibits.

64. The Museum also argues that disclosure would prejudice BP. The withheld information is "highly sensitive business-related information which BP has shared with the Museum only for the purpose of stakeholder management and maintaining good business relationships".
65. It is not absolutely clear what the Museum considers the level of prejudice to its own commercial interests. At internal review the Museum claimed the lower level of prejudice but in its submission to the Commissioner, the suggestion is that the prejudice is at the higher level – "would prejudice".
66. In their review request the complainant states the following:

"- The British Museum has previously confirmed that it does not hold any form of due diligence report or record on BP's standing as a company, which conflicts with guidance outlined by several sector-wide bodies and their regulatory codes. However, the material disclosed indicates that the Director of the British Museum is already proceeding with negotiating or seeking a new funding relationship with BP despite no due diligence having been undertaken. There is therefore a very significant public interest in disclosing the redacted material as this would shed light on the nature of the approach that has been made to BP, whether the British Museum has therefore acted in accordance with regulatory codes and whether the Director is fulfilling his duties as a holder of public office."
67. They also argue that it has been communicated in the media that the Museum is going to embark on fundraising with a goal of £1 billion. The complainant states that no information has been provided about the Museum's approach or its "ethical principles" though it has said "that it intends to fundraise from both public and private sources". The complainant believes that there is a "significant public interest" in this initiative and considers it to be in the public interest to be able to see "how a new corporate partnership with BP would sit within it, given the controversy around the museum's existing agreement with the company".
68. The complainant acknowledges that the Museum is in the process of seeking financial support from organisations for projects and that it may be reasonable for some of the information to be kept confidential. They do not believe that this justifies the "wholesale redaction" of seven of the eleven pages and "to some extent" redactions within the documents. The complainant cites the ICO in wanting such details as "layout, headings and other aspects of a document" that could be disclosed. The redaction "suggests a desire to resist transparency, rather than to abide by the spirit of the Freedom of Information Act" and no attempt to

differentiate between the "relative sensitivity of different pieces of information within the documents disclosed".

69. The Commissioner accepts that the requested information relates to the commercial interests of the Museum and, to a lesser extent, BP. The requested information includes discussions concerning sponsorship that, if disclosed, could be prejudicial to the Museum and BP at the lower level. However, the Commissioner needs to consider where the public interest lies.

Public interest factors in favour of disclosing the information

70. The Museum acknowledges that there is public interest in how it obtains its charitable funding.
71. There is also "public interest in how the Museum works with its corporate supporters, including those linked with fossil fuels".
72. The complainant pointed out in their internal review request that its core income is from the taxpayer and that corporate streams/partnerships are supplementary. They also contended that the

"...strength of the public interest in the information would outweigh the arguments against disclosing. To disclose the information more fully would facilitate better understanding of the museum's relationships with corporate partners and sponsors, specifically BP".

73. The complainant also argues in their internal review request that the public interest favours transparency in -

"the extent to which the representatives from major corporations, including BP, have access to the Director and Chairman and have previously been consulted on a range of core issues...

...Corporate sponsorship is fundamentally transactional in nature and confers social legitimacy upon, and enhances the reputation of, the sponsor..."

74. The complainant goes on to list various ways in which BP's record on the environment, climate change and human rights means that it is in the public interest to have transparency - "...BP's record as a fossil fuel (sic) is highly controversial, both in relation to its environmental impacts and its record on human rights". They argue that "There is a clear and unequivocal public interest in understanding the nature and extent of the company's interactions with a taxpayer-funded national museum..."
75. In setting out the case for disclosure, the complainant describes BP as, "a major polluter" referring to the Deepwater Horizon disaster and

stresses the global impact on communities. They list the following reasons:

BP being "a member of several controversial trade bodies";

BP's 'net zero ambition' not standing up to scrutiny;

Its reliance on "technologies" that "remain unproven at scale" to achieve this aim;

BP "continuing to invest significantly in exploration for new oil and fossil gas";

"BP work[ing] in close partnership with governments and regimes renowned for their repression of human rights and fundamental freedoms..."

Public interest factors in favour of maintaining the exemption

76. The Museum highlights four areas where it argues it is not in the public interest to disclose the withheld information:

Protecting its income – the Museum relies on external supporters to deliver its core functions/fulfil its public task. It would not be in the public interest to disclose information which would prejudice its ability to hold funding discussions.

Ensuring fair commercial competition – the Museum argues that it is in the public interest for it to be able to hold confidential discussions with its supporters in order that relationships, including funding arrangements are negotiated competitively to gain the best terms.

Fairness with the private sector – there is a strong public interest in ensuring the the FOIA does not disadvantage public authorities in commercial negotiations with the private sector.

Continuing public debate – the Museum acknowledges the public debate about the relationship between cultural institutions such as the Museum and fossil fuel companies, however it believes that disclosure would not inhibit public debate on the subject.

77. The Museum considers the Commissioner's decision in [ic-97816-d0q5.pdf \(ico.org.uk\)](#) to be similar but points out that it has "not applied a blanket redaction and has chosen how the information is withheld on a line-by-line basis".

Balance of the public interest

78. The Commissioner is aware that the public has an interest in the subject of its public institutions and those companies that sponsor them. The Museum has had a connection to BP for many years and this is acknowledged on the Museum's website. This relationship has been and continues to be the subject of negative publicity from opponents of the sponsorship. Consequently, this has been a finely balanced decision. However, the Commissioner has decided in favour of non-disclosure because he accepts that disclosure may well deter organisations from entering into future sponsorships with the Museum which needs to attract funding for the reasons given earlier in this decision notice.

Procedural matters

79. Section 10 of the FOIA requires a public authority to disclose non-exempt information within 20 working days of receiving a request.

80. At internal review stage the Museum released further information. During the Commissioner's investigation the Museum also released some limited information that it did not believe to be exempt. Therefore it breached sections 1 and 10 of FOIA as this disclosure was outside the statutory timeframe.

Right of appeal

81. 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

82. 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.
83. 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

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