

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 5 August 2024

Public Authority: Ditchling Parish Council

Address: Parishoffice@ditchling-pc.gov.uk

Decision (including any steps ordered)

1. The complainant requested copies of specific invoices.
2. The Commissioner's decision is that the council has complied with the request in providing the information it has to the complainant. He also found that the council breached section 10(1) of the FOIA as it provided the information outside the required timeframe.
3. As the information has been provided, the Commissioner does not require any steps.

Request and response

4. On 23 January 2024 the complainant wrote to the council, and within the correspondence, they requested:

"The Receipts and Payments excel spreadsheet included lists Locum Clerk payments to [name redacted] on 19 October, and 31 October 2023 but does not show the periods being paid for. It also shows a further payment in January, 2024 which does show the period being paid for. There is also a Locum Clerk payment to [name redacted] on 27 November, 2023 which does not indicate which period is being paid for. Please supply copies of the actual invoices received to me which should demonstrate clearly what has been paid to whom, and for what periods"

5. The council responded to the complainant on 22 February 2024. As the invoices contained personal data of an individual, it refused to provide actual copies of them. It instead provided the complainant with the payment date, amount and period of each invoice.
6. Although not cited in its response, the council appeared to be relying on section 40(2) of the FOIA to refuse the request.
7. The complainant requested an internal review on 23 February 2024, disputing the council's refusal to provide actual copies of the invoices, refining his request, stating "...you could simply redact the documents in respect of all personal information (which is of no interest anyway), then send them to me".
8. The council provided its internal review on 5 March 2024 upholding its initial response.
9. The complainant contacted the Commissioner on 11 March 2024 to complain about the council's refusal to provide copies of the requested invoices.
10. During the Commissioner's investigation, on 10 July 2024, the council provided the complainant with copies of the requested invoices with the personal data redacted.

Scope of the case

11. The complainant contacted the Commissioner further dissatisfied that the council had redacted the address of the named person on the invoices.
12. The council has told the Commissioner that it considers it has satisfied the request, which the complainant refined in his internal review request.
13. When a request is refined, the refined request essentially becomes the new request for information. Therefore the scope of the Commissioner's investigation is to determine whether the council has complied with the complainant's refined request dated 23 February 2024.

Reasons for decision

14. Section 1(1) of the FOIA states:

“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.”

15. In this case the complainant initially requested copies of three specific invoices. However, they refined their request in their internal review request stating:

“...you could simply redact the documents in respect of all personal information (which is of no interest anyway), then send them to me”.

16. The council has told the Commissioner that the redacted address on the three invoices is the personal address of the named individual and therefore the personal data of that individual.
17. The Commissioner has published guidance¹ on what constitutes personal data.
18. The Commissioner is satisfied that the redacted address is the personal data of the individual named in the request and therefore finds that the council has complied with section 1 of the FOIA in providing the information it held that fell within the scope of the complainant’s refined request.

Procedural matters

19. Section 10(1) of the FOIA requires a public authority to comply with section 1 of the FOIA within 20 working days. In this case the complainant made his refined request on 23 February 2024 and the council provided the redacted invoices on 10 July 2024.

¹ [Section 40 and Regulation 13 – personal information | ICO](#)

20. As this is outside the required 20 working days, the Commissioner finds that the council breached section 10(1) of the FOIA.
21. As the information has since been disclosed, the Commissioner does not require the council to take any steps.

Right of appeal

22. 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

23. 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.
24. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

[Signatory Name]

[Signatory Title]

Information Commissioner's Office

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