

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 30 October 2023

Public Authority: Haringey London Borough Council
Address: 7th Floor, River Park House
225 High Road
Wood Green
London N22 8HQ

Decision (including any steps ordered)

1. The complainant has requested information from Haringey London Borough Council (the Council), regarding various cemeteries.
2. The Commissioner's decision is that the Council breached section 10 of FOIA as it failed to identify all the requested information that it held, or to communicate all non-exempt information within the scope of the request within 20 working days.
3. The Commissioner does not require further steps.

Request and response

4. On 15 June 2023, the complainant wrote to the Council and requested information in the following terms:
 - "1. Copy of contract between Haringey Council and CMG / Dignity Ltd.
 2. Covering all six years (2022/23, 2021/22, 2020/21, 2019/20, 2018/19, 2017/18) please can you provide details of the following against each year:
 - a. Income generated from Tottenham Cemetery
 - b. Payment paid to CMG/Dignity Ltd
 - c. Haringey Councils budget allocation to Tottenham Cemetery.

d. Haringey Councils budget allocation to Wood Green Cemetery.”

5. The Council responded on 30 June 2023. It stated that it did not hold the requested information.
6. Following an internal review the Council wrote to the complainant on 30 August 2023. It now accepted that it did hold some information. The Council provided some of the requested information and stated that the remainder was in the public domain.

Reasons for decision

7. Section 1(1) of FOIA states 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.”

8. Section 10 of FOIA requires a public authority to comply with its duties under section 1(1) of the Act (to identify relevant information and communicate non-exempt information) within 20 working days.
9. In this case, the Commissioner notes that the Council did not locate all the information that fell within the scope of the request or communicate the non-exempt information until after the Commissioner had accepted the case for investigation and therefore outside the 20 working day timeframe.
10. As the requested information has now been provided to the complainant, the Commissioner does not require any further action on this matter.

Right of appeal

11. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

12. 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.
13. 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

Roger Cawthorne
Team Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF