

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 6 February 2024

Public Authority: Potto Parish Council
Address: pottopc@btinternet.com

Decision (including any steps ordered)

1. The complainant requested information from Potto Parish Council ("the Council") relating to an investigation and the Council's internal audit.
2. The Commissioner's decision is that on the balance of probabilities, the Council does not hold information within the scope of the request.
3. The Commissioner does not require the Council to take any steps.

Request and response

4. On 26 June 2023, the complainant wrote to the Council and requested information in the following terms (numbering added by the Commissioner):

"I understand from reading the North Yorks Enquirer that [name redacted] is the subject of an ICAEW Professional Standards or Competency Investigation. I cannot find any published information by Potto Parish Council about this Investigation, and would therefore request the following in the Public interest:

- 1) What date was Potto Parish Council first advised of this ICAEW Investigation?

- 2) What competency checks were made by Potto Parish Council prior to instructing [name redacted] to do the 2022/23 internal audit?
 - 3) What safeguards do you have in place if Potto Parish Council fails to carry out an effective internal audit?"
5. The Council denied holding information within the scope of the request.

Scope of the case

6. The complainant contacted the Commissioner on 26 September 2023 to complain about the way their request for information had been handled. They stated that the Council had not provided them with the information they requested.
7. The scope of this case and the following analysis is to determine whether the Council holds information within the scope of the request.

Reasons for decision

The Council's position

8. In its submissions to the Commissioner, the Council stated that it receives the vast majority of by correspondence by email. It has therefore conducted a search of its emails for information within the scope of part 1 of the request using terms such as [name redacted], [name redacted], ICAEW, investigation, standards, professional standards and competency as search terms. However, this search did not locate any information within the scope of part 1 of the request.
9. The Council explained that it has conducted a search of its emails for information within the scope of part 2 of the request using terms such as [name redacted], [name redacted], ICAEW, qualifications, professional qualifications, internal auditor, audit and internal audit as search terms. However, this search did not locate any information within the scope of the part 2 of the request.
10. Furthermore, the Council stated that it also conducted a search of its paper records for information within the scope of parts 1 and 2 of the request. However, no information within the scope of either part 1 or part 2 of the request was located.

11. The Council explained that it has reviewed its policies and procedures for information within the scope of part 3 of the request. However, no information within the scope of part 3 of the request was located.

The Commissioner's position

12. The Commissioner is satisfied that the Council has carried out reasonable searches for information within the scope of the request. He considers that when conducting its searches, the Council used appropriate and relevant search terms.
13. Therefore, the Commissioner's decision is that on the balance of probabilities the Council does not hold information within the scope of the request.

Right of appeal

14. 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

15. 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.
16. 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

Daniel Perry
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