

## FREEDOM OF INFORMATION ACT 2000 (SECTION 50)

### DECISION NOTICE

Dated 24<sup>th</sup> June 2005

**Name of Public Authority:** The Cabinet Office  
**Address of Public Authority:** 10 Downing Street  
London  
SW1A 2AA

#### **Nature of Complaint**

The Information Commissioner (the "Commissioner") has received a complaint which states that on 25 February 2005 the following information was requested from The Cabinet Office under section 1 of the Freedom of Information Act 2000 (the "Act"):

- A complete list of emails sent and received since July 1 2004 by Andrew Adonis, the Prime Minister's adviser on education within the policy directorate, on his Cabinet Office/Downing Street computer. Also, the recipient/sender of each email, the date on which each email was sent, and the subject matter of each email (as already listed in the subject line of the email).
- Complete copies of correspondence between Andrew Adonis and the Prime Minister since July 1 2004 to the present day, covering any and all letters, emails, memos and any other such forms of correspondence.
- A schedule of documents which are relevant to this request with a brief description of each relevant document including the nature of the document, the date of the document and whether the document is being released or not.

It is alleged that the Cabinet Office did not respond to the request within twenty working days.

#### **The Commissioner's Decision**

Under section 50(1) of the Act, except where a complainant has failed to exhaust a local complaints procedure, or where the complaint is frivolous or vexatious, subject to undue delay, or has been withdrawn, the Commissioner is under a duty to consider whether the request for information has been dealt with in accordance with the requirements of Part I of the Act and to issue a Decision Notice to both the complainant and the public authority.

The Commissioner's decision is as follows:

The Cabinet Office did not respond to the complainant's request until 12 April 2005 and has therefore breached section 10(1) of the Act. Section 10(1) states:

"Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."

### **Action Required**

In view of the fact that the Cabinet Office responded to the complainant's request on 12 April 2005 the Commissioner hereby gives notice that in exercise of his powers under section 50 of the Act he does not require any remedial steps to be taken by the Cabinet Office.

### **Right of Appeal**

Either party has the right to appeal against this Decision Notice to the Information Tribunal (the "Tribunal"). Information about the appeals process can be obtained from:

Information Tribunal	Tel: 0845 6000 277
Arnhem House Support Centre	Fax: 0116 249 4253
PO Box 6987	Email: <a href="mailto:informationtribunal@dca.gsi.gov.uk">informationtribunal@dca.gsi.gov.uk</a>
Leicester	
LE1 6ZX	

Any Notice of Appeal should be served on the Tribunal within 28 days of the date on which this Decision Notice is served.

Dated the 24<sup>th</sup> day of June 2005

Signed: .....

Graham Smith  
Deputy Commissioner

Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF