

**Freedom of Information Act 2000 (FOIA)
Environmental Information Regulations 2004 (EIR)**

Decision notice

Date: 27 March 2023

Public Authority: Cabinet Office
Address: 70 Whitehall
London
SW1A 2AS

Decision (including any steps ordered)

1. The complainant has requested a complete copy of a letter dated 12 April 2002 sent from The (then¹) Prince of Wales to Prime Minister Tony Blair, and any correspondence or communications relating to the letter between Prime Minister Blair and The Prince of Wales or between Prime Minister Blair and Alistair Campbell/Margaret Beckett.
 2. The Cabinet Office initially confirmed that they held the letter requested and a copy of a reply from Prime Minister Blair. They confirmed that they did not hold any other requested correspondence or communications relating to the letter.
 3. With regard to the information held that was environmental, the Cabinet Office advised that this was exempt from disclosure under regulation 13(1)(third party personal data) of the Environmental Information Regulations 2004 (EIR). With regard to the information held that was non-environmental, the Cabinet Office advised that this was exempt from disclosure under sections 37(1)(aa)(communications with or on behalf of the heir to the Throne) and 40(2)(third party personal data).
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¹ Applies to all references to The Prince of Wales in this notice.

4. At the internal review stage the Cabinet Office revised part of their response in stating that they had previously confirmed in error that they held a reply to The Prince of Wales's letter from Prime Minister Blair. In respect of that requested information the Cabinet Office neither confirmed nor denied whether they held the same under section 37(2) of the FOIA.
5. During the Commissioner's investigation the Cabinet Office further revised their position and advised that they were of the view that none of the information contained in the letter was environmental information. Consequently, the Cabinet Office maintained that all of the information contained in the letter from The Prince of Wales was instead exempt under section 37(1)(aa) of the FOIA.
6. The Commissioner's decision is that some of the information contained in the letter is environmental information and so is subject to the EIR and not the FOIA. Therefore the Cabinet Office will need to provide a response to the relevant parts of the request under the EIR as well as the FOIA. In respect of the information contained within the letter which is not environmental information, the Commissioner finds that this information was correctly withheld by the Cabinet Office under section 37(1)(aa).
7. The Commissioner considers that any reply from Prime Minister Blair to The Prince of Wales's letter would (if held) be likely to contain environmental information. Consequently the Cabinet Office will need to provide a response to this part of the request under the EIR as well as the FOIA. With regard to any non-environmental information which would be contained in such a reply (if held) the Commissioner finds that the Cabinet Office were entitled to provide a NCND response to the same under section 37(2).
8. The Commissioner is satisfied, on the balance of probabilities, that the Cabinet Office do not hold the further correspondence requested which relates to The Prince of Wales's letter.
9. The Commissioner requires the Cabinet Office to take the following steps to ensure compliance with the legislation.
 - In respect of part 1 of the request, provide a revised response under the EIR either disclosing to the complainant the relevant information held or else withhold the information under an exception(s).
 - In respect of part 2 of the request, confirm or deny whether environmental information is held under the EIR and if any information is held either disclose it or refuse to disclose using an exception(s).

10. The Cabinet Office 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 FOIA and may be dealt with as a contempt of court.

Request and response

11. On 18 March 2020, the complainant wrote to the Cabinet Office and requested information in the following terms:

'I would like to request the following information under the Freedom of Information Act and The Environmental Information Regulations. I understand my request will take 20 working days to process but I would be grateful if you could acknowledge receipt via [redacted].

It might be helpful if I point out that my request is inspired by a disclosure made to me by the Cabinet Office in October 2017 (FOI323905). You will recall that the Cabinet Office released an excerpt of a letter written by the Prince of Wales to Tony Blair on 12 April 2002.

The excerpt was specifically about hunting.

Please note as far as my new request is concerned that I am only interested in information generated between 1 April 2002 and 1 July 2002.

Please note that the reference to written correspondence and communications in the questions below should include the traditional forms of correspondence such as letters and faxes, emails, irrespective of whether they were sent through official or private accounts and any messages sent through encrypted messaging services.

Please note that the reference to Mr Blair in the questions below should include the Prime Minister himself, his Principal Private Secretary(ies) a private secretary(ies) and anyone in his private office able to correspond and communicate on his behalf.

Please note that the reference to Margaret Beckett should include the Secretary of State herself as well as anyone in her private office able to correspond and communicate on her behalf.

The reference to Mr Campbell should be limited to Mr Campbell himself.

I would like to request the following...

1. *A complete and actual copy of the Prince's letter, including both the excerpts relating to hunting and the rest of the correspondence.*

Please note that I would like to request a copy of the letter rather than just excerpts from it. Providing copy of the letter complete with letter heading, date, signature etc does not prevent the Cabinet Office from redacting any information it thinks should not be released.

2. *Tony Blair's reply to the Prince's letter.*
 3. *Mr Blair's written correspondence to and communications with Alistair Campbell, the then Director of Communications, which specifically relate to the Prince's letter and its contents.*
 4. *Mr Campbell's written correspondence to and communications with Mr Blair which specifically relate to the Prince's letter and its contents.*
 5. *Mr Blair's written correspondence to and written communications with Margaret Beckett, the then Secretary of State for the Environment, which specifically relate to the Prince's letter and its contents.*
 6. *Margaret Beckett's written correspondence to and written communications with Mr Blair which specifically related to the Prince's letter and its contents'.*
12. The Cabinet Office responded to the request on 12 May 2020. They advised that following a search of their records they had established that they held some of the information requested by the complainant.
 13. The Cabinet Office confirmed that they held the information requested in parts 1 and 2 of the request. They confirmed that they did not hold any information requested in parts 3, 4, 5 and 6 of the request. They advised the complainant that the previous request to which he referred was FOI320905. The Cabinet Office stated that as they had previously provided the complainant with an extract from The Prince of Wales's letter, the names of the correspondents and the date of the letter, section 21 (information reasonably accessible to the applicant by other means) applied to the information in the letter which had previously been disclosed.
 14. The Cabinet Office informed the complainant that they were withholding the remainder of the information held for part 1 (i.e. the content of the letter not previously disclosed) and also the information held for part 2, under the EIR for the information that is environmental, and under the FOIA for the information that does not fall under the EIR.
 15. The Cabinet Office stated that they were withholding 'some' information under regulation 13(2) of the EIR, as they considered that '*disclosure of the information would reveal The Prince of Wales's opinions and this would disclose his personal data*'. They contended that disclosure of the

information would, *'amongst other things'*, contravene one of the data protection principles in Article 5(1) of the General Data Protection Regulations and section 34(1) of the Data Protection Act 2018.

16. In this case the Cabinet Office considered that disclosure would contravene the first data protection principle, which provides that processing of personal data is lawful and fair. Therefore, the Cabinet Office had concluded that the environmental information held within scope of the request was exempt from disclosure under regulation 13(1) of the EIR.
17. The Cabinet Office advised the complainant that *'some'* of the information he had requested was exempt under section 37(1)(aa) of the FOIA, which protects information relating to communications with or on behalf of the heir to the Throne. As this is an absolute exemption, the Cabinet Office stated that they were not required to consider the public interest in disclosing this information.
18. The Cabinet Office advised that *'some'* of the information requested was being withheld under section 40(2) of the Act. This was because they considered that disclosure would contravene the first data protection principle. They stated that section 40(2) is an absolute exemption and they were not obliged to consider whether the public interest favours disclosing the information.
19. The complainant wrote to the Cabinet Office on 12 May 2020 and requested an internal review. The complainant asked that his request be looked at again in its entirety. He stated that he was unhappy that the Cabinet Office had decided not to disclose the additional environmental information which they hold, stating, *'clearly, this information should have been released under the EIRs'*.
20. The complainant stated, *'as you know, the communications of The Prince of Wales are not exempt from disclosure via the Environmental Information Regulations if they touch upon issues relating to the environment'*. The complainant also took issue with the Cabinet Office application of regulation 13(1) of the EIR and the reference to the Prince's personal data. He noted that, *'it is already a matter of public record that the Prince wrote to the Prime Minister on 12 April 2002. Moreover, the Information Commissioner has previously ruled that the Prince's communications should be disclosed if those communications show evidence of lobbying by the Prince on environmental issues'*.
21. The complainant reiterated that he would like a copy of the actual original letter (including letterhead and signature) with any relevant redactions.
22. The Cabinet Office issued the complainant with their internal review on 24 July 2020 and apologised for the delay in providing the same.

23. The review found that the original response was correct in respect of parts 1, 3, 4, 5 and 6 of the request, and that section 21 of the FOIA had been properly applied for the reasons previously explained. For parts 3, 4, 5 and 6 of the request the Cabinet Office confirmed that no information was held. To that extent, the review upheld the original decision.
24. However, in respect of part 2 of the request (reply from Prime Minister Blair), the Cabinet Office advised that their original response had '*confirmed in error*' that information was held. The review did not uphold that part of the decision and substituted a neither confirm nor deny response under section 37(2) of the FOIA. The Cabinet Office stated that section 37(2) of the Act removes the duty to confirm or deny in section 1(1)(a) of the Act if to do so would reveal information that would (if held) be exempt. The Cabinet Office advised the complainant that in this case, any response from Prime Minister Blair to The Prince of Wales, if held, would constitute communications with The Prince of Wales. With section 37(1)(aa) being an absolute exemption, the Cabinet Office stated that they were not required to carry out a public interest test on whether to confirm or deny that information is held.
25. With regard to the complainant's contention that it is already a matter of public record that The Prince of Wales wrote to Prime Minister Blair on 12 April 2002, and the Commissioner had previously ruled on The Prince's communications, the Cabinet Office advised that:

'The Information Commissioner's decision we think you refer to relates only to the parts of HRH's letter relating to EIR material on hunting, as this is the only content in scope of your previous request ref FOI320905. We consider that any other environmental information in that letter should be withheld under regulation 13(1)(personal data) as explained in our response letter of 12 May 2020'.

Scope of the case

26. The complainant contacted the Commissioner on 6 August 2020 to complain about the way his request for information had been handled.
27. The complainant confirmed that his request followed on from a previous disclosure made to him by the Cabinet Office in October 2017 (FOI320905) of an extract from a letter written by the then Prince of Wales to Prime Minister Blair, which concerned hunting. The complainant explained that his new request was designed to secure the full text of the letter, as well as Mr Blair's contacts and communications with the then Secretary of State for Environment, Margaret Beckett, and Number 10's then Director of Communications, Alistair Campbell. The complainant asserted his belief that it is '*highly likely*' that Mr Blair

would have communicated with Ms Beckett and Mr Campbell about the letter.

28. In submissions to the Commissioner, the Cabinet Office advised that they had revised their position on part 1 of the request, following the Court of Appeal decision in *Department for Transport v Information Commissioner & Hastings* [2019] EWCA Civ 2241².
29. The Cabinet Office noted that in *Hastings* the Court of Appeal had advocated caution when dealing with information which may lie on the borderline of information generally disclosable under the EIR and information which may attract an absolute exemption from disclosure under the FOIA. The Cabinet Office highlighted paragraph 39 of the judgement, where Lord Justice McCombe stated that:

'The disputed information may provide something, originally emanating from a third party about the measure, but that is not information 'on' the measure itself'.
30. The Cabinet Office noted that the Hastings judgement was available at the time that the complainant made his request and that *'we should have considered it when responding to [the complainant] in the present case'*. The Cabinet Office apologised for not having done so.
31. The Cabinet Office advised the Commissioner that they were now of the view that the entirety of the letter, apart from that already disclosed to the complainant, is not 'environmental information' and so falls under section 37(1)(aa) of the FOIA. However, the Cabinet Office went further and stated that, *'for clarity, had Hastings been available to us during the first or second ICO investigations of (the previous request) we would have argued that the whole letter fell under the FOI Act'*. That is to say, the Cabinet Office contended that the hunting information contained in the letter and previously disclosed, was not environmental information.
32. Therefore, following the Court of Appeal decision in *Hastings* (which pre-dates the complainant's request) it is clear that the Cabinet Office's contention is that **none** of the information contained in The Prince of Wales's letter to Prime Minister Blair on 12 April 2002 is environmental information and thus they have no need to consider their obligations under the EIR.

² <https://panopticonblog.com/wp-content/uploads/sites/2/2019/12/DoT-v-Info-Commissioner.pdf>

33. The Commissioner considers that the scope of his investigation is to determine whether the Cabinet Office correctly processed the complainant's request under the EIR and FOIA.

Reasons for decision

Part 1 of the request – is the information environmental information?

34. Having had sight of and carefully considered the withheld information, The Commissioner does not agree with the Cabinet Office's revised position that none of the information contained in The Prince of Wales's letter to Prime Minister Blair constitutes environmental information. The Commissioner considers that some of the information contained in the letter does constitute environmental information. The Commissioner has explained his reasons for this view in a Confidential Annex attached to this notice.
35. In respect of this part of the request, the Commissioner has therefore ordered that the Cabinet Office issue a revised response to the request which complies with their statutory duties and responsibilities under the EIR.

Part 1 of the request – information which is not environmental information

36. Section 37(1)(aa) of the FOIA states:

'Information is exempt information if it relates to

(aa) communications with the heir to, or the person who is for the time being second in line of succession to, the Throne'.

37. It is a class based exemption, which means that information falling within the description in section 37(1)(aa) automatically engages the exemption regardless of whether there would be any harm in disclosure. The exemption is not subject to a public interest test.
38. As the complainant has requested information in a letter sent to Prime Minister Blair from The Prince of Wales, the Commissioner is satisfied that all of the information contained in the letter which does not constitute environmental information is exempt from disclosure under section 37(1)(aa) of the FOIA. Consequently, the Commissioner has found that the Cabinet Office were correct to withhold the non-environmental information contained in the letter under this exemption.

Part 2 of the request – (reply from Prime Minister Blair)

39. In their original response to the request the Cabinet Office confirmed that they held the requested information (a reply to The Prince of Wales's letter from Prime Minister Blair). They advised that they were withholding all of the information requested in part 2 of the request under the EIR for the information that is environmental and under the FOIA for the information that does not fall under the EIR. The Cabinet Office stated that they were withholding some of the information under regulation 13(1) of the EIR, some of the information under section 37(1)(aa) of the FOIA and some of the information under section 40(2) of the FOIA.
40. However, in their internal review, the Cabinet Office advised that their original response had '*confirmed in error*' that the information requested in part 2 of the request was held. The Cabinet Office substituted a neither confirm nor deny response under section 37(2) of the FOIA.
41. In submissions to the Commissioner, the Cabinet Office highlighted paragraph 25 of the Commissioner's decision notice FER0587279³. In that case the request was for correspondence or meetings between The Prince of Wales and Prime Minister Blair. The Commissioner stated:
- 'In the Commissioner's view, all of the information that is not environmental caught by the complainant's request would – if held – be communications as per section 37(1)(aa). Item 1 of the request asks for correspondence, so is obviously within the class of information.'*
42. The above decision notice ordered the Cabinet Office to:
- 'Confirm or deny whether environmental information is held in relation to the complainant's request under the EIR and if any information is held either disclose it or refuse to disclose using an exemption.'*
43. The Cabinet Office complied with decision notice FER0587279 and sought to withhold the environmental information on hunting in The Prince of Wales's letter to Prime Minister Blair of 12 April 2002 under regulation 13(1) of the EIR. A second decision notice (FER0669057⁴) found that the information in the letter in scope of the complainant's request was not exempt from disclosure under regulation 13(1) of the EIR. The information disclosed in compliance with that second decision

³ https://ico.org.uk/media/action-weve-taken/decision-notices/2016/1625392/fer_0587279.pdf

⁴ <https://ico.org.uk/media/action-weve-taken/decision-notices/2017/2014484/fer0669057.pdf>

notice was the environmental information related to hunting contained in The Prince of Wales's letter.

44. In submissions to the Commissioner, the Cabinet Office therefore submitted that their decision to neither confirm nor deny under section 37(2) of the FOIA whether any information is held for part 2 of the complainant's request, *'is entirely consistent with the Commissioner's findings in the first Decision Notice relating to any communications from the PM'*.
45. However, as seen in paragraph 25 of FER0587279 above, the Commissioner stated that all of the information **'that is not environmental'** (Commissioner's emboldening) would, if held, be exempt under section 37(1)(aa) of the FOIA. Furthermore, earlier in the same decision notice, at paragraph 12, the Commissioner had stated that *'any information (within scope of the complainant's request) if held, could be environmental and non-environmental'* (Commissioner's emboldening). That is to say, it is possible that any reply sent by Prime Minister Blair to The Prince of Wales could contain both environmental and non-environmental information.
46. Given the content of The Prince of Wales's letter to Prime Minister Blair of 12 April 2002, notably the information on hunting, the Commissioner considers that it is likely that any response which Prime Minister Blair may have sent to The Prince of Wales, would have contained environmental information. Therefore, the Cabinet Office will need to provide the complainant with a response to part 2 of his request under the EIR as well as the FOIA.
47. Section 37(1)(aa) of the FOIA states:
*'Information is exempt information if it relates to:

(aa) communications with the heir to, or the person who is for the time being second in line of succession to, the Throne'*
48. As explained earlier, but repeated here for ease of reference, it is a class based exemption, which means that information falling within the description in section 37(1)(aa) automatically engages the exemption regardless of whether there would be any harm in disclosure. The exemption is not subject to a public interest test.
49. Communications with the heir to the Throne need not necessarily be made directly by, or to, the heir to the Throne. The exemption will also include communications made, or received on his behalf, by officials. Furthermore, the communication need not be a written one; the exemption would apply equally to discussions with the heir to the Throne, in person or via telecommunications. The exemption covers any recorded information relating to such a communication.

50. Section 37(2) of the FOIA states:

'The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1).'

51. To engage section 37(2) of the FOIA, the requested information (if held) would therefore have to fall within the scope of one of the exemptions contained within section 37(1).

52. As the complainant has requested information concerning any reply sent by Prime Minister Blair to The Prince of Wales's letter of 12 April 2002, the Commissioner is satisfied that if the Cabinet Office held non-environmental information within the scope of this part of the request, it would be exempt from disclosure on the basis of section 37(1)(aa) of the FOIA. He is therefore satisfied that section 37(2) is engaged, and that the Cabinet Office were entitled to issue a NCND response to this part of the request.

Parts 3, 4, 5 and 6 of the request (correspondence/communications between Prime Minister Blair and Alistair Campbell/Margaret Beckett which specifically relate to The Prince of Wales's letter of 12 April 2002)

53. In submissions to the Commissioner, the Cabinet Office confirmed that they held no information within the scope of parts 3, 4, 5 and 6 of the complainant's request. The Cabinet Office noted that the complainant had not provided any evidence or arguments to support his contention that it is *'highly likely'* that Mr Blair would have corresponded with Mr Campbell and Ms Beckett about the letter.

54. In cases where there is some dispute as to whether information falling within scope of the request is held, the Commissioner, following the lead of a number of Information Tribunal decisions, applies the civil standard of the balance of probabilities.

55. In other words, in order to determine such complaints, the Commissioner must decide whether, on the balance of probabilities, a public authority holds any information which falls within the scope of the request.

56. In applying this test, the Commissioner will consider the extent and quality of the searches carried out by the public authority, or other explanations offered as to why the information is not held.

The Cabinet Office's position

57. In order to investigate this complaint, the Commissioner asked the Cabinet Office to respond to a number of questions. The Commissioner

has set out below what these questions were and summarised the Cabinet Office's response to them.

Question: *What searches were carried out for information falling within the scope of this request and why would these searches have been likely to identify and retrieve any relevant information?*

Answer: The time period given in the request is 1 April 2002 and 1 July 2002 and so covers Tony Blair's administration. All the information from this administration is held in paper files. There is an electronic database containing a library of all of the files from Tony Blair's administration, but a search of the database simply identifies those files that might hold information; the database does not contain the information itself.

The Archives team in the Cabinet Office's Knowledge and Information Management (KIM) unit conducted a search of the relevant files for the period covered by this administration. As the files are in hard copy this was a manual read-through.

After transfer from the Prime Minister's office, the whole collection of Prime Minister's papers forms the archive of the administration. The KIM team does not add to or rearrange these papers after transfer but preserves them until they are transferred to The National Archives under the Public Records Act. The files searched are therefore the only ones that would contain the information if it existed.

Question: *Was any recorded information relevant to the scope of the complainant's request ever held but since deleted/destroyed prior to receipt of the request?*

Answer: No. After transfer from the Prime Minister's office the whole collection of Prime Minister's papers forms the archive of the administration. The KIM team does not add to or rearrange these papers after transfer but preserves them until they are transferred to The National Archives under the Public Records Act.

Question: *What does the Cabinet Office formal records management policy say about the retention and deletion of records of this type? If there is no relevant policy, can the Cabinet Office describe the way in which they have handled comparable records of a similar age?*

Answer: The policy states that the Cabinet Office will always preserve correspondence between the Government and the Royal Family.

The Commissioner's position

58. In the Commissioner's view, on the balance of probabilities, the Cabinet Office does not hold any information falling within the scope of parts 3, 4, 5 and 6 of the complainant's request. In reaching this conclusion the

Commissioner has taken into account the fact that any correspondence or communications which fall within the scope of these parts of the request would only be held in the files from Prime Minister Blair's administration. Furthermore, the Commissioner is satisfied that the searches conducted by the Cabinet Office were sufficiently focused and detailed ones that would have located any information falling within the scope of this particular request if it were held.

59. Furthermore, it is clear from the Cabinet Office's response that their retention policies would ensure that no information falling within the scope of these parts of the request would have been destroyed, either during Mr Blair's time in office or afterwards.

Procedural matters

60. In his request and subsequent request for an internal review, the complainant specified that he would like to be provided with a copy of the actual letter (including letterhead and signature), sent by The Prince of Wales to Prime Minister Blair rather than just excerpts from it.
61. The Cabinet Office addressed this aspect of the complainant's request in their original response of 12 May 2020. They advised that they considered that this information (except the extract of the letter relating to hunting previously disclosed) to be exempt. Therefore, they explained that if they were to comply with the new request (18 March 2020), they would be providing a copy of the letter only with the already disclosed information. The Cabinet Office noted that they had complied with the complainant's previous request by disclosing an extract, the names of the correspondents and the date of the letter. Therefore, section 21 (information reasonably accessible) applied to this part of the request.
62. The Cabinet Office advised that should section 21 be found not to be engaged then they were of the view that they had no duty under section 11 of the FOIA or under regulation 6 of the EIR to provide the information in its original format. The Cabinet Office advised the complainant that:

'Section 11 of the Act covers the means by which disclosed information is communicated to the applicant. The Act permits a requester to express a preference on the form of any information disclosed. Section 11(1)(a) refers to the provision to the applicant of a copy of the information in permanent form or in another form acceptable to the applicant. 'Permanent form' means hard copy, and 'another form' means any other means but usually digital. This is about the form the disclosed information takes (permanent or impermanent), not its format. There is more explanation of this point in the ICO guidance on

section 11 and in paragraphs 1.24-27 of the Section 45 Code of Practice'.

Paragraph 1.6 of the Code of Practice says that, *'The Act provides a right to information. Disclosing existing documents will often be the most straightforward way of providing information. However, in other cases it may be appropriate to extract the relevant information for disclosure and put in a single document rather than redact the existing document that contains it'.*

63. The Cabinet Office advised that, *'a public authority therefore has discretion over whether to provide an extract or a redacted version of the information. The Act does not give an applicant the right to express a preference as to the format of any information disclosed, and there is no mention of this in the guidance referred to above'.*
64. The Cabinet Office stated that regulation 6 of the EIR imposes a duty on a public authority to make the requested information available in the requester's preferred form or format. However, they advised that *'this duty is not an absolute one'.* They informed the complainant that the public authority does not have to meet a requester's preference if the information is already publicly available and easily accessible to the applicant in another form or format. By their previous disclosure of the information (i.e. the information concerning hunting in the letter), the Cabinet Office informed the complainant that the information was reasonably accessible to him.
65. The Commissioner agrees with the Cabinet Office that as the information requested by the complainant (information in the letter concerning hunting) had been previously disclosed to him (and the world at large) the Cabinet Office were not required, under regulation 6(1)(b) of the EIR to provide the complainant with a copy of the actual letter (including letterhead and signature). However, the Commissioner finds that the Cabinet Office breached regulation 6(2)(a) of the EIR in that they failed to explain the reason for their decision within 20 working days of the complainant requesting the information.
66. The complainant submitted his request on 18 March 2020 but the Cabinet Office did not provide a substantive response until 12 May 2020, more than 20 working days after the request. Whilst this means that the Cabinet Office breached section 10(1) of the FOIA and regulation 5(2) of the EIR, the Commissioner is mindful that the complainant's request coincided with the outbreak of the Covid-19 pandemic, and appreciates that this placed considerable disruption and pressures upon public authorities. Therefore, at the time of the complainant's request, some delay to the usual processes was understandable and to be expected.

Right of appeal

67. 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

68. 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.

69. 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

Alexander Ganotis
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