

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 1 November 2018

Public Authority: Commissioner of the City of London Police

Address: PO Box 36451

Bishopsgate

London

EC2M 4WN

Decision (including any steps ordered)

1. The complainant has requested information relating to voluntary monetary contributions by financial services businesses to City of London Police.
2. The Commissioner's decision is that City of London Police has breached section 10(1) of the FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner requires City of London Police to take the following step to ensure compliance with the legislation.
 - City of London Police must issue a substantive response to the request in accordance with its obligations under the FOIA.
4. The public authority must take this step 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 the Act and may be dealt with as a contempt of court.

Request and response

5. On 22 August 2018, the complainant wrote to City of London Police and requested information in the following terms:

"The City of London Police service has recently announced a partnership agreement with Lloyds Banking Group under which the latter is making a financial donation to the former. Please provide a schedule of all other such material voluntary monetary contributions by financial services businesses (including professional services firms that provide consulting and legal services to such firms) to CoLP over the past five years, to include:

- 1. The name of the firm making the payment;*
- 2. The quantum of the payment;*
- 3. The stated purpose for which the payment was made*
- 4. The date on which the payment was agreed, announced or made (as appropriate)"*

6. On 19 September 2018 the complainant wrote to City of London Police to request a response to his request.
7. City of London Police replied to the complainant on 20 September 2018 to apologise for the delay, explaining that it had a backlog of requests and that it could not confirm a time scale for its response. To date a substantive response has not been provided.

Scope of the case

8. The complainant contacted the Commissioner on 26 September 2018 to complain about City of London Police's failure to respond to his information request.
9. On 10 October 2018 the Commissioner wrote to City of London Police, reminding it of its responsibilities and asking it to provide a substantive response to the complainant within 10 working days.
10. Despite this intervention City of London Police has failed to respond to the complainant.

Reasons for decision

11. Section 1(1) of FOIA states that:

"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."

12. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and *"not later than the twentieth working day following the date of receipt."*

13. From the evidence provided to the Commissioner in this case, it is clear that City of London Police did not deal with the request for information in accordance with the FOIA. The Commissioner finds that City of London Police has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with the FOIA.

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: 0300 1234504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.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

Deborah Clark
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