

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

**Date:** 16 March 2023

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

**Decision (including any steps ordered)**

---

1. The complainant has requested information about a government campaign to encourage the return to office working during the covid pandemic.
2. The Commissioner's decision, on the balance of probabilities, is that Cabinet Office does not hold the requested information.
3. The Commissioner does not require the public authority to take any steps.

**Request and response**

---

4. On 31 August 2020, the complainant wrote to Cabinet Office and requested information in the following terms:

"The total known costs of the campaign to encourage the return to office working. I realise these may change depending on decisions about extending or reducing the length of campaign, but I would like the information on costs currently held.

Please break the costs down to show all elements to include where relevant, scientific, health/medical, legal, and marketing advice and consultation. Costs of adverts for different media types e.g., television, newspapers, social media, billboards etc.

Please provide information about specific intended targets for the campaign, including information about how and why these were chosen.

Please provide the intended length of campaign and number of adverts and publicity broken down by each Media type and target area.

Please also provide all information about the timing of the campaign.”

5. On 6 October 2020, the Cabinet Office responded and denied holding the requested information. It explained that there was no such campaign as stated by the complainant.
6. The complainant requested an internal review on 9 October 2020. The Cabinet Office sent her the outcome of its internal review on 20 November 2020. It upheld its original position.

### **Scope of the case**

---

7. The complainant contacted the Commissioner 20 November 2020 to complain about the way her request for information had been handled. The complainant believing that the Cabinet Office held the requested information.
8. The Commissioner considers he has to determine, on the balance of probabilities, whether the Cabinet Office holds the requested information.

### **Reasons for decision**

---

9. Section 1 of the FOIA provides two distinct but related rights of access to information that impose corresponding duties on public authorities. These are:
  - The duty to inform the applicant whether requested information is held and, if so,
  - the duty to communicate that information to the applicant
10. The complainant believes that a campaign was intended, due to media coverage.

### Public authority's submissions

11. The complainant's request is in several parts, but centres around one broad question. She asks for information relating to a "return to office working" campaign. In its original response it explained that the Government was not running and had not recently (at the time of the request) run a 'return to the office' publicity campaign.
12. It also explained that as restrictions began being lifted in May 2020, and businesses across all sectors began to return to work, the Government had been guiding<sup>1</sup> them towards working safely whether in the workplace or remotely, with guidance on, through paid, owned and earned media channels. This was not a 'return to the office or workplace' campaign.

### Commissioner's position

13. The Commissioner considers a "campaign," in the context of this matter, to be a planned group of government generated activities that are intended to achieve a particular aim<sup>2</sup>.
14. The Commissioner has researched and considered the government's website (<https://www.gov.uk/coronavirus>) where campaigns are announced and advertised. The Commissioner could not find any reference to a government campaign for the return to office working.
15. The Commissioner also searched wider afield, where he did find a possibly relevant BBC news article (<https://www.bbc.co.uk/news/uk-53942542>) however it does not give a source for its reportage.
16. Having regard to the above the Commissioner, on the balance of probabilities, considers that there was not a formal planned "return to office working" campaign. As the request for information was predicated on such a campaign being operative, the Commissioner agrees with the submissions of the public authority, that it did not hold the requested information at the time of the request.

---

<sup>1</sup> <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>

<sup>2</sup> [CAMPAIGN | English meaning - Cambridge Dictionary](#)

## Right of appeal

---

17. 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](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

18. 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.
19. 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 .....**

**Gerrard Tracey**  
**Principal Adviser**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**