

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 26 August 2014

Public Authority: Royal Borough of Greenwich
Address: The Woolwich Centre
Wellington Street
Woolwich
SE18 6HQ

Decision (including any steps ordered)

1. The complainant has requested information regarding the Run to the Beat Event.
2. The Commissioner's decision is that the Royal Borough of Greenwich ("the Council") did not deal with the request for information in accordance with the FOIA in the following way:
 - It failed to provide a response to the request within the statutory time frame of 20 working days.
3. The Commissioner requires the public authority to take no steps.

Request and response

4. On 4 February 2014, the complainant wrote to the Council and requested information in the following terms:

"1a) Has the £10000 promised by IMG in respect of Run to the Beat 2013 been paid for yet?

1b) What plans does RBG have for spending this money?

1c) When will the review into this event and its conclusions be made public?

2) In 2011 I asked questions about RBG's policy on petitions forwards to the Planning Department. I had to take the enquiry to the ICO to get an answer (that there was no consistent handling of petitions". Subsequently I took the matter to the LGO, which ruled the RBG should have such a policy and that it should be in the public domain. In 2013 Mary Ney decreed that any policy had to be council wide and not confined to Planning. As far as I am aware the Planning Department has made it contribution but it is impossible to find out when the policy will be completed and published in the public domain. Therefore, I am asking for all information (in any format) relevant to this enquiry to be forwarded to me".

5. The Council sought clarification which was provided on 12 February 2014. After receiving this, the Council responded on 21 March 2014. It provided the complainant with information within the scope of her request.
6. The complainant contacted the Commissioner on 27 May 2014 to complain about the late response to her information request. The breach of section 10 of FOIA was recorded by the Commissioner.
7. The complainant contacted the Commissioner again in August 2014 regarding the above matter. She explained that following a meeting in July, it had come to her attention that some of the information she had received on 21 March 2014 was not information she had requested. Instead it was a draft of the requested information.
8. She raised this issue with the Council. The Council responded on 23 July 2014. The Council provided the complainant with the final draft report which it believed had not been sent to her previously.

Scope of the case

9. The complainant contacted the Commissioner on 30 July 2014 to complain about the way her request for information had been handled. She argued that the Council provided its response to her request over four months late.
10. The complainant has confirmed that although she has received the requested information, she would like a decision notice to be issued to record the breach of section 10 of FOIA.

Reasons for decision

11. Section 10 of the Act states that a public authority must respond to a request promptly and *"not later than the twentieth working day following the date of receipt"*.
12. From the information provided to the Commissioner it is evident that the Council did not respond to the complainant within the statutory timeframe in respect of this request.

Conclusion

13. The Commissioner's decision is that the Council did not deal with the request for information in accordance with the FOIA. It has breached section 10(1) of the FOIA by failing to provide a substantive response to the request within the statutory timeframe of 20 working days.
14. As a response has now been provided to the complainant, the Commissioner requires the Council to take no steps.

Right of appeal

15. 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: 0300 1234504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

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

16. 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.
17. 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

Rachael Cragg
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